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SPECIFIC DESIGN PLAN

SDP-0514

Application	General Data
Project Name: Bevard East, Phase 2 Location: Between Thrift Road and Piscataway Road, and between Tippet Road and Windbrook Drive Applicant/Address: Washington Park Estates, LLC 5450 Branchville Road College Park, MD 20740	Date Accepted: 2/28/2006
	Planning Board Action Limit: N/A
	Plan Acreage: 169.63
	Zone: R-L
	Dwelling Units: 256
	Square Footage: N/A
	Planning Area: 81B
	Tier: Developing
	Council District: 9
	Municipality: NA
	200-Scale Base Map: 215SE04

Purpose of Application	Notice Dates
Residential subdivision consisting of 194 single-family detached dwelling and 62 single-family attached dwelling units.	Adjoining Property Owners Previous Parties of Record Registered Associations: 12/06/05 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 05/09/06

Staff Recommendation		Staff Reviewer: Lareuse	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

June 1, 2006

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Susan Lareuse, Planner Coordinator

SUBJECT: Specific Design Plan SDP-0514, Bevard East, Phase 2

The Urban Design staff has reviewed the specific design plan for the subject property and presents the following evaluation and findings leading to a recommendation of **APPROVAL** with conditions as described in the recommendation section of this report.

EVALUATION

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

- a. Zoning Map Amendment A-9967.
- b. Comprehensive Design Plan CDP-0504.
- c. Preliminary Plan of Subdivision 4-05050.
- d. Zoning Ordinance Sections 27-514.08 through Section 27-515, Purposes, Uses; Regulations, Minimum Size Exceptions and Uses Permitted in the R-L Zone.
- e. The requirements of the Landscape Manual.
- f. The requirements of the Woodland Conservation and Tree Preservation Ordinance.
- g. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject specific design plan, the Urban Design Review staff recommends the following findings:

1. **Request:** The subject application is for approval of 194 single-family detached and 62 single-family attached dwelling units in the R-L Zone.

2. **Development Data Summary:**

Zone	Existing R-L	Proposed R-L
Uses	Vacant	Single-family detached Single-family attached
Acreage	169.61	169.61
Single-family detached units	0	194
Single-family attached units	0	62
Total		256

3. **Location:** This portion of the Bevard East, Phase 2, development is located on the southeast side of Piscataway Road and north of Thrift Road, in Planning Area 81B and Council District 9.
4. **Surroundings and Use:** The subject site is bounded on the west side of the property by Mary Catherine Estates. To the north of the subject property is proposed Bevard East, Phase 4. To the south is proposed Bevard East, Phase One. To the east is Wolfe Farm, which is undeveloped but has a preliminary plan of subdivision approved for it, 4-04099
5. **Previous Approvals:** The subject property has an approved Basic Plan, A-9967, approved by the District Council on March 28, 2006, in accordance with Zoning Ordinance No. 7-2006. The Planning Board approved the Comprehensive Design Plan, CDP-0504 on January 12, 2006. The CDP was appealed by a citizen party of record to the District Council; as of the writing of this report, the final decision of the District Council has not been rendered. The Preliminary Plan of Subdivision 4-05050 was approved on February 16, 2006 by the Planning Board, prior to the final approval by the District Council of the rezoning case and prior to the final decision on the CDP.
6. **Design Features:** Phase 2 of the Bevard East development is accessed from Phase 4, which has access from Piscataway Road. The 252 homes proposed in Phase 2 will be served by a single access road from Phase 4 of the development. A main spine road is lined with lots on the west and secondary roads access proposed development to the east. The townhouse units are located on the eastern side of the development near the entrance road from Phase 4. The townhouses are rear-loaded garages on alleys; one-third of the units face into a wooded area, another third of the units back-up to a wooded area, and the last one-third are surrounded by dwelling units. A parcel is located along the east side of the spine road serving the development that does not clearly depict the purpose of the space, but it could be developed into a pocket park for use by the residents.

A playground has been included on land to be dedicated to the homeowner's association. Trails have also been included in the subject phase of the Bevard development.

Architecture for the single-family detached units will be brought before the Planning Board in a separate umbrella architecture specific design plan SDP-0605 that has been recently accepted by the Development Review Division for processing.

ARCHITECTURAL MODEL DATA

The following architectural models for townhouse products are proposed by K Hovnanian Homes, Caruso Homes, and Ryan Homes:

Model	Base Finished Area (Sq. Ft.)*
K. Hovnanian	
Astoria I and II	1,680
Chatham	1,600
Woodford I & II	1,600
Woodley Park I	1,948
Woodley Park II	1,920
Caruso Homes	
Napa Valley	1,892
Sonoma	1,890
Ryan Homes	
Fairgate	1,600

*Base Finished Area in square feet as submitted in e-mail dated May 30, 2006. Finished floor statement forms were not submitted.

Comment: The architectural elevations for the Ryan Homes model, the Fairgate, are incomplete. The plans submitted only include the front elevation of sticks of buildings of various numbers of units. Side and rear elevations of the product have not been provided. Therefore, the staff recommends that the Ryan Homes model, the Fairgate, be deleted. Likewise, the Caruso Homes architectural elevations depict front load garages instead of the rear load garages shown on the site plan. Due to this inconsistency, the staff recommends that the Caruso Homes models Napa Valley and Sonoma be deleted.

The K Hovnanian architectural elevations are complete and provide for an acceptable level of quality design. The staff recommends approval of the models proposed by K. Hovnanian with a condition that the plans be revised to show a standard deck on the rear of the units, with details and specifications to be approved prior to signature approval.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9967:** This case rezoned approximately 562.85 acres of land in the R-E Zone to the R-L Zone and was approved by the District Council on March 28, 2006, in accordance with Zoning Ordinance No. 7-2006. The following conditions were attached to the approval and warrant discussion:
 1. **The basic plan shall be revised as follows, and submitted to the Office of the Zoning Hearing Examiner for inclusion in the record:**
 - **The right-of-way for A-65 as designated on the Subregion V Master Plan shall be shown. A determination shall be made at the time of preliminary plan concerning dedication, reservation, or no preservation strategy for the right-of-way for this facility within the subject property.**
 - **The Basic Plan shall be revised to reflect a proposed basic plan density of 827 units and a maximum of 165 attached units (20% of the total, as provided in Section 27-514.10 of the Zoning Ordinance). With the provision**

of density increments, Applicant shall construct no more than 827 units.

Comment: According to the Zoning Section, a revised basic plan has not been submitted to this office, which would then be forwarded to the ZHE to show the master plan alignment of A-65 and the density as stated above.

2. A preliminary plan of subdivision shall be required for the proposed development.

Comment: As stated earlier in this report, a preliminary plan of subdivision for the subject project was approved by the Planning Board on February 16, 2006, before the final approval of the rezoning case and before the final approval of the comprehensive design plan.

3. A soils study shall be submitted as part of any application for a natural resources inventory. The study shall clearly define the limits of past excavation and indicate all areas where fill has been placed. All fill areas shall include borings, test pits, and logs of the materials found. Borings and test pits in fill areas shall be deep enough to reach undisturbed ground.

Comment: A natural resources inventory (NRI), NRI/40/05, has been approved. The NRI includes a soils study that clearly defines the limits of past excavation and indicates all areas where fill has been placed and includes borings, test pits, and logs of the materials found above undisturbed ground.

4. The Comprehensive Design Plan ("CDP") shall avoid impacts to sensitive environmental features. If avoidance is not possible, the impacts shall be the minimum necessary to support the development concept as a whole.

Comment: Condition 13 of CDP-0504 was formulated to address this issue. Impacts to sensitive environmental features are discussed in detail below.

5. If impacts to regulated environmental features remain after the redesign, variation requests shall be submitted as part of any application for a preliminary plan of subdivision. The variation request must have a separate justification statement for each impact or impact type, in conformance with Section 24-113 of the Subdivision Regulations, a map on 8.5 x 11 inch paper showing each impact, and noting the quantities of impacts proposed for each individual impact.

Comment: Variation requests with exhibits for 18 impacts were received on January 9, 2005, and reviewed with Preliminary Plan 4-05050. Of the 18 requests, 9 were fully approved, 7 were approved in part, and 1 was denied by the Planning Board. Type I Tree Conservation Plan TCPI/53/04-01 was revised prior to signature to reflect the Planning Board decision. Impacts to sensitive environmental features are discussed in detail in the Environmental Review section below.

6. A Phase I noise study shall be required as part of any application for a CDP. The CDP and Type I Tree Conservation Plan ("TCPI") shall show all unmitigated 65 dBA Ldn noise contours associated with traffic-generated noise.

