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

Note: *Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.*

SPECIFIC DESIGN PLAN SDP-0316

Application	**General Data**	
Project Name: Beech Tree, East Village, Section 9	Date Accepted:	1/2/2004
	Planning Board Action Limit:	N/A
	Plan Acreage:	69.56
Location: West side of MD 301, south of the intersection of Leeland Road and MD 301	Zone:	R-S
	Dwelling Units:	49
	Square Footage:	NA
Applicant/Address: VOB Limited Partnership Tysons Office Center 8133 Leesburg Pike, Suite 300 Vienna, VA 22182	Planning Area:	79
	Tier:	Developing
	Council District:	6
	Municipality:	NA
	200-Scale Base Map:	203SE13

Purpose of Application	**Notice Dates**	
49 single-family lots	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003)	10/3/2003
	Sign(s) Posted on Site:	05/07/04

Staff Recommendation		**Staff Reviewer: Laxmi Srinivas**	
APPROVAL	**APPROVAL WITH CONDITIONS**	**DISAPPROVAL**	**DISCUSSION**
	X		

May 20, 2004

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Laxmi Srinivas, Senior Planner

SUBJECT: Specific Design Plan SDP-0316
Beech Tree East Village Section 9

The Urban Design Review staff has completed its review of the subject application and agency referral comments concerning the plan and recommends APPROVAL with conditions as stated in the recommendation section of this report.

EVALUATION CRITERIA

The Specific Design Plan was reviewed and evaluated for conformance with the following criteria:

a. The requirements of Section 27-511, 27-512, 27-513, and 27-514 of the Zoning Ordinance governing development in the R-S Zone.

b. Approved Basic Plan A-9763-C.

c. Comprehensive Design Plan CDP-9706.

d. Preliminary Plans 4-98063, 4-99026 and 4-00010.

e. Special Purpose SDP-9905.

f. The requirements of the *Landscape Manual.*

g. The Woodland Conservation and Tree Preservation Ordinance.

h. Referral responses from concerned agencies and divisions.

FINDINGS

Based upon evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The specific design plan application includes site and landscape plans for 49 single-family lots in the East Village, Section 9, in the Beech Tree development.

2. **Development Data Summary**

	EXISTING	**PROPOSED**
Zone(s)	R-S	R-S
Use (s)	Vacant	Single-family residential
Acreage		
SDP-0316	69.56	69.56
Lots	0	49

3. **Location:** The Beech Tree development is in Planning Area 79 and Council District 6. The development is located on the west side of US 301, south of Leeland Road. The area covered by SDP-0316, East Village Section 9, is located on the north and west sides of Moores Plains Boulevard.

4. **Surroundings and Use:** The area of the subject Specific Design Plan SDP-0316 is surrounded by single-family residential lots in the Beech Tree development and the golf course. The Beech Tree development is bounded on the north by Leeland Road, south and west by residential uses, and the east by US 301.

5. **Previous Approvals:** The following applications have been approved as of this date for the Beech Tree project:

   a. Basic Plan Amendment A-9763-C.

   b. CDP-9706 for the entire Beech Tree development.

   c. Preliminary Plan 4-98063 for the golf course.

   d. Preliminary Plan 4-99026 for 458 lots and 24 parcels.

   e. Preliminary Plan 4-00010 for 1,653 lots and 46 parcels.

   f. SDP-9803 for the golf course.

   g. SDP-9905 Special Purpose SDP for community character.

   h. SDP-9907 Infrastructure SDP for the East Village for 130 single-family residential lots.

   i. SDP-9908 Infrastructure SDP for extending the sewer line from the East Village area to Parcel G.

   j. SDP-0001Architecture SDP for16 architectural models.

   k. SDP-0111—for the East Village, Phase II, Section I, for 129 single-family residential lots.

   l. SDP-0112—for the East Village, Phase II, Section II, for 49 single-family residential lots.

