

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on December 22, 2005, regarding Comprehensive Design Plan CDP-0504 for Bevard East the Planning Board finds:

1. **Request:** The comprehensive design plan as proposed by the applicant includes a maximum of 827 dwelling units (662 single-family detached and 165 single-family attached) on approximately 563 acres. The housing is to be organized into four development pods that will be located on buildable areas of the site separated by environmental features on the site. A 14.2-acre portion of land is proposed as a public park, located at the entrance into the development, along Piscataway Road. A 22-acre central recreational area is proposed to be conveyed to the future homeowners association. The majority of the development is accessed from Piscataway Road and Tippett Road; however, the large lot development portion of the development is accessed from Thrift Road. An extensive trail system provides pedestrian connections throughout the development. Stormwater management is provided on the site through a number of surface ponds.
2. **Location:** The property is located on the southeast side of Piscataway Road, north of its intersection with Elizabeth Catherine Street and south of its intersection with Delancy Street. The property also has frontage on Tippett Road, south of Robinson Road and north of New England Drive and has frontage on Thrift Road, across from Sears Lane and south of Roughlan Street and north of Thrift Loop.
3. **Surroundings:**

North—Across Piscataway Road is primarily undeveloped and agricultural lands; however, there is one existing subdivision called Rolee Estates. Directly north of the subject site is undeveloped R-E Zoned properties.

East—Tippett Road and primarily undeveloped and agricultural lands.

South—Thrift Road and residential lots in the R-A Zone, but undeveloped as of the writing of this report.

West—Across Piscataway Road and beyond is undeveloped land and one subdivision in the R-E Zone called Mary Catherine Estates, which also extends south of Piscataway Road and is directly west of the subject site.
4. **Previous Approvals**—Special Exception 3266 permitted the mining of sand and gravel in the western half of the site, Zoning Ordinance No. 37-1983, dated June 23, 1983.

On November 17, 2005, the Planning Board reviewed the amended Basic Plan application A-9967 and recommended that the plan be approved with conditions (PGCPB No. 05-223). The basic plan is currently under review by the Zoning Hearing Examiner. This zoning case must be reviewed by the District Council for a final decision. The date of that hearing has not yet been determined.

According to the Planning Board resolution, the request to rezone 562.85 acres of R-E (Residential-Estate)-zoned property to the R-L (Residential Low Development) Zone at a dwelling unit density range of 1.5 dwellings per acre is **proposed** with the following land use types and quantities:

Total area (gross)	562.85 acres
Land in the 100-year floodplain	23 acres
Net acreage (gross AC-1/2 floodplain)	551.35 acres
R-L base density	1 DU/AC
R-L maximum density	1.5 DU/AC
Proposed basic plan density:	845 units
Proposed land use types and quantities:	
Single-family detached units	676 units
Single-family attached units	169 units
	845 total units
Public passive open space:	50 acres
Public active open space:	10 acres

**Findings Required by Section 27-521 of the Zoning Ordinance (Findings 5-13 below):**

Findings 5-13 below are required by Section 27-521 before the Planning Board may approve a comprehensive design plan.

5. The comprehensive design plan for the subject site must be found to be in conformance with the conditions of Zoning Application A-9967. The Planning Board reviewed the plan and made a recommendation to the Zoning Hearing Examiner that the following conditions be adopted as part of the approval of the rezoning case:

1. **The basic plan shall be revised to show the following revisions:**

- Proposed Land Use Types and Quantities:**

- **Public Passive Open Space: 50± acres.**

- **Public Active Open Space: 10± acres.**
- **Show right-of-way for A-65 as designated on the Subregion V Master Plan. 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.**

**Comment:** The plan demonstrates conformance to the basic plan in that it shows the open space components including a 14-acre public park, which constitutes the active open space, and 210 acres of passive open space that will be dedicated to the homeowners association. The CDP must be revised to show the A-65 as designated on the Subregion V Master Plan (for more discussion on this issue see the transportation discussion in Finding 16(a)).

**2. Provision of a preliminary plan of subdivision is required for this proposed development.**

**Comment:** This is a requirement of law and a preliminary plan of subdivision is currently under review by the staff.

**3. As part of any application for a natural resources inventory, a soils study shall be submitted. 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 indicate 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 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:** The tree conservation plan shows several crossings of streams for access to other portions of the site. Generally, these types of impacts will be supported, although they have not been evaluated with the CDP because the impacts are evaluated as part of the preliminary plan review. 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:** Impacts to sensitive environmental features are discussed in detail below, however, the preliminary plan of subdivision shall address any need for variation requests.

- 6. A Phase I noise study shall be required as part of any application for a comprehensive design plan. The comprehensive design plan and 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.

- 7. The comprehensive design plan 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:** As noted below 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. These easements will be shown on the final plats.

- 8. Specific acreage of parkland dedication shall be determined at time of Comprehensive Design Plan (CDP). The dedicated parkland shall accommodate a baseball field, soccer field, minimum 100-space parking lot, playground, picnic shelter, basketball court, trails, stormwater management pond. The dedicated parkland shall be located along the Piscataway Road. The dedicated parkland shall have at least a 500-foot wide frontage and direct access to Piscataway Road.**

**Comment:** The plan demonstrates conformance to the condition above by indicating the dedication of a minimum of 14 acres of land for the public park and a conceptual layout of the facilities listed. For more discussion on the public park see Finding 15.

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

**Comment:** This shall be added as a condition of the approval of the CDP.

- 10. The applicant shall construct recreational facilities on dedicated parkland. The “recreational facilities package” shall be reviewed and approved by DPR staff prior to comprehensive design plan (CDP) submission.**

**Comment:** The Department of Parks and Recreation has reviewed and recommends approval of the recreational facilities package. For more discussion on the public park see Finding 15.

- 11. The public recreational facilities shall be constructed in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The concept plan for the development of the parks shall be shown on the comprehensive design plan.**

**Comment:** This condition shall be reiterated in part as a condition to be carried over on the approval of this plan. The CDP shows the concept for the development of the parkland.

- 12. The 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. Lot size averaging, in accordance with the R-E zone, shall be utilized per Section 27-423. The lot size shall not be less than 30,000 square feet for lots bordering Thrift Road and adjoining subdivisions as shown on applicants Exhibit A. All other 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:** The plans show in concept the location of the 118 acres of land to be developed as a large lot component. The layout as shown is generally acceptable to staff, but the preliminary plan will provide the level of detail required to demonstrate conformance to Section 27-423 as stated in the condition. Therefore, staff is satisfied that this condition has been fulfilled as is appropriate at this stage of the development process.

- 13. The applicant shall contribute as a public benefit feature to the construction of a community center to be located at Cosca Regional Park. The amount of that contribution shall be determined during the Comprehensive Design Plan stage in accordance with Section 27-514.10(b)(5). The minimum contribution shall be \$750K.**

**Comment:** The applicant has increased the amount of contribution from \$750,000 to \$2,000,000. This contribution has been determined to qualify for density increments, as stated in Finding 19 below.

- 14. With the provision of density increments, the applicant shall construct no more than 827 units. This application to rezone the property to the R-L zone (1.0 base density) will allow for a base density of 551 units (based on the gross tract area subtracting one-half of the floodplain).**

**Comment:** This plan proposes 827 dwelling units.

6. The proposed comprehensive design plan would result in a development with a better environment than could be achieved under other regulations because the project will provide for on-site recreational facilities that would not be required in addition to the mandatory dedication

requirements. These recreational facilities are substantial and will be valuable features of the development that are not likely to have materialized under conventional regulations.