Comment: The noise model used by the Environmental Planning Section predicts that the unmitigated 65 dBA Ldn noise contour will be about 168 feet from the centerline of Piscataway

Road in ten years. Based upon dedication of 60 feet from the centerline of existing Piscataway Road, the predicted 65 dBA Ldn contour is approximately 118 feet from the edge of the proposed right-of-way and clearly not impacting any proposed lot within this phase of the development.

- 7. The CDP shall provide for minimum 40-foot scenic easements adjacent and contiguous to the proposed 10-foot public utility easements along the land to be dedicated for Piscataway Road and Thrift Road.**

Comment: This condition is not applicable to this phase of the development because this phase does not have frontage on either of the roadways mentioned above.

- 8. Applicant shall execute a large lot component located in approximately 118 acres of land, at the southern portion of the site, south of the tributary and north of Thrift Road. The lot size shall not be less than 30,000 square feet for lots bordering Thrift Road and adjoining subdivisions, as shown on Exhibit 20. The remaining lots shall be a minimum of 20,000 square feet. The layout shall be determined at the time of the CDP and preliminary plan of subdivision approval.**

Comment: This condition applies to Phase 1 only.

Consideration:

- 1. At the time of Comprehensive Design Plan review specific acreage of parkland dedication shall be determined. The dedicated parkland should be of sufficient acreage to accommodate a baseball field, soccer field, a parking lot with a minimum of 100 parking spaces, a playground, picnic shelter, basketball court, trail and stormwater management pond. The dedicated parkland shall be located along Piscataway Road.**

Comment: The CDP provided for the information above and this condition has no impact on the subject application

- 2. At the time of Comprehensive Design Plan review any recreational facilities to be constructed by Applicant shall be constructed on dedicated parkland. The recreational facilities package shall be reviewed and approved by appropriate M-NCPPC staff.**

Comment: The CDP provided for the information above and this condition has no impact on the subject application

- 3. As a public benefit feature, Applicant shall contribute \$2 million to the construction of a community center to be located at Cosca Regional Park.**

Comment: The comprehensive design plan approved a timing mechanism for the collection of the money and the same condition is included in the recommendation section of this report

- 4. At the time of Comprehensive Design Plan review, Applicant and Staff should address the feasibility of installing traffic calming measures and pedestrian crosswalks at the following intersections:**

- Piscataway Road/Windbrook Drive;**

- **Piscataway Road/Mary Catherine Drive;**
- **Piscataway Road/entrance to Bevard North; and**
- **Piscataway Road/entrance to Bevard East**

Comment: Crosswalks and/or traffic calming at each location (please note that the entrance to Bevard East from MD 223 has been moved from the location shown on the basic plan and is now coincident with the entrance to Bevard North from MD 223) is potentially feasible. No information has been received from the applicant. In any regard, any traffic control or pavement marking must be reviewed by the appropriate operating agency, either SHA (for MD 223) or DPW&T (for all other facilities).

As a means of ensuring that the condition is met, the following condition should be attached to each SDP:

Prior to signature approval of this SDP, the feasibility of installing traffic calming measures and crosswalks at the following locations shall be determined in consultation between the applicant and the appropriate transportation agency, either SHA or DPW&T:

MD 223/Windbrook Drive
MD 223/Mary Catherine Drive
MD 223/entrance to Bevard North/Bevard East

The applicant shall be required to install any traffic calming measures and crosswalks that are deemed to be feasible and appropriate by the operating agencies. The result of such discussions shall be provided to planning staff in writing, and any required improvements shall be added as a note on any final plat.

8. **Comprehensive Design Plan CDP-0504:** Comprehensive Design Plan CDP-0504 was approved by the Planning Board on January 12, 2006. The CDP was appealed by a citizen party of record to the District Council on January 26, 2006 and a final decision of the District Council has not been rendered for this case. The following conditions of approval are taken for the Planning Board's action as stated in PGCPB Resolution No. 05-269:

1. **The applicant shall dedicate to M-NCPPC 14± acres of developable land for future parkland as generally shown on attached Exhibit "A" at the time of the first final plat of subdivision.**

Comment: This condition should be carried over to the approval of this plan.

2. **Prior to signature approval of the CDP, the applicant shall submit a conceptual grading plan including a storm water management pond for the park parcel. If it is determined that the facilities (baseball field, soccer field, 100-space parking lot, playground, picnic shelter, basketball court, trails, storm water management pond) cannot be accommodated on the park parcel, the boundaries of the parcel shall be enlarged. The revised boundaries shall be approved by the Department of Parks and Recreation.**

Comment: The applicant has not fulfilled this condition because the District Council has not made a final decision on the CDP and it has not been certified yet.

3. **The land to be conveyed to M-NCPPC shall be subject to the conditions of the attached Exhibit B.**

Comment: This condition should be carried over to the approval of this plan.

4. **Construction drawings for the recreational facilities on public parkland shall be reviewed and approved by the Park Planning and Development staff prior to certificate approval of the first specific design plan.**

Comment: This condition should be carried over to the approval of this plan.

5. **Prior to submission of any final plats of subdivision, the applicant shall enter into a public Recreational Facilities Agreement (RFA) with M-NCPPC for the construction of recreation facilities on parkland. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.**

Comment: This condition should be carried over to the approval of this plan.

6. **The applicant shall submit to DPR a performance bond, a letter of credit or other suitable financial guarantee, for the construction of the public recreation facilities in the amount to be determined by DPR, at least two weeks prior to issuance of grading permits.**

Comment: This condition should be carried over to the approval of this plan.

7. **The recreational facilities on dedicated parkland shall be constructed prior to issuance of the 50th building permit.**

Comment: This condition should be carried over to the approval of this plan.

8. **The applicant, his heirs, successors and/or assignees shall make a monetary contribution of a minimum \$2,000,000 toward the construction of the Southern Region Community Center in three phases:**
 - a. **\$200,000.00 for the design and engineering of the community center shall be paid prior to the issuance of the 50th building permit.**
 - b. **\$ 900,000.00 for the construction of the community center shall be paid prior to issuance of the 200th building permit. Beginning from the date of issuance of the 50th building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).**
 - c. **\$ 900,000.00 for the construction of the community center shall be paid prior to issuance of the 400th building permit. Beginning from the date of issuance of the 50th building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).**

Comment: This condition should be carried over to the approval of this plan.

9. **Depending on the type of roadway required by the Department of Public Works and Transportation, one of the following shall be shown on the specific design plan and provided:**

- a. **If a closed section road is required, the applicant shall construct an eight-foot-wide Class II trail along the site's entire road frontage of Thrift Road.**
- b. **If an open section road is required, the applicant shall provide wide asphalt shoulders along the subject site's entire road frontage of Thrift Road and a financial contribution of \$210.00 to the Department of Public Works and Transportation for the placement of one "Share the Road with a Bike" sign. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.**

Comment: This condition does not apply to this Phase of the development, it applies to Phase 1.

10. **Prior to acceptance of the applicable specific design plans, the following shall be shown on the plans:**

- a. **The APA designation area shall be shown.**

Comment: This phase is not within an APA zone.

- b. **The community building shall be shown as a minimum of 5,000 square feet, in addition to the space proposed to be occupied by the pool facilities.**

Comment: The community building is proposed in Phase 4.

- c. **The swimming pool shall be approximately 25 meters long and 40 feet wide with a 30-foot by 30-foot training area.**

Comment: The swimming pool is proposed in Phase 4.

11. **On the appropriate specific design plan, the applicant shall provide the following:**

- a. **An eight-foot-wide asphalt HOA trail from the southernmost cul-de-sac to the proposed trail immediately to the north in the vicinity of the stormwater management pond**

Comment: This requirement applies to Phase 1 only.

- b. **An eight-foot-wide asphalt HOA trail from one of the cul-de-sacs west of the main stream valley to the main north-south trail that is proposed.**

Comment: This application should be revised to provide for this trail connection.

- c. **Trails within and to the proposed public park as generally indicated on the CDP illustrative plan.**

Comment: This requirement applies to the public park.

- d. Trail connections from the proposed public park to Roulade Place and Mordente Drive, as indicated on the CDP illustrative plan.**

Comment: This requirement applies to the public park.

- e. A wide asphalt shoulder along the subject site's entire road frontage of MD 223 in order to safely accommodate bicycle traffic, unless modified by SHA.**

Comment: This does not apply to this phase.

- f. Standard sidewalks along both sides of all internal roads, unless modified by DPW&T.**

Comment: This is shown on the plans.

- 12. Prior to certification of the CDP, the approved Natural Resources Inventory, NRI/40/05, shall be submitted to become part of the official record for the comprehensive design plan.**

Comment: This condition has not been fulfilled because a final action has not been taken by the District Council and the CDP has not been certified.