m. SDP-0113—for the South Village, Phase I, Sections 1, 2, and 3 for 93 single-family residential lots.

n. SDP-0314 – for the East Village, Section 10 for 46 townhouse units

o. SDP-0315 – for the East Village, Section 4 for 39 townhouse units

6. **Design Features:** The applicant is proposing the 49 single-family lots along internal roads. The lot sizes range from 5,000 square feet to 10,000+ square feet. An eight-foot-wide trail is located along the rear of Lots 19 to 23, Block K. Additional landscaping should be provided along the rear of these lots to screen the lots from the trail. A condition of approval has been added to require the same. The side yard of Lot 30, Block K and Lot 8, Block T, will face internal streets. Additional landscaping should be provided along the side yards to adequately screen the lots. A condition of approval has been added to require the same.

CONFORMANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The proposed residential use is in conformance with the permitted uses and other regulations in the R-S Zone.

8. **Basic Plan:** The proposed Specific Design Plan is in general conformance with the Basic Plan A-9763-C. Finding 6 of CDP-9706 (PGCPB No.98-050) addressed conformance of CDP-9706 with the approved Basic Plan.

9. **Comprehensive Design Plan:** Comprehensive Design Plan CDP-9706 as approved includes a maximum of 2,400 dwelling units: 1,680 single-family detached, 480 single-family attached, and 240 multifamily, on approximately 1,194 acres located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East, and West). An 18-hole championship golf course will be integrated into the residential communities. A 30-acre lake, to be built in the Eastern Branch stream valley, will be a central focal point of the golf course and of the development as a whole. The comprehensive design plan for Beech Tree is also proposed to include the following: a club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch stream valley park, 12.5 acres dedicated to M-NCPPC for a community park, 211 acres dedicated as homeowners' open space, 11 acres set aside for a private equestrian facility, a 35-acre site to be conveyed to the Board of Education for a middle school site, and a 17-acre site for an elementary school. None of the above amenities is included in the subject SDP. These amenities will be the subject of future SDPs. An active recreational area is planned to the south of the area covered by SDP-0316, which will be reviewed under a future SDP.

The proposed specific design plan will be in general conformance with CDP-9706 if the conditions below are fulfilled. CDP-9706 was approved with 49 conditions of approval. The following conditions are directly applicable to the proposed project and the proposal complies with the conditions as follows:

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

This condition is being carried forward in slightly modified form for inclusion in the subject specific design plan.

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

The applicant has complied with this condition.

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

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

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

The applicant has previously submitted a letter from ERR Economic Consultants (Patz to Adams, December 8, 1999) stating that the base price of the proposed 130 single-family houses to be built in the East Village will not be lower than $225,000 in 1989 dollar values. This condition is being carried forward to the subject SDP.

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

The District Council will be reviewing the subject SDP.

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

The applicant has provided adequate landscaping to screen the views from adjacent arterials and collector roadways.

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

This condition is being carried forward to the subject SDP.

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

A. A fee calculated as $497.84/residential DU x (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989).

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

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

A. Leeland Road,

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

B. MD 193/Oak Grove Road Relocated Intersection,

(i) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road, and

(ii) The extension of the realigned Oak Grove Road from the end of Perrywood's construction to the realigned MD 193.

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

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

The applicant has submitted a traffic study that identifies the staging of the development and the improvements required at each development stage. The report has been reviewed by the Transportation Planning Section, the Department of Public Works and Transportation, and the State Highway Administration and the staging therein was approved by the Planning Board in SDP-9907.