7. Approval is warranted by the way in which the comprehensive design plan includes design elements, facilities and amenities. Among the distinctive design elements of the plan is the provision of a public park at the entrance to the subdivision and the integration of a substantial central recreational area to be owned and operated by the future homeowners association. These facilities, as well as the extensive trail system, will satisfy the needs of the residents, employees or guests of the project.
8. The proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings, if conditions of approval are adopted to increase lot sizes and lot frontages along the existing R-E properties. The site is bounded to the north and east by undeveloped R-E-zoned properties. Thrift Road bounds the property on the south and across Thrift Road is R-A-zoned property. The basic plan addressed that area adjacent to Thrift Road in a condition stating that the lot size should not be less than 30,000 square feet for lots bordering Thrift Road and adjoining subdivisions, so this will be demonstrated prior to signature approval of the CDP and on subsequent specific design plans. To the west, across Piscataway Road, are lots located in the R-E Zone. In order for the corridor of Piscataway Road to look similar on each side of the roadway, staff recommends that the frontage of the lots located adjacent to Piscataway Road be a minimum of 20,000 square feet in size and a minimum of 80 feet in width at the building restriction line, which is in keeping with existing development and will be in conformance with future development of the R-E Zone.
9. Land uses and facilities covered by the comprehensive design plan will be compatible with each other in relation to:

- a. Amounts of building coverage and open space.

The proposed building coverage on each lot ranges from 40 to 60 percent for the three categories of single-family detached lots. This will ensure adequate open space in the lotted areas comparable to that provided in other contemporary residential developments. Significant open space will be provided elsewhere on the site for use by the homeowners. A total of 210 acres of land will be dedicated to the homeowners association, at least 30 acres of which will be used by the residents for play areas and is unregulated open space outside of floodplain and wetland areas.

- b. Building setbacks from streets and abutting land uses.

The CDP proposes residential standards for setbacks from streets including a minimum of 15 feet for attached units and only 20-foot setbacks are proposed for single-family detached units. This is an inadequate setback in the areas of the plan that should be sensitively designed to mimic surrounding development in the R-E Zone and for the large lot component section of the project. In the R-E Zone the minimum required setback is

feet. Staff recommends that a condition be adopted that on lots greater than 10,000 square feet the setback should be minimum of 25 feet.

c. Circulation access points.

The proposed plan will have adequate circulation access points to the surrounding road network. Three vehicular access points to the site are proposed—one entrance from Piscataway Road, one entrance from Tippet Road, and one access point to Thrift Road.

10. Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability. As each of the residential development pods is constructed, the necessary infrastructure to support it will be built. The recreational facilities will be constructed in phases in which the staff recommends a construction phasing plan, as stated in Condition 19.
11. The staging of the development will not be an unreasonable burden on available public facilities as required by Section 27-521 of the Zoning Ordinance if the application is approved subject to the proposed conditions in the recommendation section of this staff report. The subject application was referred to the Public Facilities Planning Section, and in a memorandum (White to Lareuse) dated December 22, 2005, the following information was provided in support of this conclusion:

**Fire Facilities**

The Fire Chief has reported that the current staff complement of the Fire Department is 704 (101.73 percent), which is above the staff standard of 657 (or 95 percent) of authorized strength of 692 as stated in CD-56-2005.

The Fire Chief has reported by letter, dated November 1, 2005 that the department has adequate equipment to meet the standards stated in CB-56-2005.

**Police Facilities**

The Prince George’s County Planning Department has determined that this comprehensive design is located in Police **District IV**. The standard for emergency calls response is 10 minutes and 25 minutes for non-emergency calls. The times are based on a rolling average for the proceeding 12 months beginning with January of 2005. The subject application was accepted on June 27, 2005.

<b>Reporting Cycle</b>	<b>Date</b>	<b>Emergency Calls</b>	<b>Non-emergency</b>
Acceptance Date	01/05/05-05/05/05	11.00	21.00
Cycle 1	01/05/05-06/05/05	11.00	22.00
Cycle 2	01/05/05-07/05/05	11.00	23.00
Cycle 3	01/05/05-08/05/05	11.00	23.00

The Police Chief has reported that the current staff complement of the Police Department is 1302 sworn officers and 43 student officers in the Academy for a total of 1345 (95%) personnel, which is within the standard of 1278 officers or 90% of the authorized strength of 1420 as stated in CB-56-2005.

The response time standards of 10 minutes for police emergency calls and 7 minutes for fire and rescue (**Block KK Lots 1-91 and Block LL Lots 1-8**) were not met on the date of acceptance or within the following three monthly cycles. The applicant may need to submit a mitigation plan to the Planning Board at the time of preliminary plan of subdivision if at that time there continue to be failing levels of service for which the use of mitigation is an option.

**School**

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	827 sfd	827 sfd	827 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	198.48	49.62	99.24
Actual Enrollment	4206	4688	8866
Completion Enrollment	112.80	69.06	136.68
Cumulative Enrollment	99.36	41.40	82.80
Total Enrollment	4616.54	4848.08	9184.72
State Rated Capacity	4215	5114	7752
Percent Capacity	109.53%	94.80%	118.48%

Source: Prince George's County Planning Department, M-NCPPC, December 2004

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between interstate highway 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,412 and 12,706 to be a paid at the time of issuance of each building permit.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

## **TRANSPORTATION**

The subject application was referred to the Transportation Planning Section and in a memorandum (Masog to Lareuse) dated December 6, 2005, the following information was provided in support of this conclusion:

The applicant prepared a traffic impact study dated July 2005 in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The studies have been referred to the County Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA), and comments from SHA are attached (comments from DPW&T were not available at the time of referral preparation, and will be added to the record and addressed once they are received). It is the transportation staff's understanding that the referral package to the adjacent municipalities included a traffic study. Because the package was sent by Development Review Division staff, and not by the Transportation Planning Section, transportation-specific comments have not been provided for inclusion in this memorandum. The findings and recommendations outlined below are based upon a review of all materials received and analyses conducted by the staff, are consistent with the Guidelines.

### **Growth Policy—Service Level Standards**

The subject property is located within the Developing Tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

**Unsignalized intersections:** The *Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly traffic controls) if deemed warranted by the appropriate operating agency.

### **Staff Analysis of Traffic Impacts**

The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

MD 223 and Old Branch Avenue/Brandywine Road (signalized)  
Brandywine Road and Surratts Road (signalized)  
Brandywine Road and Thrift Road (signalized)  
Floral Park Road and Windbrook Drive (unsignalized)  
MD 223 and Floral Park Road (unsignalized)  
MD 223 and Gallahan Road (unsignalized)  
MD 223 and Windbrook Drive (unsignalized)  
MD 223 and site access (future/unsignalized)  
MD 223 and Tippet Road (unsignalized)  
MD 223 and Steed Road (signalized)  
MD 223 and Temple Hill Road (signalized)  
Old Fort Road South and Gallahan Road (unsignalized)  
Old Fort Road North and Allentown Road (unsignalized)  
MD 210 and Old Fort Road North (signalized)

The traffic counts were completed in January 2005. It is noted that a few concerns have been raised about the timing of the traffic counts. Please note the following:

- All traffic counts were taken on a Tuesday, Wednesday, or Thursday in accordance with the guidelines.
- The traffic study of record was submitted in September 2005. The old counts in the study are dated November 2004. In accordance with the guidelines, all counts were less than one year old at the time of traffic study submittal.
- All counts were taken on days when schools were open.
- Two counts, the counts at MD 223/Old Branch Avenue/Brandywine Road and MD 223/ Steed Road, were taken on the day prior to a national holiday. Because Veterans Day in 2004 occurred midweek, and the counts were taken on the Wednesday prior, the counts were allowed. The primary reason for the guidelines to discourage counts on the day before or after national holidays is to allow counts taken before or after long weekends to be rejected.