- 14. Prior to certification of the comprehensive design plan, the Type I tree conservation plan shall be revised to:**

- a. Provide all required woodland conservation on-site.**
- b. revise the worksheet as needed.**
- c. Have the revised plan signed and dated by the qualified professional who prepared the plan.**

Comment: The TCPI has not been signed because the District Council has not made a final decision on the CDP.

- 15. Prior to certification, the comprehensive design plan and TCPI shall be revised to show all unmitigated 65 dBA Ldn noise contours associated with traffic-generated noise.**

Comment: These changes have been made on the TCPI and it has been certified. The applicant has not fulfilled this condition in regard to the CDP, so the condition should be carried over to the approval of this plan.

- 16. The preliminary plan of subdivision shall provide for minimum 40-foot scenic easements adjacent and contiguous to the proposed 10-foot public utility easements along the land to be dedicated for Piscataway Road and Thrift Road. No part of any scenic easement shall be on a lot.**

Comment: This application does not include frontage in either Piscataway or Thrift Road, so it has no impact on the SDP review.

- 17. Prior to acceptance of each specific design plan the applicant shall submit an overall open space plan with calculations for areas of tree preservation, wetlands, and floodplain, to ensure preservation of areas approved as open space per CDP-0504.**

Comment: The specific design plan cover sheet contains a clearly legible overall plan of the project. Because tree conservation plan numbers are assigned only after applications have been submitted to the Environmental Planning Section, the cover sheet does not have the corresponding TCPII numbers.

Recommended Condition: Prior to certification of the SDP, the cover sheet shall be amended to include the TCPII numbers for each companion SDP: SDP-0504, TCPII/71/06; SDP-0514, TCPII/72/06; SDP-0515, TCPII/73/06; SDP-0516, TCPII/74/06 and SDP-0517, TCPII/75/06.

- 18. Prior to signature approval of the CDP, the following revisions shall be made:**

- a. The plans shall be revised to be in conformance to Condition No. 12 of A-9967.**

Comment: Condition 12 District Council's order states the following:

- 12. Applicant shall execute a large lot component located in approximately 118 acres of land, at the southern portion of the site, south of the tributary and north of Thrift Road. The lot size shall not be less than 30,000 square feet for lots bordering Thrift Road and adjoining subdivisions, as shown on Exhibit 20. The remaining lots shall be a minimum of 20,000 square feet. The layout shall be determined at the time of the CDP and preliminary plan of subdivision approval.**

Comment: This requirement applies only to Phase 1.

- b. The plans shall be revised to demonstrate that the lots located along the secondary entrance road from Tippet Road shall be a minimum of 20,000 square feet in size and have a frontage width of 80 feet at the front street line.**

Comment: This requirement applies only to Phase 5.

- c. The plan shall be revised to indicate the APA 3M and APA 6.**

Comment: This requirement applies to Phases 4 and 5. This SDP should be revised to indicate the APA 3M and 6.

- d. Four copies of the final version of the Phase I archeological investigation shall be submitted (with the comments addressed) to the Planning and Preservation Section.**

Comment: This has not been done because the plans have not been certified.

- e. The plans shall be revised to add lots along the main entrance road, across**

from the park, to be sized in the medium lot size category, have a minimum 80-foot width at the front street line and be served by an alley. Further, the lots continuing along the main road to the first intersection shall be enlarged to the medium lot size and the same 80-foot width at the front street line.

- f. The green area formed at the intersection of lots on the northwest side of the first circle along the main entrance road shall be designated as a buildable lot.

Comment: The two conditions above apply to Phase 4 only.

- 19. The recreational facilities shall be bonded and constructed in accordance with the following schedule:

PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
Public Park	Prior to the issuance of any building permits	Complete by 50th building permit overall
Recreation center Outdoor recreation facilities	Prior to the issuance of the 200th building permit overall	Complete by 400th building permit overall
Recreation Center Building and pool	Prior to the issuance of the 200th building permit overall	Complete before the 400 th building permit overall
Pocket Parks (including Playgrounds) within each phase	Prior to the issuance of any building permits for that phase	Complete before 50% of the building permits are issued in that phase
Trail system Within each phase	Prior to the issuance of any building permits for that phase	Complete before 50% of the building permits are issued in that phase
It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessity. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25%, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.		

Comment: The requirements above should be finalized in an executed RFA prior to approval of any final plats for the development to assure that the recreational facilities are constructed in a timely manner.

- 20. Prior to the approval of a specific design plan for architectural elevations, the following shall be demonstrated:

- a. The most visible side elevations of single-family detached or attached units on corner lots and other lots whose side elevation is highly visible to significant amounts of passing traffic shall have a minimum of three

architectural features such as windows, doors and masonry fireplace chimneys, and these features shall form a reasonably balanced and harmonious composition.

Comment: The staff recommends that Lots 5 and 21, Block N, Lots 10 and 31, Block G, and Lots 5 and 27, Block H, be required to have a minimum of three architectural features, and these features should form a balanced composition..

- b. All single-family detached dwellings shall not be less than 2,200 square feet of finished living area.**

Comment: The architectural elevations for the single-family detached units will be reviewed under SDP-0605, an umbrella specific design plan for the overall project.

- c. No two houses directly adjacent to each other or across the street from one another should have the same elevation.**

Comment: The architectural elevations for the single-family detached units will be reviewed under SDP-0605, an umbrella specific design plan for the overall project.

- d. Brick end walls shall be used on highly visible end units of townhouses, to be determined at the time of the specific design plan.**

Comment: The staff recommends that Lots 5 and 21, Block N, Lots 10 and 31, Block G, and Lots 5 and 27, Block H, be required to have brick end walls.

21. The following standards shall apply to the development:

Bevard East Standards Proposed

	SFA	SFD		
Lot Size	1,800 sf	6,000-10,000 sf	10,000-19,999 sf	20,000+ sf
Minimum width at front street R-O-W***	N/A	50 feet*	60 feet*	70 feet*
Minimum frontage on cul-de-sacs	N/A	30 feet*	30 feet*	35 feet*
Maximum lot coverage	400 sf yard area**	60%	50%	40%
Minimum front setback from R-O-W	15 feet	20 feet	25 feet*****	25 feet
Minimum side setback	None	5 feet	17/8 feet	17/8 feet
Minimum rear setback	None	20 feet	25 feet	25 feet
Minimum corner setback to side street R-O-W	10 feet	15 feet	15 feet	15 feet
Maximum residential building height	40 feet	35 feet	35 feet	35 feet
Approximate percentage of total lots	20 percent	60 percent	10 percent	10 percent

Variations to the standards may be permitted on a case-by-case basis by the Planning Board at the time of specific design plan if circumstances warrant.

***Except minimum lot frontage for flag lot configurations shall be 25 feet.**

****Except that the yard area may be reduced to 300 sf for decks.**

*****Except that the minimum lot width at the front street line shall be no less than 80 feet for the lots adjacent to Piscataway Road, the main entrance drive from Piscataway Road to the first intersection, and along the secondary entrance from Tippet Road to the second intersection.**

******Except that on the lots across from the park, the front yard setback shall be no less than 30 feet.**

Comment: These requirements are appropriately shown on the cover sheet and will be enforced at the time of building permits.

- 22. Every specific design plan shall include on the cover sheet a clearly legible overall plan of the 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, all approved or submitted tree conservation plan numbers, and the number and percentage.**

Comment: The plans demonstrate conformance to this condition.

- 23. Prior to the issuance of any building permits within the subject property, the following road improvements associated with the phase shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
- A. MD 223/Old Branch Avenue/Brandywine Road: Reconstruct the intersection to provide two through lanes, an exclusive right-turn lane, and an exclusive left-turn lane on both the eastbound and westbound approaches, and provide an exclusive through lane, an exclusive right-turn lane, and an exclusive left-turn lane on both the northbound and southbound approaches. Modify traffic signal, signage, and pavement markings as needed.**
 - B. MD 223/Temple Hill Road: Construct a second through lane along the south/westbound MD 223 approach. Modify signals, signage, and pavement markings as needed.**
 - C. MD 223/Steed Road: Reconstruct the intersection to provide a shared through/right-turn lane and a shared through/left-turn lane on the southbound MD 223 approach; a shared through/right-turn lane, an exclusive through lane, and an exclusive left-turn lane on the northbound MD 223 approach; and an exclusive left-turn lane and shared through/right-turn lane on the Steed Road approach. Modify signals, signage, and pavement markings as needed.**
 - D. MD 210/Old Fort Road North: Modify the eastbound and westbound Old Fort Road approaches to provide an exclusive through lane, a shared**

through/left-turn lane, and an exclusive right-turn lane. Modify signals, signage, and pavement markings as needed.

Comment: The required transportation improvements in this condition are enforceable at the time of building permit.