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

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

The subject specific design plan conforms to the following elements of the Comprehensive Design Plan (CDP-9706):

a. Design Intent: CDP-9706 establishes four villages, each with its own unique site features, character and amenities. These villages will be linked to the golf course and the other residential villages by a network of roads and a system of pathways and trails. The general layout, circulation pattern, road layout, pathway system, and the location and number of the proposed pocket parks in the development conform to the approved CDP-9706.

b. Development Program:

	CDP-9706	Approved including the subject SDPs
Total number of units	2,400	536
Total number of units previously approved		486
Townhouses	480 (20%)	85
Single-family houses	1,680 (70%)	450
Multifamily	240 (10%)	0
Dwelling units per gross acre	2.2	1.14

The proposed density (dwelling units per acre) is lower than the approved density of CDP-9706. A condition of approval has been added to require the applicant to indicate the total number of units previously approved and the total number of units proposed by the subject SDP on the site plans. A condition of approval has also been added to require the applicant to indicate the correct acreage of the subject SDP.

c. Public Benefit Features: Although public benefit features are proposed, they are not part of the subject SDP.

d. Site Design Criteria and Guidelines: The specific design plans are consistent with the design principles established in CDP-9706 for site design, pathway system, vehicular circulation/access, compatibility with the surrounding areas, recreational facilities, landscape features, open space, and parking.

e. Architecture: The architecture for the single-family houses for the development have been approved under separate SDPs SDP-0001 and SDP-0001/01.

10. **Preliminary Plan of Subdivision:** The area covered by SDP-0316 is the subject of Preliminary Plan 4-00010. Compliance with conditions of approval of this preliminary plan is discussed in Finding 13.j.

11. ***Landscape Manual:*** The specific design plan is subject to and conforms to Section 4.1 (Residential Requirements) and Section 4.6 (Buffering Residential Development from Streets), of the *Landscape Manual.* Extensive landscape buffers have been provided along the streets and parking areas to screen them from the golf course and adjacent single-family lots.

12. **Woodland Conservation Ordinance:** Conformance with the Woodland Conservation Ordinance is discussed in detail in Finding 13.h.

13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions and responses were received as follows:

    a. In a memorandum dated March 18, 2004, the Washington Suburban Sanitary Commission stated that there is an approved authorization within the limits of the site. The engineer must submit an amendment package to the Development Services Group.

    b. In a memorandum dated March 16, 2004, the Department of Environmental Resources stated that the proposal is not consistent with the approved stormwater management concept #8010150. The concept needs to be revised to include the lots proposed in SDP-0316. A goetechnical engineer must prepare a detailed analysis to assure that no lots are to be created with a safety factor of less than 1.5. A condition of approval has been added to require the same.

    c. In a memorandum dated March 10, 2004, the Historic Preservation Section stated that the proposal has no impacts on the adjacent historic properties

    d. In a memorandum dated April 7, 2004, the Department of Parks and Recreation stated that the proposal has no impacts on park property.

    e. In a memorandum dated March 29, 2004, the Historic Preservation and Public Facilities Planning Section concluded 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 Plan or provided as part of the private development. County Council bill CB-31-2003 established a school facilities surcharge requiring a fee to be paid at building permit for each dwelling unit. The school surcharge may be used for construction of additional or expanded school facilities. The project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003, CB-31-2003, and CB-23-2003. The existing fire engine service, ambulance service, and paramedic service are well within the response time guidelines. The existing police facilities will be adequate to serve the population generated by the proposed subdivision.

    f. In a memorandum dated May 5, 2004, the Transportation Planning Section stated that the Planning Board approved SDP-9907 on June 8, 2000 (PGCPB –00-111). As a part of that application, the applicant submitted a staging plan, which identified the transportation improvements needed for various development stages of the Beech Tree subdivision. The staging plan was approved with modifications by the Transportation Planning Section after consultation with the applicant, SHA and DPW&T. The applicant has submitted a letter dated March 4, 2004, giving a status report of the building permits issued in relation to the transportation improvements. The Transportation Planning Section staff will monitor the release of the permits in relation to the specific improvements needed. The section has concluded that the subject development will be adequately served within a reasonable period of time if all the transportation improvements and phasing outlined in the conditions of approval of SDP-9907 are fulfilled.