Existing conditions in the vicinity of the subject property are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 223 and Old Branch Avenue/Brandywine Road	1,275	1,796	C	F
Brandywine Road and Surratts Road	1,398	1,248	D	C
Brandywine Road and Thrift Road	1,043	908	B	A
Floral Park Road and Windbrook Drive	10.6*	10.3*	--	--
MD 223 and Floral Park Road	21.4*	20.8*	--	--
MD 223 and Gallahan Road	10.9*	14.7*	--	--
MD 223 and Windbrook Drive	25.3*	37.6*	--	--
MD 223 and site access	future		--	--
MD 223 and Tippett Road	47.8*	19.0*	--	--
MD 223 and Steed Road	1,319	1,145	D	B
MD 223 and Temple Hill Road	892	1,177	A	C
Old Fort Road South and Gallahan Road	11.6*	10.9*	--	--
Old Fort Road North and Allentown Road	12.4*	15.1*	--	--
MD 210 and Old Fort Road North	1,582	1,905	E	F

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.

A review of background development was conducted by the applicant, and the area of background development includes over 20 sites encompassing over 2,000 approved residences. The traffic study also includes a growth rate of 2.0 percent per year along the facilities within the study area to account for growth in through traffic.

Background conditions also assume the widening of Surratts Road between Beverly Drive and Brandywine Road. Given that the project is shown in the current county Capital Improvement Program (CIP) with 100 percent funding within six years, staff has allowed the traffic study to include this improvement as a part of the background condition. While this improvement has an unusually long history of full funding in the CIP without being constructed, there are actions being taken to commit county and developer funding to get this improvement constructed soon. This improvement is particularly important to traffic circulation in the area. Widening the link of Surratts Road eastward from Brandywine Road is anticipated to provide an outlet for traffic using

Brandywine Road. Also, the intersection improvements at Brandywine Road/Surratts Road that are a part of this CIP project are important because this intersection currently operates poorly in both peak hours.

Background traffic is summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 223 and Old Branch Avenue/Brandywine Road	1,664	2,291	F	F
Brandywine Road and Surratts Road	1,157	1,019	C	B
Brandywine Road and Thrift Road	1,256	1,081	C	B
Floral Park Road and Windbrook Drive	12.2*	12.0*	--	--
MD 223 and Floral Park Road	48.0*	45.2*	--	--
MD 223 and Gallahan Road	14.0*	23.5*	--	--
MD 223 and Windbrook Drive	86.5*	109.4*	--	--
MD 223 and site access	future		--	--
MD 223 and Tippett Road	223.2*	36.2*	--	--
MD 223 and Steed Road	1,628	1,366	F	D
MD 223 and Temple Hill Road	1,141	1,486	B	E
Old Fort Road South and Gallahan Road	13.1*	12.1*	--	--
Old Fort Road North and Allentown Road	24.8*	90.2*	--	--
MD 210 and Old Fort Road North	1,956	2,149	F	F
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The site is proposed for development with 662 detached and 165 townhouse residences. The proposal would generate 613 AM (123 in, 490 out) and 728 PM (477 in, 251 out) peak-hour vehicle trips. As noted earlier, the traffic study was conducted for three separate properties. The subject site must be reviewed as a CDP; the other two will be reviewed as preliminary plans in the near future. In all likelihood, the subject site will be reviewed as a preliminary plan on the same hearing date as the other two sites. While, indeed, each application must stand on its own, it is also fair and proper that each site receive the same off-site transportation conditions. This will

allow each site to share in the construction of the off-site transportation improvements if they are approved. Therefore, rather than recalculating service levels for the subject site alone, the total traffic situation presented will summarize the impact of all three sites together. Once again, it is anticipated at this time that all three preliminary plans of subdivision will be reviewed on the same date, and that all three, if approved, would receive the same set of off-site transportation conditions.

The other two sites are proposed for residential development as well. The Bevard North property is preliminary plan of subdivision 4-05049, and includes 805 elderly housing units in a planned retirement community. The Bevard West property is preliminary plan of subdivision 4-05051, and includes 242 detached single-family residences. Trip generation of the three sites is summarized below:

<b>Site Trip Generation – All Three Sites Included in Traffic Study</b>							
Use	AM Peak Hour			PM Peak Hour			
	In	Out	Total	In	Out	Total	
Bevard East – 827 residences	123	490	613	477	251	728	
Bevard North – 805 senior residences	64	105	169	137	88	225	
Bevard West – 242 residences	37	145	182	143	75	218	
<b>Total Trips</b>	<b>224</b>	<b>740</b>	<b>964</b>	<b>757</b>	<b>414</b>	<b>1171</b>	

Total traffic (for the three sites, including the subject site) is summarized below:

<b>TOTAL TRAFFIC CONDITIONS</b>			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)
MD 223 and Old Branch Avenue/Brandywine Road	1,791	2,433	F F
Brandywine Road and Surratts Road	1,180	1,095	C B
Brandywine Road and Thrift Road	1,331	1,123	D B
Floral Park Road and Windbrook Drive	14.9*	13.8*	-- --
MD 223 and Floral Park Road	81.4*	59.8*	-- --
MD 223 and Gallahan Road	15.1*	26.0*	-- --
MD 223 and Windbrook Drive	+999*	+999*	-- --
MD 223 and site access	+999*	+999*	-- --
MD 223 and Tippett Road	+999*	548.8*	-- --
MD 223 and Steed Road	1,964	1,854	F F

MD 223 and Temple Hill Road	1,345	1,829	D	F
Old Fort Road South and Gallahan Road	13.3*	12.2*	--	--
Old Fort Road North and Allentown Road	65.1*	269.0*	--	--
MD 210 and Old Fort Road North	2,142	2,149	F	F

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.

Traffic Impacts: The following improvements are determined to be required for the development of the subject property in the traffic study:

- 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.
- E. Unsignalized Intersections: The traffic study includes signal warrant studies at four unsignalized intersections in the study area. It is determined in the traffic study that signalization would not be warranted at the MD 223/Windbrook Drive intersection, the MD 223/Tippett Road intersection, and the Old Fort Road North/Allentown Road intersection. It is determined that signalization would be warranted at the MD 223/Floral Park Road intersection.

Traffic Impacts—Staff Review: In general staff believes that the improvements recommended in the traffic study to the signalized intersections are acceptable.

At the MD 210 and Old Fort Road North intersection, the applicant has proposed the use of mitigation in accordance with Section 24-124(a)(6). The Subdivision Ordinance indicates that “consideration of certain mitigating actions is appropriate...” in accordance with the Guidelines for Mitigation Action and the requirements of that portion of Section 24-124. The applicant proposes to employ mitigation by means of criterion (d) in the Guidelines for Mitigation Action, which were approved by the District Council as CR-29-1994. Criterion (d) allows mitigation at intersections along MD 210 outside of the Beltway (among other facilities), and was not superceded by the approval of the 2002 *Prince George’s County General Plan*.

Procedurally, staff recognizes that mitigation is specifically a subdivision process. Staff would note, however, that the required finding for a comprehensive design plan is not a strict adequacy finding, but rather a finding that a development “will not be an unreasonable burden” on area transportation facilities. It has been the general practice of the Transportation Planning Section that if a given development can meet the strict transportation adequacy requirements of Subtitle 24, it will consequently not be a burden that is unreasonable and can be approved for transportation adequacy as a comprehensive design plan. Staff would note that there is a concurrent subdivision application for the subject property, and the transportation staff is reviewing adequacy issues for both applications with the identical degree of detail.