- 24. Prior to the approval of the Specific Design Plan within the subject property, the applicant shall submit a revised acceptable traffic signal warrant study to SHA and/or DPW&T for signalization at the intersection of MD 223 and Floral Park Road. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the operating agencies. If a signal is deemed warranted at that time, the applicant shall bond the signal with the appropriate agency prior to the release of any building permits within the subject property, and install it at a time when directed by that agency. Installation shall include the modification of the southbound approach to provide exclusive left-turn and right-turn lanes, and the modification of the eastbound approach to provide exclusive through and left-turn lanes. If it is determined at the time of Specific Design Plan review that certain geometric modifications are not needed for adequacy, the requirement may be waived by the Planning Board during approval of the Specific Design Plan.**

Comment: This condition requires the submittal of a revised traffic signal warrant study for the intersection of MD 223 and Floral Park Road prior to approval of the specific design plan. This has been done.

- 25. Prior to the approval of the Specific Design Plan within the subject property, the applicant shall submit a revised acceptable traffic signal warrant study to SHA and/or DPW&T for signalization at the intersection of MD 223 and Windbrook Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the operating agencies. If a signal is deemed warranted at that time, the applicant shall bond the signal with the appropriate agency prior to the release of any building permits within the subject property, and install it at a time when directed by that agency.**

Comment: This condition requires the submittal of a revised traffic signal warrant study for the intersection of MD 223 and Windbrook Drive prior to approval of the specific design plan. This has been done.

- 26. Prior to the approval of the Specific Design Plan within the subject property, the applicant shall submit a revised acceptable traffic signal warrant study to SHA and/or DPW&T for signalization at the intersection of MD 223 and the site entrance. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the operating agencies. If a signal is deemed warranted at that time, the applicant shall bond the signal with the appropriate agency prior to the release of any building permits within the subject property, and install it at a time when directed by that agency. Installation shall include the construction of the minor street approaches to include exclusive right-turn and shared through/left-turn lanes on each, and the modification of the eastbound approach to provide exclusive through and left-turn lanes along with a second through lane that can be shared with right**

turns. If it is determined at the time of Specific Design Plan review that the second eastbound through lane is not needed for adequacy, the requirement may be waived by the Planning Board during approval of the Specific Design Plan.

Comment: This condition requires the submittal of a revised traffic signal warrant study for the intersection of MD 223 and the site entrance (i.e., Old Fort Road Extended) prior to approval of the specific design plan. This has been done.

- 27. The Comprehensive Design Plan shall be modified to note that the A-65 facility, as shown on the Subregion V Master Plan, crosses the subject property. A determination shall be made at the time of preliminary plan of subdivision regarding the appropriateness of potential reservation strategies.**

Comment: This condition has not been fulfilled because the District Council has not taken a final action and the CDP has not been certified yet.

- 28. The non-standard typical section shown for secondary public streets within the subject property shall be specifically approved by DPW&T in writing prior to Specific Design Plan approval.**

Comment: This condition requires DPW&T approval of the nonstandard section for the secondary public streets shown in the CDP. The secondary streets have been revised to conform to the county's standard.

- 29. The Comprehensive Design Plan shall be modified to show that following streets as primary streets, with a final determination of function (i.e., primary or secondary) to be made during review of the preliminary plan of subdivision:**

- A. The street that is proposed to stub into the adjacent Wolfe Farm property.**

Comment: This condition applies to Phase 4.

- B. The street that serves approximately 80 townhouse lots and several single-family lots in the south central section of the site.**

Comment: This condition requires that certain streets be shown as primary streets on the CDP and preliminary plan. This plan shows the street serving the townhouse lots as a 60-foot-wide primary street.

- 30. The arrangement of townhouses fronting on public streets shall be reviewed with DPW&T and M-NCPPC staff prior to the approval of the preliminary plan. Such an arrangement may not receive preliminary plan approval without the concurrence of DPW&T.**

Comment: This condition was reviewed at the time of the preliminary plan and the arrangement was approved as shown on the Specific Design Plan.

9. **Preliminary Plan 4-05050:** Preliminary Plan of Subdivision 4-05050 was approved by the Planning Board on January 19, 2006. Resolution 6-16 was then adopted by the Planning Board on February 16, 2006, formalizing that approval. The following relevant conditions of approval are included in bold face type below, followed by staff comment:

1. **Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:**

- e. **Revise the APA map to list the airport.**

Comment: This phase is not within an APA area.

- h. **Provide legible lot sizes, bearings and distances. All measurements should be legible.**

Comment: The SDP plan does not provide legible bearings and distances and right-of-way widths. The plan must be revised prior to signature approval to address this issue.

- j. **Label the ultimate right-of-way of each public, private street, and alley.**

Comment: Label the ultimate right-of-way of each public, private street, and alley.

- k. **The alley rights-of-way shall be separated from open space elements between sticks of townhouses.**

Comment: This condition has not been fulfilled. For example, on sheet 6 of the SDP the width of the alley on Parcel Y is not provided. It is unclear if the eight-foot asphalt trail running between Lots 15 and 16 on a separate parcel or on Parcel Y, and if it is to be dedicated to DPW&T or the HOA. These plans must be revised prior to signature approval in order to provide a basis for review at the time of final plat.

- l. **Add a note that the 10-foot PUE is required outside and abutting the alley right-of-way and cannot be encumbered by structures.**

Comment: The ten-foot PUE should be labeled on all sheets, along all public and private rights-of-way, except alleys where the dwelling fronts on a public street, unless otherwise determined appropriate by Verizon.

- m. **In accordance with the DPW&T memorandum of September 19, 2005, which requires minor revisions to the plan to accommodate larger rights-of-way (50 feet to 60 feet) on Public Roads V, Z and L, which are public streets on which townhouses front.**

Comment: The SDP reflects this revision.

- n. **Reflect the deletion of the stub street into the Wolfe Farm Subdivision to the south.**

Comment: This requirement applies to Phase 4 only.

2. **A Type II Tree Conservation Plan shall be approved with the specific design plan.**

Comment: A Type II tree conservation plan has been submitted with this application and is discussed in the environmental review section below.

- 3. Development of this site shall be in conformance with the Stormwater Management Concept Plan #25955-2005-00 and any subsequent revisions.**

Comment: The Type II TCP shows stormwater management facilities to control water quantity and quality for the proposed development. The DER referral indicates that the applicant revised the stormwater management plan and that department has found the site plan to be consistent with the concept approval.

- 14. In conformance with the Adopted and Approved Subregion V Master Plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following at the time of Specific Design Plan:**
- a. The Subregion V Master Plan designates Thrift Road as a master plan trail/bicycle corridor. Depending on the type of roadway required by the Department of Public Works and Transportation, one of the following shall be provided:**
 - (1) If a closed section road is required, the applicant shall construct an eight-foot wide Class II trail along the site's entire road frontage of Thrift Road.**
 - (2) If an open section road is required, the applicant shall provide wide asphalt shoulders along the subject site's entire road frontage of Thrift Road and a financial contribution of \$210.00 to the Department of Public Works and Transportation for the placement of one "Share The Road With A Bike" sign. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.**
 - b. Provide an eight-foot wide asphalt HOA trail from the southernmost cul-de-sac to the proposed trail immediately to the north, in the vicinity of the stormwater management pond.**
 - c. Provide an eight-foot wide asphalt HOA trail from one of the cul-de-sacs west of the main stream valley to the main north-south trail that is proposed.**
 - d. Provide trails within and to the proposed public park.**
 - e. Provide trail connections from the proposed public park to Roulade Place and Mordente Drive.**
 - f. Provide a wide asphalt shoulder along the subject site's entire road frontage of MD 223 in order to safely accommodate bicycle traffic, unless modified by SHA.**
 - g. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.**
 - h. Provide a connection from Block KK to the internal trail.**

Comment: The trails coordinator reviewed the subject application and provides the following discussion relating to his review in conjunction with the requirements above:

“The Bevard East development consists of 562.85 acres within Subregion V and comprises four submitted specific design plans and a public park. The property is in the vicinity of Cosca Regional Park and Piscataway Creek Stream Valley Park, both of which contain major existing or planned trail facilities. The subject application includes an extensive network of trails within an open space network. The trails shown on the previously approved CDP-0504 and Preliminary Plan 4-05050 are extensive, total over 12,000 linear feet in length, and connect the isolated southern portion of the development with the recreational facilities and the northern residential areas.

“At the time of the CDP and the preliminary Plan, staff recommended two short connector trails linking adjacent culs-de-sac with the proposed trail system. These two trails connect Public Road C (SDP-0504) and Public Road J (SDP-0514) with the planned trail network. These connections will provide additional access to the proposed trail network from surrounding residential areas in locations where direct access is not being proposed. These trails have been reflected on the submitted specific design plans. However, the recreation and conceptual landscape elements plan should be revised to include these connections. Similarly, some trails are not labeled on some sheets and the location gets lost with the topographic lines. The trail network should be consistently marked and labeled on all plans and sheets.