g. In a memorandum dated March 12, 2004, the Permit Review Section has required minor revisions to the site plan drawings. Conditions of approval have been added to require the same.

h. In a memorandum dated February 11, 2004, the Environmental Planning Section stated that the 1,212-acre Beech Tree site has a network of slopes, ravines and stream valleys. The site is situated within the Patuxent River drainage basin and is, therefore, subject to the stringent buffer requirements of the Patuxent River Policy Plan. The soils on the site belong to the Collington-Adelphia-Monmouth, Westphalia-Evesboro-Sassafras and Westphalia-Marr-Howell associations. Highway noise from US 301 is a known significant noise source. There are no scenic or historic roads impacted by the development proposed in the subject plans. The water and sewer categories are W-3 and S-3. There are extensive areas of wetlands on the site. The stripeback darter, a state endangered fish, was found in the main stream of Collington and Western Branch.

Of the 1,212 acres, about 220 acres are currently 100-year floodplain and 207 acres of the floodplain are forested. The upland 973 acres has 651 acres of woodland. The site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet and it contains more than 10,000 square feet of woodland. The revised Type II Tree Conservation Plan, TCPII/49/98-02, requires a minimum of 284.92 acres of woodland conservation for the proposed development of the entire site. The plan provides for 612 acres of on-site woodland conservation, 12.11 acres of reforestation, and 0.98 acre of afforestation, for a total of 625 acres. The total area of PMA on the Beech Tree property is 329 acres. The total amount of disturbance permitted in the PMA is 23.22 acres. The disturbances proposed by SDP-0316 are consistent with those previously approved by the Planning Board. No further action is required with regard to the specific design plans for noise issues or endangered species issues. None of the proposed development of the subject SDP modifies the previous approvals regarding stormwater management and Marlboro clay issues. High-risk areas do not occur on the areas covered by SDP-0316. However, in some areas special drainage measures, road construction and foundation construction methods may be needed.

Conditions of approval have been added for minor revisions to the Type II tree conservation plan and to require special drainage measures, road construction, and foundation construction methods in some areas. The Environmental Planning Section recommends approval of TCPII/49/98-04 subject to conditions of approval.

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

j. In a memorandum dated March 5, 2004, the Subdivision Section stated that Preliminary Plan 4-00010 was approved on July 27, 2000. The preliminary plan is valid for six years. A number of conditions of approval of the preliminary plans apply to the specific design plan. These conditions have been addressed by the Environmental Planning Section, the Transportation Planning Section, and the Department of Parks and Recreation during the review of the subject SDP and the previous SDPs. The lotting pattern and road configuration of SDP-0316 is in conformance with Preliminary Plan 4-00010. Conditions of approval have been added by the Environmental Planning Section to address Condition #8 regarding high-risk areas. The other Conditions #18, #20 and #21 are not applicable to the subject SDP.

k. In a memorandum dated March 12, 2004, the Community Planning Division stated that the 1994 Subregion VI study area master plan identifies this area as a suburban residential land use. The 2002 General Plan identifies this area in the developing tier. There are no master plan issues associated with this proposal.

14. **Conformance of the proposed Specific Design Plan with the findings for approval of a Specific Design Plan (Section 27-528(a), Planning Board Action)**

The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual *and for Specific Design Plans for which an application is filed after December 30, 1986, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11) and the applicable regulations for townhouses set forth in Section 27-433(d).*

As stated in Findings 9 and 11, the proposal is consistent with the approved Comprehensive Design Plan and the applicable sections of the *Landscape Manual*.

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

As stated in Findings 13.e and 13.f, the Transportation Planning Section and the Historic Preservation and Public Facilities Planning Section have reviewed the proposals for adequacy of public facilities and have concluded that there is sufficient basis for making this required finding.

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

The Department of Environmental Resources has stated that the proposal is not consistent with approved stormwater management concept plan #0080150. Conditions of approval have been added to revise the concept plan to meet the requirements of the Department of Environmental Resources. With these conditions, adequate provision has been made for draining surface water and ensuring that there are no adverse effects.