At the MD 210 and Old Fort Road North intersection, the applicant recommends several improvements described above to mitigate the impact of the applicant’s development in accordance with the provisions of Sec. 24-124(a)(6).

The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 210/Old Fort Road North				
Background Conditions	F/1956	F/2149		
Total Traffic Conditions	F/2142	F/2149	+186	+0
Total Traffic Conditions w/Mitigation	E/1802	D/1809	-340	-340

As the CLV at MD 210/Old Fort Road North is greater than 1,813 during both peak hours, the proposed mitigation action must mitigate at least 100 percent of the trips generated by the subject property during each peak hour and bring the CLV to no greater than 1,813, according to the Guidelines. The above table indicates that the proposed mitigation action would mitigate more

than 100 percent of site-generated trips during each peak hour, and it bring the CLV below 1,813 in each peak hour as well. Therefore, the proposed mitigation at MD 210 and Old Fort Road North meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.

With regard to the unsignalized intersections, staff has several comments:

- Staff accepts that the Old Fort Road/Allentown Road intersection will not meet warrants under future traffic. Because a traffic signal warrant study is, in itself, a more detailed study of the traffic operations at an intersection, it is accepted that the in-depth analysis shows that the intersection will operate acceptably under future traffic.
- The MD 223/Floral Park Road intersection is shown to meet signal warrants under total traffic. SHA accepts this result and will also require that separate right-turn and left-turn lanes be installed at the time of installation. Given that the provision of this lane geometry is essential to the safe and effective operation of the signal, staff will recommend this improvement. Also, it is noted in reviewing the future LOS of this intersection that with a one-lane approach on the eastbound leg of the intersection that the intersection will fail in the AM peak hour. Separate eastbound through and left-turn lanes are needed to resolve this inadequacy.
- It is noted that the MD 223/Windbrook Drive intersection is shown to meet at least one warrant for signalization during the PM peak hour. While the traffic study indicates that the signal would not be required, it is recommended at this time that a follow-up study be done.
- The MD 223/Tippett Road intersection is shown to not meet warrants under future traffic. Because a traffic signal warrant study is, in itself, a more detailed study of the traffic operations at an intersection, it is accepted that the in-depth analysis shows that the intersection will operate acceptably under future traffic. Nonetheless, it is noted that the Wolfe Farm (Preliminary Plan 4-04099) has a similar condition to study signal warrants. The impact of the Wolfe Farm on turning movements (as opposed to through movements) is much greater than the impact of the subject site on this intersection.
- The site access point at MD 223 has not been addressed by the traffic study given that the site access point has been moved to be located opposite the access point to another pending subdivision (Bevard North, Preliminary Plan 4-05049). It is recommended that signal warrants be studied prior to specific design plan in consideration of the development planned on the two sites together. Also, with a signal in place the intersection will not operate adequately in the AM peak hour with the lane configuration shown in the traffic study. It is suggested that a second eastbound through lane be provided at this location; the eastbound approach can operate as an exclusive through and shared through/right-turn approach.

Staff accepts that the Old Fort Road/Allentown Road intersection will not meet warrants under future traffic. Because a traffic signal warrant study is, in itself, a more detailed study of the traffic operations at an intersection, it is accepted that the in-depth analysis shows that the intersection will operate acceptably under future traffic.

Total Traffic Impacts: Total traffic with the improvements described in the two sections above are summarized below:

<b>TOTAL TRAFFIC CONDITIONS WITH IMPROVEMENTS</b> (Intersections with conditioned improvements are highlighted in bold)			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
<b>MD 223 and Old Branch Avenue/Brandywine Road</b>	<b>1,198</b>	<b>1,440</b>	<b>C D</b>
Brandywine Road and Surratts Road	1,180	1,095	C B
Brandywine Road and Thrift Road	1,331	1,123	D B
Floral Park Road and Windbrook Drive	12.2*	12.0*	-- --
<b>MD 223 and Floral Park Road</b>	<b>946</b>	<b>773</b>	<b>A A</b>
MD 223 and Gallahan Road	14.0*	23.5*	-- --
<b>MD 223 and Windbrook Drive</b>	<b>1,132</b>	<b>917</b>	<b>B A</b>
<b>MD 223 and site access</b>	<b>993</b>	<b>1,246</b>	<b>A C</b>
MD 223 and Tippet Road	223.2*	36.2*	-- --
<b>MD 223 and Steed Road</b>	<b>1,201</b>	<b>1,393</b>	<b>C D</b>
<b>MD 223 and Temple Hill Road</b>	<b>1,287</b>	<b>1,342</b>	<b>C D</b>
Old Fort Road South and Gallahan Road	13.1*	12.1*	-- --
Old Fort Road North and Allentown Road	Adequate per traffic signal warrant study		
<b>MD 210 and Old Fort Road North</b>	<b>1,802</b>	<b>1,809</b>	<b>F F</b>
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.			

It is noted that all intersections meet the current policy level-of-service standard, and the one intersection proposed for mitigation, MD 210 and Old Fort Road North, meets the standards set out in the Guidelines for Mitigation Action (CR-29-1994).

SHA noted several minor issues with the traffic study but concurred with most of the recommendations. That agency's added recommendation included separate southbound left-turn and right-turn lanes at the MD 223/Floral Park Road intersection, which has already been addressed by earlier discussion in this memorandum. SHA concurred with the proposed mitigation at MD 210 and Old Fort Road North

**Comment:** The Transportation Planning Section recommendation is included as conditions.

12. The plan incorporates the applicable design guidelines set forth in Section 27-274 of the Zoning Ordinance and in Section 27-433(d) (relating to the proposed townhouses) to the degree feasible in the type of general, schematic plan represented by the subject CDP.
13. The comprehensive design plan was submitted with a proposed Type I Tree Conservation Plan (TCP I/53/04). As explained in Finding 14 below, the Environmental Planning Section is able to recommend approval of TCPI/53/04 only if it is approved subject to the proposed conditions in the recommendation section of this staff report.

#### **Referral Responses**

14. **Environmental Planning:** The Environmental Planning Section has provided in a memorandum (Stasz to Laresue) dated December 6, 2005, the Environmental Planning Section recommends approval of this application subject to the conditions noted in this memorandum.

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 from the R-E Zone to the R-L Zone and a preliminary plan of subdivision are under concurrent review.

The 562.85-acre property in the R-A Zone 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 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. 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**

- a. 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 bore holes, 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. This information is provided for the applicant's benefit. No further action is needed as it relates to this comprehensive 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 process review.

- 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 will require a minimum of 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 approved and should be submitted as part of the record for this application. The expanded stream buffers are accurately depicted on the Type I tree conservation plan.

**Recommended Condition:** 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.

- c. 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.

The tree conservation plan shows several crossings of streams for access to other portions of the site. Generally, these types of impacts will be supported, although they have not been evaluated with the CDP because the impacts are evaluated as part of the preliminary plan review.

**Recommended Condition:** During the review of proposed impacts as part of the preliminary plan review process, impacts to sensitive environmental features shall be avoided. If avoidance is not possible, the impacts shall be the minimum necessary to support the development concept as a whole. All impacts to sensitive environmental features that require mitigation by subsequent 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.

- d. The property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site is more than 40,000 square feet in size and contains more 10,000 square feet of existing woodland. A Type I tree conservation plan is required as part of any application for a comprehensive design plan. The woodland conservation threshold for R-E-Zoned land is 25 percent of the gross

tract, and the woodland conservation threshold for R-L-zoned land is 25 percent of the gross tract.