“The following master plan trail facilities impact the subject site:

- “• A proposed bikeway along Thrift Road (SDP-0504).
- “• A proposed trail along A-65.
- “• A proposed trail from A-65 to the planned parkland in the southern portion of the subject site

“The trail along A-65 will be completed at the time of road construction. Regarding Thrift Road, at the time of preliminary plan it was determined that the type of trail or bikeway facility implemented would depend upon the type of road improvements required by DPW&T (see Condition 14 of 4-05050). If an open section road is required, the bikeway can be accommodated via bicycle-compatible road improvements and “Share the Road with a Bike” signage. If a closed section road is required, a Class II trail should be provided. It appears that a closed section road will be provided, as a standard sidewalk is shown along the subject site’s frontage on the submitted plans. Staff recommends that an eight-foot-wide, Class II trail be provided along the site’s frontage in place of the standard sidewalk currently shown (SDP-0504).

“The trail to the planned parkland will provide access from the site to planned M-NCPPC recreation facilities envisioned in the master plan. It appears that this public parkland will be provided at the southeast quadrant of the intersection of Public Road P and MD 223. Staff supports the planned trail locations shown on the specific design plans. Standard sidewalks along internal roads, in conjunction

with the internal trails, should ensure adequate pedestrian access to the planned parkland as envisioned in the master plan.

“Staff also supports the trail connections from the proposed public park to the adjacent Mary Catherine Estates community at Roulade Place and Mordente Drive. These pedestrian connections, while not providing for vehicular access, will improve the walkability of the neighborhood and provide needed pedestrian connections from the existing community to the planned parkland. These connections should be considered by DPR and the applicant as the facilities included in the public parkland are determined.

“Due to the density of the proposed development (including townhouses and many single-family lots of less than 10,000 square feet), staff recommends the provision of standard sidewalks along both sides of all internal roads, unless modified by DPW&T. This is reflected on the submitted specific design plans.

“In conformance with the approved Subregion V Master Plan, the applicant and the applicant’s heirs, successors, and/or assigns shall provide the following:

- “a. Provide an eight-foot wide asphalt HOA trail from Proposed Public Road J to the main north/south trail that is planned, as indicated on SDP-0514. This connection will provide more direct pedestrian access from this residential neighborhood to the proposed trail network and recreation facilities on the rest of the site.
- “b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T. All trails shown on Sheet 1 (cover sheet) of the subject application should be marked and labeled on all 30- and 100-scale sheets in the approved SDP.”

Comment: These conditions are included in the recommendation section of this report.

- 17. Prior to signature approval of the preliminary plan the applicant shall submit evidence from the Health Department whether an Environmental Site Assessment and testing will be required. If required that applicant shall submit evidence of satisfactory testing with the review of the specific design plan.**

Comment: The applicant submitted evidence from the Health Department prior to signature approval of the preliminary plan that further testing will not be required.

- 19. In accordance with Section 27-548.43 of the Zoning Ordinance and prior to final plat approval the Declaration of Covenants for the property, in conjunction with the formation of a homeowners association, shall include language notifying all future contract purchasers of homes in the community of the existence of a general aviation airport. Washington Executive Airport (Hyde Field) is within one mile of the community. The Declaration of Covenants shall include the General Aviation Airport Environmental Disclosure Notice. At the time of purchase contract with homebuyers, the contract purchaser shall sign an acknowledgement of receipt of the Declaration. The liber and folio of the recorded Declaration of Covenants shall be noted on the final plat along with a description of the proximity of the development to the general aviation airport.**

- 20. The specific design plan review shall include review for conformance to the regulations of Part 10B Airport Compatibility, Division 1 Aviation Policy Areas of the Zoning Ordinance. The specific design plan shall delineate, at an appropriate scale for review, the impact of the APA policy areas on the site.**

Comment: The SDP coversheet demonstrates that APA 3 and 6 do not impact this site.

- 27. Construction drawings for the recreational facilities on public parkland shall be reviewed and approved by the Park Planning and Development staff prior to certificate approval of the first specific design plan.**

Comment: This condition will also become a condition of this SDP.

- 29. The applicant, his heirs, successors and/or assignees shall make a monetary contribution of a minimum \$2,000,000 toward the construction of the Southern Region Community Center in three phases:**

- a. \$200,000.00 for the design and engineering of the community center shall be paid prior to the issuance of the 50th building permit.**
- b. \$ 900,000.00 for the construction of the community center shall be paid prior to issuance of the 200th building permit. Beginning from the date of issuance of the 50th building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).**
- c. \$ 900,000.00 for the construction of the community center shall be paid prior to issuance of the 400th building permit. Beginning from the date of issuance of the 50th building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).**

Comment: This condition will also become a condition of this SDP.

- 31. Prior to signature of the Preliminary Plan, the Type I Tree Conservation Plan shall:**

- a. Reduce the area of impact "A."**
- b. Place the trail over the sanitary sewer to the extent possible to reduce the impact to the expanded stream buffer in area "E" and realign the trail to avoid all impact to wetlands or wetland buffers.**
- c. Reduce the area of impact "G" for the street and eliminate all impacts for the proposed trail.**
- d. Place the trail over the sanitary sewer to the extent possible to reduce the impact to the expanded stream buffer in area "J."**
- e. Place the trail over the sanitary sewer to the extent possible to reduce the impact to the expanded stream buffer in area "K" and realign the trail to avoid all impacts to wetlands or wetland buffers.**

- f. **Remove the impact for trail construction in area “L.”**
- g. **Revise the location of the stormwater management outfall in area “Q” to minimize overall impact.**
- h. **Reduce impact area “R” to the minimum required for the stormwater outfall.**
- i. **Provide all required woodland conservation on-site.**
- j. **Use all appropriate areas for woodland conservation.**
- k. **Show no woodland conservation on any lot.**
- l. **Revise the worksheet as needed.**
- m. **Have the revised plan signed and dated by the qualified professional who prepared the plan.**

Comment: All of these changes have been made and the TCPI has been signed.

- 32. **Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans. All impacts to sensitive environmental features that require mitigation by state or federal permits shall provide the mitigation using the following priority list: (1) on-site, (2) within the Piscataway Creek Watershed and/or (3) within the Potomac River watershed.**

Recommended Condition: The following note shall be placed on each final plat:

“Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans. All impacts to sensitive environmental features that require mitigation by state or federal permits shall provide the mitigation using the following priority list: (1) on-site, (2) within the Piscataway Creek Watershed, and/or (3) within the Potomac River watershed.”

- 33. **Prior to signature of the Preliminary Plan, the TCPI shall be revised to show all unmitigated 65 dBA Ldn noise contours associated with traffic-generated noise.**

Comment: This change has been made and the TCPI has been signed.

- 34. **As part of the review of the specific design plan, the landscaping in the 40-foot-wide scenic easement adjacent to the 10-foot public utility easement parallel to the land to be dedicated for Piscataway Road and Thrift Road shall be reviewed.**

- 10. **Zoning Ordinance:** The subject SDP is in general compliance with Sections 27-514.08 through Section 27-515.10, Purposes, Uses, Regulations, Minimum Size Exceptions and Uses Permitted

of the Zoning Ordinance for development in the R-L (Residential Low) Comprehensive Design Zone.

11. **Landscape Manual:** The project is subject to the Landscape Manual provisions for Section 4.1, Residential Requirements, and 4.6, Buffering Residential Development from Streets. Staff has evaluated the submitted landscape plans according to the relevant provisions of the Landscape Manual and found the plans to be basically in compliance, but that the appropriate schedules should be added to the plans.
12. **Woodland Conservation Ordinance:** The property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site has previously approved tree conservation plans. Type I Tree Conservation Plan, TCPI/53/04, was approved with Comprehensive Design Plan CDP-0504. A revised Type I Tree Conservation Plan, TCPI/53/04-01, was approved with Preliminary Plan 4-05050. The approved Type I Tree Conservation Plan, TCPI/53/04-01 requires that all woodland conservation for the project be done on-site. Additionally, because this is a comprehensive design zone, no woodland preserved on small lots may be used to meet any requirement of the Woodland Conservation Ordinance.

The Bevard East project consists of five phases of development. Each phase has an individual Type II tree conservation plan. The sum of the phases must meet the total requirements on-site. An individual phase is not required to fully meet its own requirement. The phased worksheet is shown on sheet 2 of 14. Until all individual TCP plans have been approved, the phased worksheet is used as a reference to monitor compliance of the project with the approved Type I TCP. If any particular TCPII is not approved, the overall development will still retain compliance with the Type II TCP because clearing of woodland would be reduced and additional woodland would be retained on-site.