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

As stated in Finding 13.h, the plan will be in conformance with an approved Tree Conservation Plan (TCPII/49/98) if the proposed conditions are fulfilled.

RECOMMENDATIONS

The Urban Design Review staff recommends that the Planning Board adopt the findings of this report and approve Specific Design Plan SDP-0316 and TCPII/49/98-04 with the following conditions:

1. Prior to certification of the Specific Design Plans,

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

(1) The total number of units previously approved and the total number of units proposed in the subject SDP.

(2) Additional landscaping along the rear of Lots 19 to 24, Block K, and along the side yards of Lot 30, Block K, and Lot 8, Block T.

(3) Correct acreage of the area covered by SDP-0316.

b. The Type II Tree Conservation Plan, TCPII/49/98-04, shall be revised to:

(1) Revise the key map on the cover sheet to indicate each Specific Design Plan for Beech Tree

(2) Remove the TCP notes from the key map.

(3) Correct each TCPII approval block on every sheet to include the PGCPB resolution number and date for the approvals of TCPII/49/98, TCPII/49/98-01 and TCPII/49/98/02.

(4) Document all revisions with appropriate notes in the revision block on each sheet.

(5) Add the following note to sheet 46: "No disturbance of woodland on the site shall occur until it is affirmed that such removal is consistent with the habitat management plan for the Stripeback Darter approved by the Wildlife and Heritage Division of DNR."

(6) Add the following note to sheet 46: "Prior to the issuance of any grading permit for the site, the Type II TCP shall be revised to incorporate the recommendations of the approved habitat management plan for the Stripeback Darter."

(7) Add the following note to sheet 46: "There shall be no grading, cutting of trees or tree removal from the site until such time as the recommendations of the habitat management plan have been incorporated into the Type II TCP."

(8) Add the following note to each sheet of the TCPII that shows reforestation/ afforestation areas: "All reforestation/afforestation areas adjacent to lots and split- rail fencing along the outer edge of all reforestation/afforestation areas shall be installed prior to the use and occupancy permit for the adjacent lots."

(9) Have the revised plan signed and dated by the qualified professional who prepared the plan.

c. The applicant shall revise the stormwater management concept plan to include the lots in SDP-0316 and shall obtain stormwater management concept approval from the Department of Environmental Resources. The applicant shall submit a detailed analysis prepared by a geotech engineer to assure that no lots be created with a safety factor of less than 1.5 to the Department of Environmental Resources for review and approval.

2. Prior to issuance of grading permits, each grading permit shall show required on-site wetland mitigation areas.

3. Prior to the issuance of any permits for Beech Tree, the applicant shall demonstrate to the M-NCPPC, Environmental Planning Section that all applicable conditions of the state wetland permit have been addressed.

4. Prior to approval of building or grading permits, the M-NCPPC Environmental Planning Section shall review all technical stormwater management plans approved by the Department of Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that the plan is consistent with the habitat management program and that water quality is provided at all stormdrain outfalls. If revisions to the TCPII are required due to changes to the technical stormwater management plans, the revisions shall be handled at the staff level if the changes result in less than 20,000 square feet of additional woodland cleared.

5. Prior to the issuance of any building permit, a soils report addressing specific remedies and their locations in all areas where Marlboro clay presents development problems shall be reviewed and approved by the M-NCPPC Environmental Planning Section and the Prince George's County Department of Environmental Resources. The report shall include a map showing all borehole locations and logs of all of the boreholes and identify individual lots where Marlboro clay poses a problem.

6. The building permit drawings shall include building dimensions and building height for every single-family dwelling and building setbacks for each lot.

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

8. Prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than $225,000 in 1989 dollars.

9. The transportation improvements and phasing outlined in the conditions of approval for SDP-9907 shall be fulfilled.