Type I Tree Conservation Plan TCPI/53/04 has been reviewed and was found to require technical revisions. The plan proposes clearing 153.96 acres of the existing 323.36 acres of upland woodland, clearing 2.04 acres of the existing 22.60 acres of woodland within the 100-year floodplain, and no off-site clearing. The woodland conservation threshold for this site is 134.97 acres. Based upon the proposed clearing, the woodland conservation requirement is 175.50 acres. The plan proposes to meet the requirement by providing 162.89 acres of on-site preservation and 12.22 acres of on-site planting and 0.39 acres of off-site conservation for a total of 175.50 acres. The plan shows numerous small areas, totaling approximately 6.51 acres, where woodland will be retained on lots; however, because this is a comprehensive design zone, none of these areas may be used to contribute to the woodland conservation requirement. Additionally, because this is a comprehensive design zone, all required woodland conservation should be provided on-site.

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. It appears that the area of 0.37 acre shown as area 3 on the TCPI, and shown to be retained but not counted, meets dimensional requirements by being 35 feet in width and greater than 2,500 square feet in area and meets locational requirements by being connected to a stream valley and not on any lot. It should be no problem to meet the remaining 0.02-acre woodland conservation requirement on site.

**Recommended Condition:** 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.
- e. 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 TCPI shows a line that is 150 feet from the ultimate right-of-way of Piscataway Road.

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.

**Recommended Condition:** 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.

- f. Piscataway Road and Thrift Road are designated scenic roads. Development will have to conform to the Department of Public Works and Transportation publication, "Design Guidelines and Standards for Scenic and Historic Roads." Visual inventories for Piscataway Road and Thrift Road are required as part of any application for a preliminary plan of subdivision. At a minimum, the comprehensive design plan should provide for 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. These easements can serve to preserve the scenic nature of these roads. Most of the proposed scenic easements are devoid of trees and significant landscaping will be required. The detailed landscaping will be reviewed concurrently with the Type II tree conservation plan.

**Recommended Condition:** 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. Scenic easement shall contain either preserved woodlands or planted with sufficient plant material to meet the requirement of the Woodland Conservation Ordinance.

15. **Parks and Recreation:** The Park Planning and Development Division of the Department of Parks and Recreation has provided in a memorandum (Asan to Lareuse) dated December 6, 2005, the following detailed review of the public parks and recreation aspects of the application:

The staff of the Department of Parks and Recreation (DPR) has reviewed the above-referenced comprehensive design plan application for conformance with the requirements of the approved Basic Plan A-9967, and the approved Master Plan and Sectional Map Amendment for Subregion V, Planning Area 81B, the Land Preservation and Recreation Program for Prince George's County, and current zoning and subdivision regulations as they pertain to public parks and recreation.

The Basic Plan A-9967 Conditions 8, 9, 10 and 11 as reviewed and recommended for approval by the Planning Board (and relating to the proposed public park)states:

8. **Specific acreage of parkland dedication shall be determined at time of Comprehensive Design Plan (CDP). The dedicated parkland shall accommodate a**

**baseball field, soccer field, minimum 100- space parking lot, playground, picnic shelter, basketball court, trails, stormwater management pond. The dedicated parkland shall be located along the Piscataway Road. The dedicated parkland shall have at least a 500-foot wide frontage and direct access to Piscataway Road.**

- 9. The land to be conveyed to M-NCPPC shall be subject to the conditions of Exhibit B.**
- 10. The applicant shall construct recreational facilities on dedicated parkland. The “recreational facilities package” shall be reviewed and approved by DPR staff prior to comprehensive design plan (CDP) submission.**
- 11. The public recreational facilities shall be constructed in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The concept plan for the development of the park shall be shown on the comprehensive design plan**
- 13. The applicant shall contribute as a public benefit feature to the construction of a community center to be located at Cosca Regional Park. The amount of this contribution shall be determined during the Comprehensive Design Plan stage in accordance with Section 27-514(b)(5). The minimum contribution shall be \$750K.**

The Department of Parks and Recreation staff has reviewed the plan and makes the following findings:

The applicant has submitted a “recreational facilities package” including:

- 14 acres of dedicated parkland.
- Construction of the recreational facilities on dedicated parkland.
- Private recreational facilities on HOA land.
- Monetary contribution toward construction of the Southern Area Community Center.

The applicant has submitted an illustrative plan, which shows dedication of a 14-acre park parcel. The applicant has located a baseball field, a soccer field, a 100-space parking lot, playground, a picnic shelter, a basketball court and trails on dedicated parkland. While the illustrative plan demonstrated that the required recreational facilities could be located on dedicated parkland, there is no information provided about the proposed park grading or location of the SWM pond on dedicated parkland. To address Condition 8 of A-9967, the applicant should submit a plan showing proposed park grading for the construction of the recreational facilities and stormwater management pond on dedicated parkland. This plan should be reviewed and approved by DPR staff, prior to certification of the CDP plans.

The submitted plan also shows private recreational facilities including: a community recreation center with swimming pool, tennis courts, multi-use fields, playgrounds and trails.

The applicant has agreed to contribute two million dollars to qualify for density increment associated with provisions of a public benefit feature. This contribution is designated for the design and construction of the Southern Region Community Center to be located at Cosca Regional Park. The community center is planned to be 22,000 square feet in size and will include a gymnasium, fitness room, multipurpose rooms, an office and a pantry. It is anticipated that the community center will be built sometime after 2008. It is estimated that at that time it will cost at least seven million dollars.

No funds have yet been allocated in the M-NCPPC Capital Improvement Program (CIP) for the design and construction of this community center. While a portion of the District 9 reserve fund had been committed to specific projects through FY 2007, the balance of reserve funds remain in the District 9 reserve fund from FY 2008 to FY 2011. While conversations with Council Member Bland about the use of the funds remaining in her reserve fund have occurred, at this point the Department of Parks and Recreation has received no further direction regarding the allocation of these funds.

DPR staff concludes that the applicant has fully demonstrated that the proposed development addresses the recommendations of the approved Master Plan for Subregion V Planning Area 81B and the Prince George's County General Plan, which addresses current and future needs for public parks and recreational facilities in this planning area.

Staff of the Department of Parks and Recreation recommends that the above-referenced plans be approved, subject to the following conditions:

1. The dedication to M-NCPPC of 14± acres of developable land as generally shown on attached Exhibit "A." If, after review of the grading plan for the park parcel it is determined that the facilities (baseball field, soccer field, 100- space parking lot, playground, picnic shelter, basketball court, trails, stormwater management pond) cannot be accommodated on the park parcel, the boundaries of the parcel shall be revised prior to signature approval of CDP. The revised boundaries shall be approved by DPR.
2. The land to be conveyed to M-NCPPC shall be subject to the conditions of the attached Exhibit "B."
3. Prior to certification of the CDP-0504, the applicant shall submit to DPR for review and approval a grading plan for the parkland, including a stormwater management pond on dedicated parkland.
4. Construction drawings for the recreational facilities on parkland shall be reviewed and approved by the PPD staff prior to SDP approval.

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.
6. Submission to DPR of 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, within at least two weeks prior to issuance of grading permits.
7. The recreational facilities on dedicated parkland shall be constructed prior to issuance of the 50<sup>th</sup> building permit.
8. The applicant, his 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:
  - \$200,000.00 for the design and engineering of the community center shall be paid by the 50<sup>th</sup> building permit.
  - \$900,000.00 for the construction of the community center shall be paid prior to issuance of 200<sup>th</sup> building permit. Beginning from the date of issuance of the 50<sup>th</sup> building permit, this amount will be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).
  - \$900,000.00 for the construction of the community center shall be paid prior to issuance of 400<sup>th</sup> building permit. Beginning from the date of issuance of the 50<sup>th</sup> building permit this amount will be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).