The Type II Tree Conservation Plan, TCPII/72/06, has been reviewed and was found to require revisions. This phase contains 169.65 acres of the 562.85-acre project. The plan proposes clearing 33.40 acres of the existing 109.85 acres of upland woodland, clearing 0.48 acre of the 8.13 acres of woodland within the 100-year floodplain, and no clearing off-site. The threshold for this phase is 40.31 acres and this phase of the project proposes 74.18 acres of on-site preservation and 6.71 acres of on-site planting.

Because this is a comprehensive design zone and the residential lots are small, no portion of any lot should be encumbered with a restrictive easement. Woodland conservation areas are restrictive because they severely limit the use of the land. In order to avoid multiple changes to the TCPII, the plan at this time should calculate all woodland on lots as cleared, even if they are retained at this time. This would permit a property owner to treat the retained woodlands in any manner they deem appropriate without having to first obtain a revised TCPII or pay a fee-in-lieu. Overall, the plan fulfills the goals of the Woodland Conservation Ordinance and the Green Infrastructure Plan by providing for the conservation of large contiguous woodlands along the stream valleys. Some technical changes should be made. All required woodland conservation should be provided on-site.

As noted previously, there are impacts to expanded stream buffers that must be eliminated. All lots must show minimum 40-foot cleared areas behind each structure in order to provide adequate outdoor activity areas. There is a detail showing permanent fencing to be placed along planting areas; however, the location of the fencing is not shown in the legend or on the plans. Because there are significant areas that will need to be planted, the timing of planting these areas is a concern. The planting tables indicate the use of eastern hemlock; however, this species does not

survive well in the area because of wooly aphids. On most sheets, the tree protection fences are located only along the boundaries of woodlands that are to be retained as woodland conservation areas; however, the tree protection fences should be located along the proposed limits of disturbance and not between woodlands retained but not part of any requirement and woodlands retained as designated woodland conservation areas.

Recommended Condition: Prior to certification of the specific design plan, the Type II tree conservation plan shall be revised to:

- a. Eliminate all impacts to expanded stream buffers that were not granted variations during the review and approval of Preliminary Plan 4-05050.
- b. Ensure that all tree protection fences are located only where appropriate.
- c. Show the permanent fencing for planting areas in the legend and on the plans.
- d. Provide minimum 40-foot cleared areas at the rear of every structure.
- e. Calculate all woodlands on lots less than 20,000 square feet in area as cleared.
- f. Revise the worksheet as needed.
- g. Add the following note to each sheet of the TCPII that shows reforestation/afforestation areas:

“All reforestation/afforestation areas adjacent to lots and split-rail fencing along the outer edge of all reforestation/afforestation areas shall be installed prior to the building permits for the adjacent lots. A certification prepared by a qualified professional may be used to provide verification that the afforestation has been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.”

- h. Substitute a suitable evergreen for eastern hemlock in the planting tables
- i. Have the revised plan signed and dated by the qualified professional who prepared the plan.

Comment: The conditions above have been included in the recommendation section of this report.

13. Section 27-274(a)(11) requires that the design of townhouses must meet certain criteria for development. The following addresses each of the requirements:

- (A) In this case, the preservation of existing trees between townhome groups is not possible, because trees do not exist. The townhouses are designed as rear load garages served by alleys.
- (B) The townhouses front on a public street.
- (C) The townhouses are located away from the proposed tot lot so there is no need for buffering of the rear of units.

- (D) The plans indicate a variety of model types sufficient to define each of the units individually as required by this section of the code, through the use of bay windows, variation in roofline, and window and door treatment. However, prior to the issuance of any building permits for the townhouse units, the permit drawings shall include the proposed front elevations for each building stick for review and approval by the Urban Design Section.
- (E) The plan provides for alley-served townhouse units.
- (F) The plan is proposing a two-foot offset of the units, which is typical of townhouse development.

Sections 27-433(d), Dwellings, and 27-480, General Development Regulations for the Comprehensive Design Zones, include requirements for the development of townhouses. The plan demonstrates conformance to these sections by proposing to meet the minimum lot sizes of 1,800 square feet, proposing not more than six units in a row, proposing that units are a minimum of 20 feet in width, by providing a minimum of two end wall features, by providing the finishing of above-grade foundation walls in a proper manner, and by exceeding the minimum finished living area of 1,250 square feet. This section also requires that 60 percent of the units have brick, stone or stucco. Staff recommends that at the time of the issuance of the building permits, a minimum of 60 percent of the townhouse units shall have a full brick front.

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

Historic Preservation—In comments dated February 28, 2006, the Historic Preservation Planning Section stated that the proposed project would have no effects on historic resources.

Archeological Review—In comments dated March 20, 2006, the staff archeologist stated that Phase I (Identification) archeological investigations were completed on the above-referenced property and the draft report (which included Bevard East, West and North) was received on July 13, 2005, and comments were sent to the archeology consultant URS, by Donald Creveling, Archeology Program Manager, M-NCPPC Natural and Historical Resources Division, Department of Parks and Recreation, in a letter dated October 17, 2005. Four copies of the final report were received by the Planning Department on February 17, 2006. Four historic and two prehistoric archeological sites (18PR774, 18PR775, 18PR776, 18PR777, 18PR778, 18PR779) were identified on the entire Bevard property (North, West, and East). All the archeological sites were determined to be disturbed or too minor to be considered significant. No further archeological work is required on the subject property. However, additional work may be required by the Maryland Historical Trust as part of the Section 106 process. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

Community Planning—The following was provided from the Community Planning Division for this case:

- This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier.

- This application is generally in conformance with the suburban estate and low density planned neighborhood land use recommendations of the 1993 Subregion V Approved Master Plan and SMA.

Transportation—In comments dated May 26, 2006, the Transportation Planning Section stated that none of the potential alignments of A-65 will impact the subject SDP.

Subdivision—The property is the subject of Preliminary Plan 4-05050, approved by the Planning Board on January 19, 2006. The resolution of approval, PGCPB Resolution 06-16(C) was adopted on February 16, 2006. The preliminary plan remains valid until February 16, 2012, or until final record plat(s) are approved. The following comments were provided by the Subdivision Section:

- a. Section 27-195(c)(3) of the Zoning Ordinance, specifically Map Amendment Approval, requires that all building permit plans shall list the condition(s) and shall show how the proposed development complies with them. The SDP does not provide reference to the approved map amendment (A-9967) nor does the plan list the conditions of that approval as required.
- b. The “lot size” chart should be revised to include the “large lot component” of Phase I.
- c. Add a note stating that development of this property shall conform to A-9967 and CDP-0504.
- d. Revise the regulation table to correspond to lot numbers, to allow for the verification of conformance to the percentage maximums (townhouses vs. singles), and standards proposed.
- e. Each sheet of the SDP should label the parcel and lot numbers shown on that sheet and provide the acreage including the HOA parcels.
- f. The font size should be increased to ensure that site plans that are microfilmed and copied are legible.
- g. Remove the “M-NCPPC Approval” box from the approval sheet; these plans will be affixed with a certificate of approval.
- h. Each lot should be reviewed to ensure conformance to the development standards established by the approved CDP.

These referral comments should be addressed to ensure that the SDP(s) is in substantial conformance to the approved preliminary plan of subdivision. These items should be added as conditions of approval of the plans.

Parks—In comments dated April 14, 2006, the Department of Parks and Recreation stated that while there are no parks and recreation issues associated with the subject specific design plan, Condition 4 of the approving resolution for Comprehensive Design Plan CDP-0504 requires approval of construction drawings for the park to be approved by the Department of Parks and Recreation prior to certificate approval of the first specific design plan for the overall project. Urban Design staff has included a recommended condition to this effect below.

Permits—In a memorandum dated May 17, 2006, the Permit Review Section offered numerous comments that have been addressed in the recommended conditions below.

Public Facilities—In a memorandum, the Public Facilities Section stated that the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

Fire and Rescue

The Prince George's County Planning Department has determined that the preliminary plan 4-05050, which takes precedence, is within the required seven-minute response time for the first due fire station Company 25 Clinton, using the *7 Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire Department, for all lots except Block KK, Lots 1-91, and Block LL, Lots 1-8, which are beyond response time standards.

The required fire and rescue facilities have been determined to be inadequate and the applicant was required to provide a public safety mitigation fee to address the excessive response time for fire and rescue services.

Police Facilities

The Prince George's County Planning Department has determined that this specific design site plan is located in District IV, Oxon Hill. The standard for emergency calls response is 10 minutes and 25 minutes for nonemergency calls. The test is based on a rolling average for the preceding 12 months. The specific detailed site plan application was accepted for processing by the Planning Department on February 27, 2006.

	Date	Emergency Calls	Non-Emergency
Acceptance Date	01/05/05-1/27/06	11:00	23.00

The police and fire and rescue service response time requirements for emergency calls were not met, and a public safety mitigation fee was assessed at the time of preliminary plan of subdivision, which was filed on July 28, 2005. The actual fee to be paid will depend upon the year the grading permit is issued and is subject to an adjustment on an annual basis in accordance with the percentage change in the Consumer Price Index for all urban consumers.

Environmental Planning—The Environmental Planning Section recommends approval of SDP-0514 and TCPII/72/06 subject to conditions.

The Environmental Planning Section notes that portions of this site have been reviewed as applications SE-1823, SE-3266 and SE-3755 that were for the mining of sand and gravel. Preliminary Plan 4-04063 and TCPI/77/04 were withdrawn before being heard by the Planning Board. An application for rezoning, A-9967, was approved with conditions by PGCPB Resolution No. 05-233. The Planning Board approved a Comprehensive Design Plan, CDP-0504, and Type I Tree Conservation Plan, TCPI/53/04, with conditions. Comprehensive Design Plan CDP-0504 and Type I Tree Conservation Plan TCPI/53/04 have not been certified because final District Council action is pending. The Planning Board approved a Preliminary Plan of Subdivision, 4-05050, and a revised Type

I Tree Conservation Plan, TCPI/53/04-01, with conditions. Preliminary Plan of Subdivision 4-05050 and Type I Tree Conservation Plan TCPI/53/04-01 have been signed. Five specific design plans that contain the entire Bevard East project are under concurrent review.

Site Description

This phase contains 169.65 acres of the 562.85-acre property in the R-A Zone and is located between Piscataway Road and Thrift Road, north of Windbrook Drive. There are streams, wetlands, and 100-year floodplains and associated areas of steep slopes with highly erodible soils and areas of severe slopes on the property. There are no nearby existing sources of traffic-generated noise; however, two master plan arterial roads, A-54 and A-65, could impact the property. The proposed development is not a noise generator. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. Piscataway Road and Thrift Road are designated scenic roads. This property is located in the Piscataway Creek watershed in the Potomac River basin. The site is in the Developing Tier according to the adopted General Plan.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

- a. According to the "Prince George's County Soil Survey," the principal soils on the site are in the Aura, Beltsville, Bibb, Chillum, Croom, Iuka, Matapeake, Rumford, Sassafras and Westphalia soils series; however, portions of the site were mined for sand and gravel after the publication of the "Prince George's County Soil Survey," Marlboro clay is not found to occur in the vicinity of this property. Portions of this site have been mined for sand and gravel as approved by applications SE-1823, SE-3266 and SE-3755. These gravel pit areas are of concern. Due to the unknown nature of the soils and the limitations associated with these areas, a soils report addressing the soil structure, soil characteristics, and foundation stability was submitted and reviewed. The limits of previous mining are shown on the approved natural resources inventory.

The soils report shows the locations of 80 boreholes, includes logs of the materials found, notes the findings of tests of samples collected, provides an overview of the findings and recommends mitigation measures for problem areas.

The site is generally suitable for the proposed development. Specific mitigation measures will be further analyzed during the development process by the Washington Suburban Sanitary Commission for installation of water and sewer lines, by the Department of Public Works and Transportation for the installation of streets, and by the Department of Environmental Resources for the installation of stormwater management facilities, general site grading, and foundations.

Comment: This information is provided for the applicant's benefit. No further action is needed as it relates to this specific design plan review. Additional soils reports may be required by the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, and the Prince George's County Department of Environmental Resources during the permit review process.

- b. This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. The Subregion V Master Plan indicates that there are substantial areas designated as natural reserve on the site. As noted on page 136 of the Subregion V Master Plan:

“The Natural Reserve Area is composed of areas having physical features which exhibit severe constraints to development or which are important to sensitive ecological systems. Natural Reserve Areas must be preserved in their natural state.”

The Subregion V Master Plan elaborates on page 139:

“The Natural Reserve Areas, containing floodplain and other areas unsuitable for development should be restricted from development except for agricultural, recreational and other similar uses. Land grading should be discouraged. When disturbance is permitted, all necessary conditions should be imposed.”

For the purposes of this review, the natural reserve includes all expanded stream buffers and isolated wetlands and their buffers. A wetland study and plan were submitted with the application. All streams shown as perennial or intermittent on the plans require minimum 50-foot stream buffers that shall be expanded in accordance with Section 24-130(b)(6) of the Subdivision Regulations. A natural resources inventory is required to show all regulated buffers. A natural resources inventory, NRI/40/05, has been signed and the expanded stream buffers are accurately depicted on the Type II tree conservation plan. Of the 562.85 acres of the entire Bevard East project, approximately 104 acres are within expanded stream buffers.

Impacts to significant environmental features that are required to be protected by Section 24-130 of the Subdivision Regulations are proposed. The design should avoid any impacts to streams, wetlands or their associated buffers unless the impacts are essential for the development as a whole. Staff will generally not support impacts to sensitive environmental features that are not associated with essential development activities. Essential development includes such features as public utility lines (including sewer and stormwater outfalls), street crossings, and so forth, which are mandated for public health and safety; nonessential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. Impacts to sensitive environmental features require variations to the Subdivision Regulations.

Variation requests with exhibits for 18 impacts were received on January 9, 2005 and reviewed with Preliminary Plan 4-05050. Of the 18 requests, 9 were fully approved, 7 were approved in part and 1 was denied by the Planning Board. The

Type I Tree Conservation Plan, TCPI/53/04-01, was revised prior to signature to reflect the Planning Board decision.

The impacts shown on the SDP are **not** consistent with those that were granted variation request by the Planning Board during the approval of Preliminary Plan 4-05050. On sheet 4 of 21, grading is shown northeast of proposed Lot 1; however, this impact was specifically denied by the Planning Board during the review of plan 4-05050. There is an impact for a trail shown on sheet 18 of 21; however, no variation request for this impact was requested during the review of plan 4-05050. On sheet 6 of 21, there are impacts created by a trail alignment indicated on the Phase 4 portion of site; however, no variation request for this impact was requested during the review of plan 4-05050.

Because this is a comprehensive design zone and the residential lots are small, no portion of any lot should be encumbered with a restrictive easement. Conservation easements are restrictive because they severely limit the use of the land.

Recommended Condition: Prior to certification of the specific design plan, the SDP and Type II tree conservation plan shall be revised to eliminate all impacts for which variation requests were not approved during the review and approval of Preliminary Plan 4-05050.

Recommended Condition: Prior to certification of the SDP, the SDP and TCPII shall be revised to revise all lots less than 20,000 square feet in area to ensure that no portion of any of the lots would be encumbered by a conservation easement.

- c. Piscataway Road is the nearest source of traffic-generated noise and is designated as an arterial in the Subregion V Master Plan. Section 24-121(a)(4) requires that residential lots adjacent to existing or planned roadways of arterial classification or higher be platted to a minimum depth of 150 feet and that adequate protection and screening from traffic nuisances be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line for new residential structures.

The noise model used by the Environmental Planning Section predicts that the unmitigated 65 dBA Ldn noise contour will be about 168 feet from the centerline of Piscataway Road in ten years. Based upon dedication of 60 feet from the centerline of existing Piscataway Road, the predicted 65 dBA Ldn contour is approximately 118 feet from the edge of the proposed right-of-way and clearly not impacting any proposed lot within the phase of the development. No further action regarding traffic-generated noise is required with regard to this specific design plan.

- d. Piscataway Road and Thrift Road are designated scenic roads; however, neither is affected by this portion of the Bevard East project. No further action regarding scenic roads is required with regard to this specific design plan.

Department of Environmental Resources (DER)— In comments dated May 24, 2004, DER stated that the site plan for Bevard East, Phase 2-SDP-0514 is consistent with the revised Stormwater Concept 25955-2005-01.

Department of Public Works and Transportation (DPW&T)—In comments dated March 17, 2006, DPW&T noted:

- The plan was unacceptable because it does not show the alignment of the proposed A-65 roadway as shown on the master plan.
- Old Fort Road East (A-65) is a proposed arterial roadway with a hiker/biker trail and that its extension would be required, together with right-of-way dedication and construction from MD 223 to Thrift Road.
- Such construction would have to be designed in accordance with DPW&T's standards and specifications for an urban arterial road.
- The proposed development includes access from Thrift Road, MD 223, and Tippet Road. Noting that Thrift Road is a proposed scenic rural two-lane collector, they stated that right-of-way dedication and frontage improvements would be required in accordance with DPW&T's standards for a scenic and historic rural two-lane collector road. They also mentioned that right-of way dedication and roadway improvements would be required along Tippet Road, designed in accordance with DPW&T's standards for its classification as a primary residential road.
- Adequate turnaround would have to be constructed at the end of Roulade Place and Mordente Drive would have to be provided.
- An access study would have to be made by the applicant and reviewed by them to determine the adequacy of access point(s) and the need for acceleration/deceleration and turning lanes.
- Conformance with street tree and lighting standards would be required.
- Sidewalks would be required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- All storm drainage systems and facilities would have to be designed in accordance with DPW&T's and DER's requirements.
- Existing utilities may require relocation and/or adjustments and coordination with the various utility companies would be required.
- A detailed review of subdivision roadways at time of detailed site plan review.
- All improvements within the public right-of-way as dedicated to the county must be designed in accordance with the county's Road Ordinance, DPW&T's Specifications and Standards, and the Americans with Disabilities Act.
- Installation of a traffic signal at the intersection of MD 223 and the access road to the subdivision is required, if warranted. If the signal is not currently warranted, a full signal installation fee-in-lieu contribution from the developer for future installation of a signal will be required.
- A soils investigation report which includes subsurface exploration and geotechnical engineering evaluation for Thrift Road, Tippet Road, and the proposed subdivision streets is required.

Specifically, with respect to the subject phase of the Bevard project, DPW&T offered the following:

- On Drawing 7 of 18, at the intersection of Public Road A and Thrift Road, adequate intersection sight distance must be provided based on the AASHTO criteria.
- On Drawing 10 of 18, at the intersection of Public Road B and Thrift Road, adequate intersection sight distance must be provided based on the AASHTO criteria.

Please note that DPW&T's requirements are enforced through its separate permitting requirements.

15. As required by Section 27-528 of the Zoning Ordinance, the Planning Board must make the following findings prior to approval of the specific design plan:

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

Comment: As detailed in Finding 8 and Finding 11 above, Specific Design Plan SDP-0504 conforms to the requirements of approved Comprehensive Design Plan CDP-0504 as approved by the Prince George's County Planning Board in PGCPB Resolution No. 05-269 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 public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

Comment: In comments dated May 24, 2006, the Transportation Planning Section stated that the requirements for approval of this plan at this time are met in regard to the roadway systems for the subject property. In comments from the Historic Preservation and Public Facilities Planning Section, they found that the fire and rescue and the police facilities were determined to be adequate. Therefore, the subject project will not affect the previous finding that the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

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

Comment: In revised comments dated May 24, 2006, the Department of Environmental Resources stated that the subject project is consistent with revised stormwater concept #25955-2005-01. Therefore, it may be said that the adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.

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

Comment: In comments dated June 1, 2006, the Environmental Planning Section recommended approval of Tree Conservation Plan II/72/06, subject to conditions. Such conditions have been included in the recommendation section of this report. Therefore, it may be said that the specific design plan is in conformance with an approved tree conservation plan.

RECOMMENDATION

Based upon the foregoing evaluation, analysis and findings, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE SDP-0514 for Bevard East, Phase 2, and TCPII/72/06 subject to the following conditions:

1. Prior to signature approval, the following revisions to the plans shall be made:
 - a. The template sheet shall be revised to include the height and number of stories for each model type (not to exceed the CDP maximum height of 40 feet) and the dimensions and all the options for each model.
 - b. Provide legible lot sizes, bearings and distances, and all dimensions of site improvements.
 - c. Identify all garages and number of spaces.
 - d. Provide a parking schedule on the cover sheet listing all required and proposed parking for the townhouse portion of development, and adjust the plan accordingly.
 - e. Identify all handicap accessible parking.
 - f. The alley rights-of-way shall be separated from open space parcels between sticks of townhouses.
 - g. The ten-foot-wide public utility easement should be labeled on all sheets along all public and private rights-of-way, as required by the public utility company.
 - h. Demonstrate all floodplain areas on the site plan.
 - i. Demonstrate the 25-foot setback from the floodplain on the site plan.
 - j. The plans shall provide for additional landscaping around storm water management facilities
 - k. Provide Section 4.1 landscape schedules on the landscape plans.
 - l. Add a note stating that development of this property shall conform to A-9967 and CDP-0504.
 - m. Each sheet of the SDP shall label the parcel and lot numbers shown on that sheet and provide the acreage including the HOA parcels.
 - n. The font size shall be increased to ensure that site plans that are microfilmed and copied are legible.
 - o. The "M-NCPPC Approval" box shall be removed from the approval sheet; these plans will be affixed with a certificate of approval.
 - p. The approval sheet shall include the conditions of the Basic Plan, A-9967.

2. Prior to the issuance of any building permits:
 - a. Each lot should be reviewed to ensure conformance to the development standards established by the approved CDP.
 - b. For the single-family detached dwellings, the architectural elevations shall be approved by the Planning Board in a separate umbrella architecture specific design plan (SDP-0605).
 - c. The plans shall be revised to add a tracking chart that demonstrates 60 percent of the units will have brick fronts.
 - d. For the single-family attached dwellings, the permit drawings shall include the proposed front elevations for each building stick for review and approval by the Urban Design Section, as designee of the Planning Board. The plans shall demonstrate a variety of model types sufficient to define each unit individually through the use of variation in roofline, window and door treatment.
 - e. Provide a chart to demonstrate the percentage of lot coverage on the site plans and a chart for yard area for the single-family attached lots.
 - f. Provide all the setbacks and distances from the dwellings to the property lines for the single-family detached units.
3. Prior to signature approval of this SDP, the feasibility of installing traffic calming measures and crosswalks at the following locations shall be determined in consultation between the applicant and the appropriate transportation agency, either SHA or DPW&T:

MD 223/Windbrook Drive
MD 223/Mary Catherine Drive
MD 223/entrance to Bevard North/Bevard East

The applicant shall be required to install any traffic calming measures and crosswalks that are deemed to be feasible and appropriate by the operating agencies. The result of such discussions shall be provided to planning staff in writing, and any required improvements shall be added as a note on any final plat.
4. The applicant shall dedicate to M-NCPPC 14± acres of developable land for future parkland at the time of the first final plat of subdivision.
5. Prior to final plat, the applicant shall obtain signature approval of the specific design plan, signature approval of the basic plan, and signature approval of the comprehensive design plan.
6. Construction drawings for the recreational facilities on public parkland shall be reviewed and approved by the Park Planning and Development staff prior to certificate approval of the first specific design plan.
7. Prior to submission of any final plats of subdivision:

- a. The applicant shall enter into a public Recreational Facilities Agreement (RFA) with M-NCPPC for the construction of recreation facilities on parkland. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.
 - b. The applicant shall enter into a private RFA with M-NCPPC for the construction of recreation facilities on HOA lands. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.
8. The applicant shall submit to DPR or DRD a performance bond, a letter of credit, or other suitable financial guarantee for the construction of the public and private recreation facilities, as appropriate, in the amount to be determined by DPR or DRD, at least two weeks prior to issuance of grading permits, for either the public or private lands.
9. The recreational facilities on dedicated parkland shall be constructed prior to the issuance of the 50th building permit for the overall site.
10. The applicant, his heirs, successors and/or assignees shall make a monetary contribution of a minimum \$2,000,000 toward the construction of the Southern Region Community Center in three phases:
 - a. \$200,000.00 for the design and engineering of the community center shall be paid prior to the issuance of the 50th building permit.
 - b. \$900,000.00 for the construction of the community center shall be paid prior to issuance of the 200th building permit. Beginning from the date of issuance of the 50th building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).
 - c. \$900,000.00 for the construction of the community center shall be paid prior to issuance of the 400th building permit. Beginning from the date of issuance of the 50th building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).
11. Prior to signature approval, the architectural elevations shall be modified as follows:
 - a. Lots 5 and 21, Block N, Lots 10 and 31, Block G, and Lots 5 and 27, Block H, shall be revised as follows:
 - (1) Each end wall shall have a minimum of three architectural features such as windows, doors or masonry fireplace chimneys, and these features shall form a reasonably balanced and harmonious composition.
 - (2) Each front facade and end wall shall be brick.
 - b. A standard deck shall be provided on all the townhouse units.
12. In conformance with the approved Subregion V Master Plan, the applicant and the applicant's

heirs, successors, and/or assigns shall provide the following:

- a. Provide an eight-foot wide asphalt HOA trail from Proposed Public Road J to the main north/south trail that is planned, as indicated on SDP-0514. This connection will provide more direct pedestrian access from this residential neighborhood to the proposed trail network and recreation facilities on the rest of the site.
- b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T. All trails shown on Sheet 1 (cover sheet) of the subject application shall be marked and labeled on all 30- and 100-scale sheets in the approved SDP.