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

16. **Community Planning:** The Community Planning Division has provided a memorandum (Irminger to Lareuse) dated Decemeber 5, 2005, in which it was found that the subdivision is in conformance with the 2002 General Plan Development Pattern policies for the Developing Tier. However, they found that the proposal does not conform to the transportation recommendations of the 1993 Subregion V Approved Master Plan and SMA. Further, the subject property is located near Washington Executive Airport (Hyde Field). A portion of the site falls within two aviation policy areas: APA 3M and APA 6. The APA boundaries should be shown on the CDP site plan. Per Zoning Ordinance Section 27-548.43, disclosure of the existence of the airport to prospective purchasers is required at the time of contract signing. This will be required as a condition of approval of the specific design plan. Prior to signature approval of the CDP, the plan should be revised to add the APA designation areas.

## MASTER PLANNING ISSUES

- a. The proposed Old Fort Road/Old Fort Road Extended (A-65) is shown on the master plan running through the center of the site in a northwest to southeast direction. More detailed right-of-way information indicates it runs through the northern portion of the site in the same northwest to southeast direction. The proposal does not show this proposed road and, therefore, does not conform to the transportation recommendations of the master plan. Other issues regarding future access to this proposed road, buffers/landscaping, and appropriate land uses need to be resolved. The Countywide Planning Division, Transportation Planning Section, addresses this issue in their review of the plans, as follows:

The Subregion V Master Plan includes A-65, a master plan arterial facility that is proposed to cross the subject property across the northeastern quadrant. While it is not clear that dedication along the entire length through the subject property can be required, the submitted plan does not recognize the right-of-way in the least and suggests no action regarding it. The preliminary plan for this site is currently under review, and as a matter of course, letters to the implementing agencies regarding potential reservation have been prepared and sent. It should be noted that reservation was not undertaken regarding this alignment within the adjacent Wolfe Property during review of 4-04099. This facility was also given much discussion during the review of Preliminary Plan 4-02126 for Saddle Creek, and that plan made a minimal provision for A-65 by locating an alignment within homeowners' open space. The area that was ultimately preserved on that plan, however, was not consistent with the master plan, and the construction of a roadway along the preserved alignment was testified by planning staff to have potential environmental impacts. Furthermore, several citizens testified against any provision for A-65 on the Saddle Creek plan. Nonetheless, it is recommended that a condition be attached to this plan to indicate that a determination shall be made at the time of preliminary plan of subdivision regarding the appropriateness of potential reservation.

- b. Approximately 23 acres of the site is in the 100-year floodplain. Floodplains fall within the regulated area designation of the Green Infrastructure Plan; a significant portion of the site falls within the evaluation area or network gap designations. The Countywide Planning Division, Environmental Planning Section, addresses this issue below:

The Environmental Planning Section has evaluated the plan for conformance with the Countywide Green Infrastructure Plan. The regulated areas, as shown on the Countywide Green Infrastructure Plan, will be evaluated at the time of preliminary plan review with regard to any impacts that might be proposed to these areas. Woodland conservation is being concentrated within the regulated areas and areas adjacent to them within the evaluation area. When sufficient detail is available to review the final concept for woodland conservation, the evaluation areas and gap areas will be reviewed in more detail.

- c. The subject property is affected by air traffic from Washington Executive Airport (Hyde Field). A portion of the site falls within two aviation policy areas: APA 3M and APA 6. In APA 3M, residential densities are to be shifted, to the extent possible, away from the runway centerline to decrease the number of inhabited structures in areas that are more likely to be struck by an aircraft in an aborted landing or take-off from the airfield. In APA 6, development densities and intensities are the same as in the underlying zone. The APA 3M and APA 6 boundaries should be shown on the comprehensive design plan. Although the risk of aircraft accidents is minimal, disclosure to prospective purchasers of the existence of the airport and the potential for associated airplane noise is required at the time of contract signing, per Zoning Ordinance Section 27-548.43.

17. **Historic Preservation:** The Planning and Preservation Section (Bienefeld to Lareuse) dated December 2, 2005, makes the following conclusions regarding the comprehensive design plan:

Phase I (Identification) archeological investigations were completed on the Bevard property. A draft report was submitted on July 13, 2005, and reviewed by staff on October 17, 2005. No additional archeological work is required at the property. Four copies of the final version of the report should be submitted with the comments addressed, prior to signature approval of the CDP.

18. **Trails:** The trails planning staff of the Transportation Planning Section reviewed the comprehensive design plan for conformance with the Countywide Trails Plan and the master plan. In a memorandum (Shaffer to Lareuse) dated December 5, 2005, staff stated that the subject property consists of 562.85 acres within Subregion V. 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 submitted CDP are extensive, totalling 11,900 linear feet in length, and connect the isolated southern portion of the development with the recreational facilities and the northern residential areas.

Several trail segments that were shown on the initial CDP submittal have been eliminated, presumably for environmental constraints. However, staff recommends two short connector trails linking adjacent culs-de-sac with the proposed trail system. These connections will provide additional access to the proposed trail network from surrounding residential areas in locations where direct access is not being proposed. A comprehensive trails map should be provided for the site at the time of SDP. Trail widths and surface types should be indicated for all trail connections.

The following master plan trail facilities impact the subject site:

- A proposed bikeway along Thrift Road.
- 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. The bikeway along Thrift Road 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. If an open section road is required, wide asphalt shoulders and bikeway signage is recommended to safely accommodate bicycle traffic.

The trail to the planned parkland will provide access from the site to planned M-NCPPC recreation facilities envisioned in the master plan. The location of this trail is contingent upon the ultimate site layout and the location and type of recreational facilities. However, staff supports the conceptual trail locations shown on the illustrative plan for the public park. Standard sidewalks along internal roads, in conjunction with the internal trails, should ensure adequate pedestrian access to the planned parkland.

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.

#### SIDEWALK CONNECTIVITY:

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.

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:

- 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:
  - i. 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.
  - ii. 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 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. This trail will more directly connect the residents along this cul-de-sac with the trails and recreation facilities on the rest of the site.
- c. Provide an eight-foot-wide asphalt HOA trail from one of the culs-de-sac west of the main stream valley to the main north/south trail that is proposed. 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.
- d. Provide trails within and to the proposed public park as generally indicated on the illustrative plan.
- e. Provide trail connections from the proposed public park to Roulade Place and Mordente Drive, as indicated on the illustrative plan.
- 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.

**Comment:** These conditions have been included in the recommendation section of this report.

### Density Increment Analysis

19. The base density allowed by the basic plan is 1.0 dwelling units/acre, which results in 551 dwelling units. In order to achieve the proposed 827 dwelling units, the applicant must earn a 51 percent density bonus based on public benefit features provided. The following summarizes the applicant's proposal regarding the public benefit features and the staff's response to their proposal:

- (1) **For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of 1 acre), an increment factor may be granted, not to exceed: 25% in dwelling units.**

- Applicant requests 25 percent (137 units) with the following justification:

“The plan provides 31 acres of community open space outside of the expanded buffer. The open space parcels are pocket parks, integrated into neighborhoods at regular intervals throughout the community. The specific location of these parcels is shown on the Open Space and Recreation Plan. This open space is in addition to 100 acres of HOA woodland open space between residential lots and the expanded buffer.

“Based upon the quantity of open space, the quality of open space and the integration of the open space within the neighborhoods, the plan qualifies for an increase of 25 percent in dwelling units (i.e., 137 units).”

**Comment:** Staff agrees with the applicant and recommends the granting of the full 25 percent density increment as requested. Based on the calculation above, the applicant is required to have a minimum of 29 acres of land that is unregulated open space and useable by the residents. This application will include 36 acres of usable open space to be dedicated to the homeowners association. In addition, approximately 210 acres of land is outside of lots and within other regulated lands such as steep slopes, 100-year floodplain, stormwater management, and wetland areas. The 210 acres of land does not include any land to be dedicated to M-NCPPC in fulfillment of the requirement for mandatory dedication of parkland.

**(2) For enhancing existing physical features (such as break-front treatment of waterways, sodding of slopes susceptible to erosion action, thinning and grubbing of growth, and the like), an increment factor may be granted, not to exceed: 2.5% in dwelling units.**

- Applicant requests 2.5 percent (14 units) with the following justification:

“The applicant proposes to provide all of these enhancements, where appropriate. Within the preserved open space, the developer will selectively clear and grub the undergrowth. The property has several thousand feet of stream bank that, where possible, and where environmental constraints allow, will be provided with break-front features. And while there are few slopes susceptible to erosion, where applicable the applicant will provide sodding. However, areas of erodible soils that are completely wooded and outside the proposed limits of disturbance will be left in a natural state and enhanced only when necessary. Given the proposed enhancements, the applicant is eligible for an increase of 2.5 percent in dwelling units (i.e., 14 units).”

**Comment:** The application proposes, in general terms on page 17 of the amended comprehensive design plan text, certain actions to satisfy this requirement and obtain a density increment of 2.5 percent. The tasks proposed in the application to meet this density increment are either required by current ordinances (preserving or stabilizing slopes) or are too vague to warrant density increments (“...several thousand feet of stream bank that, where possible, and where environmental constraints allow, will be provided with break-front features”).

Staff agrees that because of the past mining activities on the property, the stream systems on the property may require restoration and streambank stabilization and other forms of restoration. In order to obtain density increments under Section 27-514.10(b)(2), the

areas of stream restoration need to be identified and quantified. In order to do this, a stream corridor assessment (SCA) is needed. An SCA is a visual assessment of the current stream conditions and it identifies areas in need of restoration or other treatments to improve stabilization or water quality. The streams on the site have been degraded by the previous mining activities and will be receiving a large volume of run-off in the future. The stream systems need to be evaluated, areas of restoration need to be identified, and variation requests need to be approved by the Planning Board to allow for the impacts associated with the restoration. However, since the applicant has not submitted a stream corridor assessment, no granting of density increments is recommended.

**(3) For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed: 5% in dwelling units.**

- Applicant requests five percent (28 units) with the following justification:

“The applicant has planned a pedestrian trail network, separate from the vehicular right-of-way, which includes approximately 11,900 linear feet of eight-foot-wide asphalt pathway. This network connects the northern and southern extents of Bevard Farms East to the amenities and facilities located in the central portions of the community. In addition, the network connects pocket parks, within individual neighborhoods, via the stream valley and woodland open space corridor. Given the extent and interconnectivity of the pedestrian network, the applicant qualifies for an increase of 5 percent in dwelling units (i.e., 28 units).”

**Comment:** The staff disagrees with the applicant and recommends the granting of only 3.5 percent density increments. The applicant is proposing a pedestrian trail system consisting of approximately 11,900 linear feet of eight-foot-wide trail, as indicated on the comprehensive design plan. The pedestrian trail system will connect all of the pods of development so that all residents will have access to the central recreational area without having to get into vehicles and drive to that facility; however, the system is reduced from the original proposal shown on the CDP, which appeared to be more comprehensive and allowed for more choices in walking paths.

**(4) For recreational development of open space, an increment factor may be granted, not to exceed: 10% in dwelling units.**

- Applicant requests 10.0 percent (55 units) with the following justification:

“The applicant has planned for the private recreational development of the 31 acres proposed in item (1). The specific facilities and their locations are shown on the Open Space and Recreation Plan. Generally, the open spaces are planned to become “village greens” that include manicured lawns, tennis facilities, swimming facilities, multiuse fields, playgrounds for ages 2-12, walking paths,

shade tree plantings, sitting areas and a community recreation center. The recreation center is currently programmed to include multipurpose space, game room, small kitchen and restroom/changing facilities.

“These recreational amenities are focal point destinations within the community and qualify the applicant for an increase of 10 percent in dwelling units (i.e., 55 units).”

**Comment:** Staff agrees with the applicant and recommends the granting of the full ten percent density increment as requested, if the conditions of approval are adopted in regard to the size of the swimming pool and the community building. The applicant will provide the following recreation facilities (in addition to the trail component discussed above), which exceed the requirements of Subtitle 24 for mandatory dedication:

- One open play area
- One community building
- One community pool
- One soccer field (multipurpose)
- Four tot-lots
- Two preteen lots
- Two double tennis courts
- Parking compound (approximately 50 spaces)

The plan demonstrates a central recreational area that will be the main gathering point for the community. The plan appears to suggest that the community building and pool facilities are one and the same structure. This configuration is acceptable; however, staff believes that the applicant should commit to a minimum size community building of 5,000 square feet, in addition to the space proposed to be occupied by the pool facilities. The pool has also not been sized; however, staff recommends that the applicant commit to a 25 meters by 40 feet in width, which would accommodate a maximum of six swim lanes and a 30 by 30-foot training area. If these facilities are added as conditions for approval of the plans, staff would support the full density increment requested

**(5) For public facilities (except streets and open space areas), an increment may be granted, not to exceed 30 percent in dwelling units.**

- Applicant requests 15 percent (82 units) with the following justification:  

“The applicant intends to make a \$2,000,000 contribution to the Prince George’s County Department of Parks and Recreation for public benefit. This contribution is designated for the development of recreational facilities at the Cosca Regional Park in Clinton, MD. This contribution is in addition to any public recreation facilities requirements and is intended to augment the recreational opportunities in southern Prince George’s County.

”

The contribution for the development of public facilities qualifies the applicant for an increase of 15 percent in dwelling units. (i.e., 82 units).”

**Comment:** Staff agrees with the applicant and recommends the granting of the 15 percent density increment as requested. The monetary contribution will be subject to a timetable for payments as proposed by the applicant and modified by the staff. See the discussion under the Department of Parks and Recreation referral.

**Summary:** As outlined in the staff's analysis, the applicant is providing enough public benefit features to earn a total of 53.5 percent in density increments, which is equivalent to 294 dwelling units. The applicant is asking for the theoretical maximum number of dwelling units allowable on this property, 827 dwelling units. This only requires 276 additional dwelling units above the base density, which allows the applicant to achieve the maximum level of density increments recommended for approval by the Planning Board on the rezoning case, A-9967.

**Development Standards**

- 20. The comprehensive design plan proposes the following development standards, which shall govern development for all specific design plans within the subject comprehensive design plan:

**Bevard East Standards Proposed**

Lot Size	SFA	SFD		
	1,800 sf	6,000-12,999 sf	13,000-19,999 sf	20,000+ sf
Minimum width at front street R-O-W	**	50 feet*	50 feet*	50 feet*
Minimum width at front BRL	**	50 feet*	60 feet*	70 feet*
Minimum frontage on cul-de-sacs	**	30 feet*	30 feet*	35 feet*
Maximum lot coverage	80%	60%	50%	40%
Minimum front setback from R-O-W	15 feet	20 feet	20 feet	20 feet
Minimum side setback	None	5 feet	5 feet	8 feet
Minimum rear setback	None	20 feet	20 feet	20 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%	60%	10%	10%

\*Minimum lot frontage for flag lot configurations shall be 25 feet.

\*\*400 square feet of total yard area shall be provided on each lot.

**Comment:** The Urban Design staff has reviewed the standards above and generally agrees with the applicant's proposal but has some concerns for specific lots within the development that should be modified in order to create compatibility with surrounding existing and proposed R-A and R-E properties, as stated in the purposes of the R-L zone, Section 27-514.08. The concerns are listed below:

**Lot Size**—The proposal for lot sizes breaks this component down into three categories. This approach to development has been done on numerous previously approved CDP proposals and provides for a variety of lots sizes within the development. The large lot (20,000+ square feet) component along Thrift Road is required to demonstrate conformance to the large lot requirements of the Basic Plan and it is anticipated that the lots larger than 20,000 square feet will all be located in that area.

The medium lot size category is proposed as 13,000 to 20,000 square feet. This size lot should be utilized along the perimeter of the site where the proposed lots adjoin R-E development, specifically along Piscataway Road, along the undeveloped R-E zoned property to the north of the subject property where lots line the street accessing Tippet Road, and the main entrance road from Piscataway Road. To complement the recommended larger lot size change along the undeveloped R-E zoned property to the north of the subject property, where lots line the street accessing Tippet Road, staff suggests that the lots on the opposing side of the street also be enlarged.

The smallest lot size category is proposed as 6,000 to 12,999 square feet. First, staff recommends that the demarcation point between the smallest lot sizes and the medium lot sizes change from 13,000 square feet to 10,000 square feet, which is more in keeping with the zoning ordinance's break down of small lot and medium lot size variations. Second, the staff recommends that a limit be placed on the number of small lots, expressed as a percentage, and that these lots be located interior to the development pods. Staff recommends that not more than 20 percent of the lots be developed at the 6,000 to 10,000, square foot size.

**Minimum width at BRL and Front Street Line**—The issue of compatibility in the design of the lots located in the areas of special concern, as stated above, will also be reflected in the lot width at the building restriction line. The lot width at the building restriction line for R-E zoned properties varies from 150 feet down to 100 feet and at the front street line is 50 feet. The applicant is proposing 50 feet for the smallest lots, 60 feet for the medium size lots and 70 feet for the largest size lots for the building restriction line. The staff's concern here is the appearance of lots adjacent to Piscataway Road, the main entrance drive and the secondary entrance from Tippet Road. All of the lots in these areas should have a minimum 80-foot lot width at the front street line line.

**Maximum Lot Coverage**—Staff recommends that the maximum lot coverage on the townhouse lots be deleted and that the proposed yard area requirement of 400 square feet be changed to be the same as in the R-T Zone, which is 800 square feet for yard area, except that the yard area may be reduced to 500 square feet for decks.

**Minimum Setbacks**—The applicant is proposing reduced setbacks in all categories when compared to the R-E Zone. This may be appropriate for the smaller lot size component but will not be appropriate for the large lot component or for the medium lot size component. The staff recommends that the large lot component setbacks reflect the requirements of the R-E Zone and

the medium lot size component reflect the setbacks for the R-R Zone and the smallest lots reflect the setbacks as proposed.

In addition to the above, the staff also recommends that the chart be revised prior to signature approval to allow variations to the development standards that may be permitted on a case-by-case basis by the Planning Board at the time of specific design plan if circumstances warrant.

21. The staff also recommends that the following architectural standards be required at the time of specific design plan review:
  - 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.
  - b. All single-family detached dwellings shall have no less than 2,200 square feet of finished living area.
  - c. No two houses directly adjacent to each other or across the street from one another should have the same elevation.
  - d. Brick end walls should be used on highly visible end units of townhouses, to be determined at the time of the specific design plan.
  
22. The Urban Design Section also has a concern about the proposed backing of lots to the main roadway entrance off of Piscataway Road. The staff has recommended to the applicant that this roadway, which also provides frontage to the proposed parkland, would be ideally treated with the front of the units facing the park. It has been a long-standing policy of the Urban Design Section to discourage the backing of lots to roadways, and the staff is very concerned in this case because the units will be proposed to back up to the main entrance road. Fronting the units along the roadway is a greatly superior layout pattern. The use of an alley at the rear of the lots will also eliminate the need for driveways along the main entrance road, which features a median. Staff recommends that these lots be of the medium size category, the lots have lot frontage at the street line of no less than 80 feet, and that they be served by an alley at the rear of the lots. Further, the lots continuing along the main entrance road should also be enlarged to the medium lot size and have the same frontage requirement at the street line in order to give the appearance of compatibility to the surrounding area.

Another concern of the staff is the proposal to leave undeveloped an area around the proposed circle where the main entrance road meets its first intersection with another street. It appears from the plan that this area will appear to be a vacant lot in the future and will not provide for a designed open space. Staff recommends that the plan fill in this area with a lot.

23. In order ensure that the facilities listed above and the other facilities required by the Basic Plan will be constructed in phase with development, bonding and construction requirements should be established as indicated in a proposed condition in the Recommendation section of this staff report.
24. A development as large as this comprehensive design plan is expected to result in numerous specific design plans for the various phases of the development. To assist the staff and interested citizens in keeping track of the approved SDPs and attendant tree conservation plans (TCP), a condition is proposed below which would require a key plan of the entire project with each SDP submitted showing the number and location of all previous SDPs and TCPs approved or submitted.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/53/05), and further APPROVED the Comprehensive Design Plan CDP-0504, Bevard East for the above described land, subject to the following conditions:

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

7. The recreational facilities on dedicated parkland shall be constructed prior to issuance of the 50<sup>th</sup> building permit.
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 50<sup>th</sup> building permit.
  - b. \$ 900,000.00 for the construction of the community center shall be paid prior to issuance of the 200<sup>th</sup> building permit. Beginning from the date of issuance of the 50<sup>th</sup> 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 400<sup>th</sup> building permit. Beginning from the date of issuance of the 50<sup>th</sup> building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).
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.
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.
  - 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.
  - c. The swimming pool shall be approximately 25 meters long and 40 feet wide with a 30-foot by 30-foot training area.
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
  - 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.
  - c. Trails within and to the proposed public park as generally indicated on the CDP illustrative plan.
  - d. Trail connections from the proposed public park to Roulade Place and Mordente Drive, as indicated on the CDP illustrative plan.
  - 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.
  - f. Standard sidewalks along both sides of all internal roads, unless modified by DPW&T.
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.
13. During the review of proposed impacts as part of the preliminary plan review process, impacts to sensitive environmental features shall be avoided. If avoidance is not possible, the impacts shall be the minimum necessary to support the development concept as a whole. All impacts to sensitive environmental features that require mitigation by subsequent state or federal permits shall provide the mitigation using the following priority list:
- a. On site
  - b. Within the Piscataway Creek Watershed
  - c. Within the Potomac River watershed.
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.
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.

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.
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.
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.
  - 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.
  - c. The plan shall be revised to indicate the APA 3M and APA 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.
  - 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.
19. The recreational facilities shall be bonded and constructed in accordance with the following schedule:

<b>PHASING OF AMENITIES</b>		
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 <sup>th</sup> 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
<p>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 necessary. 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.</p>		

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.
  - b. All single-family detached dwellings shall not be less than 2,200 square feet of finished living area.
  - c. No two houses directly adjacent to each other or across the street from one another should have the same elevation.
  - 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.

21. The following standards shall apply to the development:

**Bevard East Standards Proposed**

	<b>SFA</b>	<b>SFD</b>		
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 Tippett 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.

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.
  
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.
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.
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.
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.
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.

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

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns and Hewlett voting in favor of the motion, with Commissioner Squire absent at its regular meeting held on Thursday, December 22, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of January 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator