

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on March 17, 2005, regarding Specific Design Plan SDP-0409 for Beechtree, North Village Sections 4 and 5, the Planning Board finds:

1. **Request:** The subject application is for approval of 65 single-family detached dwelling units in the R-S Zone.

2. **Development Data Summary:**

	<b>Existing</b>	<b>Proposed</b>
Zone	R-S	R-S
Uses	Vacant	Single-family detached
Acreage (in the subject SDP)	41.86	41.86
Lots	-	65
Of which North Village Section 4 (NV4)	-	27
North Village Section 5 (NV5)	-	38

3. **Location:** The Beech Tree Project site is located on the west side of Robert Crain Highway (US 301), south of Leeland Road, in Planning Area 79 and Council District 6. The area covered by SDP-0409, North Village, Sections 4 and 5, is in the north area of the Beech Tree development, south of Leeland Road. The subject site starts at the intersection of Leeland Road and Lake Forest Drive and continues all the way along both sides of Lake Forest Drive until it meets North Village, Section 3, around the intersection of Lake Forest Drive and Torcross Way.

4. **Surroundings and Use:** The subject site (of SDP-0409) is located along both sides of Lake Forest Drive in the Beech Tree development. The site is bounded to the north by the right-of-way of Leeland Road; to the east by the existing R-A-zoned property and residential lots of Beech Tree development in North Village 7 and North Village 8; to the west by the existing R-A-zoned property and residential lots of Beech Tree development in North Village 6; and to the south by the residential lots in North Village 3.

The Beech Tree development, as a whole, is bounded on the north by Leeland Road, on the east by Robert Crain Highway (US 301), on the south and west by various residentially zoned properties (including R-A, Residential-Agricultural; R-E, Residential-Estate; and R-U, Residential Urban Development).

5. **Previous Approvals:** The subject site covers 65 single-family detached dwelling units of a larger project with a gross residential acreage of 1,194. The site is known as Beech Tree, which was rezoned from the R-A Zone to the R-S (2.7-3.5) Zone through Zoning Map Amendments A-9763 and A-9763-C, for 1,765 to 2,869 dwelling units. **A-9763-C** was approved (Zoning Ordinance No. 61-1989) by the District Council on October 9, 1989, subject to 17 conditions and 14 considerations. On July 14, 1998, a Comprehensive Design Plan, CDP-9706, for the entire Beech Tree development was approved by the District Council, subject to 49 conditions. Following the approval of CDP-9706, three preliminary plans of subdivisions have been approved. They are 4-98063 for the golf course; 4-99026 for 458 lots and 24 parcels (PGCPB No 99-154); and 4-00010 (PGCPB No 00-127) for 1,653 lots and 46 parcels, which covers the subject site (SDP-0409).

Two specific design plans for the entire site also have been approved for Beech Tree development. Specific Design Plan SDP-9905, which was approved by the District Council on October 22, 2000, is a special purpose SDP for community character. Specific Design Plan SDP-0001, which was approved by the District Council on October 30, 2000, is an umbrella approval for architecture for the entire Beech Tree development. So far, SDP-0001 has been revised three times and the fourth revision is currently under review. In addition, there are ten other approved Specific Design Plans for the Beech Tree development. They are SDP-9803 for the golf course; infrastructure SDP-9907 for the East Village for 130 single-family residential lots; infrastructure SDP-9908 for extending the sewer line from the East Village area to Parcel G; SDP-0111 for the East Village, Phase II, Section I, for 129 single-family residential lots; SDP-0112 for the East Village, Phase II, Section II, for 49 single-family residential lots; SDP-0113 for the South Village, Phase I, Sections 1, 2, and 3 for 93 single-family residential lots; SDP-0314 for 46 townhouse units on 7.3 acres of land known as East Village Section 10; SDP-0315 for 39 townhouse units on 11 acres of land known as East Village Section 4; SDP-0316 for 49 single-family residential lots in East Village, Section 9; and SDP-0406 for 169 single-family detached and attached dwelling units in North Village, Sections 1, 2 and 3. In addition, various types of Tree Conservation Plans also have been approved for the above-mentioned preliminary plans of subdivision and specific design plans. This SDP also has an approved stormwater management concept plan # 8004950-2000-00, which covers the entire phase III of Beech Tree development.

6. **Design Features:** The SDP proposes to develop 65 single-family detached houses along an internal street, Lake Forest Drive. The models for single-family detached houses will be either chosen from those approved under the architecture umbrella specific design plan SDP-0001 for Beech Tree or with new models to be included in a new revision to SDP-0001. Detail information such as type of model and specific building footprint will be shown at time of building permit. A condition of approval to that effect has been proposed in the recommendation section of this report. The proposed lot sizes of single-family detached houses vary from 7,511 to 14,816 square feet.

The entrance features shown on the site plan are located along both sides of Lake Forest Drive at its intersection with Leeland Road. Those features were known as G3, which were approved by

the Planning Board in Specific Design Plan SDP-9905, a special purpose specific design plan for community character. A condition of approval has been proposed in the recommendation section of this report to require the applicant to provide sign details on the site plan detail sheet prior to certificate approval of this SDP.

#### COMPLIANCE WITH EVALUATION CRITERIA

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

**Condition 2. All nonresidential buildings shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable County laws.**

**Comment:** This condition has been carried forward as Condition 24 in the subsequent Comprehensive Design Plan, CDP-9706, and will be further carried forward as a condition of approval for this SDP.

**Condition 4. All burials shall be located to one of the three cemeteries on-site; or all burials shall be removed to a related church or family cemetery off-site.**

**Comment:** This condition has been modified and carried forward as Condition 4 of approval for CDP-9706. Condition 4 calls for a treatment of the cemeteries at time of preliminary plan of subdivision and introduces a procedure required by the Maryland Annotated Code if the burials are to be removed. Beech Tree development contains Beechwood Historic Site 79-060, Pentland Hills Historic Site 79-038, and three family cemeteries: Hilleary, Susan Hodge, and Smith. The subject SDP includes the site of the Smith family cemetery, which is listed in the *Historic Sites and Districts Plan, 1992*. The applicant for the Beech Tree development has not shown any intention to remove the cemeteries. However, the applicant has not yet taken appropriate action to protect the Smith family cemetery pursuant to Subdivision Regulations Section 24-135.02. During the review of the subject specific design plan, the plan was referred to the Public Facilities and Historic Preservation Section. The Public Facilities and Historic Preservation Section recommends that certain measures be provided pursuant to Subdivision Regulations Section 24-135.02 for preservation and maintenance of this cemetery. The recommendations have been incorporated into the conditions of approval of this report.

**Condition 14. Housing prices in 1989 dollars shall not be lower than the ranges of:**

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

**Since these figures reflect 1989 dollars, construction after 1989 requires that the District**

**Council review and approve dollar amounts for construction to be constructed at any later year. These dollar amounts shall be reflective of the dollars for the year in which the construction occurs.**

**Comment:** This condition was carried forward in modified form in Condition 15 of Comprehensive Design Plan CDP-9706. The applicant previously submitted a letter from ERR Economic Consultants (Patz to Adams, December 8, 1999) stating that the base price of the proposed 130 single-family houses to be built in the East Village will not be lower than \$225,000 in 1989 dollar values. Per the applicant, the similar assessment for other parts of Beech Tree will be updated annually. Since no information regarding the proposed single-family detached houses in this SDP has been provided, the applicable part (for single-family detached houses) of the above condition has been carried forward as Condition 2 of approval for this SDP.

**Condition 16. The District Council shall review all Specific Design Plans for Beech Tree.**

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

**Consideration 3. A minimum 50-foot-wide undisturbed buffer shall be retained along all streams. This area shall be expanded to include the 100-year floodplain, wetlands, steep slopes, and areas of erodible soils.**

**Consideration 5. The applicant shall demonstrate that the proposed development complies with the Patuxent River Policy Plan criteria.**

**Comment:** The subject SDP is in general compliance with the two conditions according to the review undertaken by the Environmental Planning Section.

**Consideration 6. The applicant shall prepare a detailed soils study to demonstrate that the property is geologically suitable for the proposed development.**

**Comment:** This condition has been modified and included in CDP-9706 conditions of approval. A geotechnical report has been submitted for the development contained in this SDP. Per the review by the Environmental Planning Section, the above condition has been fulfilled. The environmental planner indicates that high-risk areas do not occur on this portion of the Beech Tree site.

**Consideration 9. The applicant shall address the views from the arterial and collector roadways. Dwelling units shall not be sited in monotonous patterns along the roadways, and driveways shall be minimized along arterial and primary collector streets. In addition, landscaping, screening and berming shall be combined to provide varied streetscapes.**

**Comment:** This consideration has been carried forward as Condition 19 of CDP-9706. The site of North Village Section 5 is bounded to the north by the right-of-way of Leeland Road, which is a collector road by classification. However, the proposed layout in the subject SDP does not have

any houses located along Leeland Road. The proposed single-family detached houses are all arranged along an internal street, Lake Forest Drive, which is connected to Leeland Road and provides access to the entire North and West Villages. The closest two houses to Leeland Road are at least 250 feet away from the intersection of Leeland Road and Lake Forest Drive. Between the two houses and Leeland Road are the existing woodland and 100-year floodplain. The above consideration is not relevant to this SDP.

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

Comprehensive Design Plan CDP-9706 was approved with 49 conditions; the conditions applicable to the subject SDP that warrant discussion are as follows:

4. **Prior to approval of a Preliminary Plat in which any of the family cemeteries on the Beech Tree property is located, the applicant shall notify the Subdivision Section and the Historic Preservation Section of its plans regarding disposition of the burials located within the boundaries of the subject Preliminary Plat. In accordance with Condition 4 of the Basic Plan, all burials shall be located to one of the three cemeteries on-site, or family cemetery off-site. During the development process, any cemetery which is left in place must be treated in conformance with the Subdivision Regulations (Section 24-135.2). If burials are to be removed and reinterred, authorization and procedures must be in accordance with the guidelines of the State's Attorney's office, according to Article 27, Section 267 of the Annotated Code of Maryland.**

**Comment:** See the above Finding 7 for a detailed discussion.

5. **Prior to approval of building or grading permits, the Natural Resources Division shall review all Technical Stormwater Management Plans approved by the Department of Environmental Resources (DER). The Natural Resources Division**

**shall work with DER and the applicant to ensure that water quality is provided at all storm drain outfalls.**

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

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

**Comment:** The SDP is in partial compliance with the condition regarding overall plan, phasing, and section numbers. A condition of approval prior to certification has been proposed in the Recommendation section of this report to require the applicant to provide aforementioned information.

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

**Comment:** The subject SDP is covered in the stormwater management plan for Phase 3 of the Beech Tree development (#8004950-2000-00), which is a revision to the original stormwater management approval #958009110. A review by the Department of Environmental Resources (DER) (Nicole to Zhang, February 9, 2005) has stated that the site plan for Beech Tree, North Village Sections 4 and 5, is consistent with approved stormwater concept plan #008004950-2000.

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

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

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

**Comment:** See above Finding 7 for more discussion.

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

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

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

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

**Comment:** See above Finding 7 for more discussion.

**45. No grading or cutting of trees or tree removal shall occur until after approval of the Specific Design Plan by the District Council.**

**Comment:** This condition has been carried forward as a condition of approval for the subject specific design plan.

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

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

**9. Preliminary Plan of Subdivision 4-00010:** Preliminary Plan of Subdivision 4-00010, which covers the subject site, was approved (PGCPB No. 00-127) by the Planning Board on July 6, 2000, subject to 30 conditions. The following conditions of approval attached to 4-00010 are applicable to this specific design plan review:

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

**Comment:** A geotechnical report for this portion of the Beech Tree site has been reviewed by the Environmental Planning Section and found to meet all requirements. The Environmental Planning staff have reviewed SDP-0409 and determined that high-risk areas do not occur on this portion of the Beech Tree site.

- 16. The following roadways shall be built to DPW&T's Standard No.12 (36-foot pavement within a 60-foot right-of-way) or as determined by DPW&T and as approved by the Planning Board at the SDP stage:**
- **Presidential Golf Club Drive, loop road, from Beechtree Parkway to Leeland Road.**
  - **Road "N", from the intersection of Presidential Golf Club Drive to its intersection with Road "O".**
  - **Beech Tree Parkway, the entire length other than the divided portion at its eastern limits.**
  - **Road "D", from Beechtree Parkway to Moors Plain Boulevard.**
  - **Moors Plain Boulevard, from Beech Tree Parkway to Road "D".**
  - **The future roadway ( the fifth access to Beechtree Subdivision) southeast of the proposed middle school. The exact location of this road (stub connection) needs to be shown on the preliminary plat.**
- 17. The following roadways shall be built to DPW&T's Standard No. 14 (80-foot right-of-way) or as determined by DPW&T and approved by the Planning Board at the SDP stage:**
- **The future un-named roadway tie-in to Village Drive extended, northeast of the proposed middle school.**
  - **Moors Plain Boulevard, from Road "D" to Leeland Road.**
- 18. Prior to SDP approval, the applicant and DPW&T shall consider the location of the proposed middle school, the number of lots proposed in Parcels M, N and O, and the density of residences northeast of the commercial/recreational center to determine the necessity for sidewalks on both sides of the right -of-way along the following**
- **Presidential Golf Club Drive, from Road "N" to Beechtree Parkway.**



- **Moores Plain Boulevard, from the recreational center/proposed roundabout to Leeland Road.**

**Comment:** The above improvements are located in the East Village and southern part of North Village of Beech Tree. The conditions are not applicable to the subject SDP, which covers only Sections 4 and 5 of the North Village, which are located at the most northerly part of the development.

10. **Special Purpose Specific Design Plan SDP-9905 for Community Character:** SDP-9905 is a special purpose specific design plan pursuant to Condition 12 of Comprehensive Design Plan CDP-9706 that was devoted to elements of streetscape including but not limited to street trees, entry monuments, signage, special paving at important facilities and intersections, and design intentions in the neo-traditional area of the East Village. The SDP also addressed utilizing distinctive landscape treatments to emphasize important focal points, intersections and trail heads, and concentration of particular species as an identifying feature for particular neighborhoods. The SDP was approved by the Planning Board on October 14, 1999. The subject specific design plan is in general compliance with Special Purpose Design Plan SDP-9905 for community character.
11. **Infrastructure Specific Design Plan SDP-9907:** SDP-9907 is an Infrastructure Specific Design Plan for the East Village consisting of 130 single-family detached residential lots. However, SDP-9907 included, for the first time, a staging plan and the accompanying transportation improvements needed for the various development stages of Beech Tree. The Planning Board approved SDP-9907 on June 8, 2000, subject to 14 conditions, of which only the staging- and transportation improvement-related conditions are applicable to the review of this SDP, as follows:

11. **If in the future, the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging Plan shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.**

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

**Comment:** By a letter dated January 7, 2005 (Stover to Burton), the applicant provided the evidence to fulfill the above three specific requirements. The review by the Transportation Planning Section indicates that the proposed development will be adequately served within a reasonable period of time by transportation improvements.

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

**Leeland Road**

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

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

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

The applicant also indicates in the letter that the proposed dwelling units will be developed during Phase III residential development and will fall into building permit range of #132-1,000. Per the staging plan as approved with SDP-9907, the following improvements are required:

- 3. Prior to the issuance of the one hundred and thirty second (132<sup>nd</sup>) building permit for any residential unit of the development, the following improvements shall be completed by the applicant:**
- a. Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Trade Zone to 2,000 feet south of Trade Zone Avenue.**
  - b. Construct internal site connection from Beech Tree Parkway to Leeland Road.**
  - c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.**

The above requirements have been incorporated into the conditions of approval for this SDP, specifically as Condition 10 in the recommendation section of this report.

- 12. Umbrella Specific Design Plan SDP-0001 for Architecture:** SDP-0001 is an umbrella specific design plan for architecture for the entire Beech Tree development. This SDP was approved by the Planning Board on June 8, 2000, subject to three conditions. Original SDP-0001 was approved with 16 architectural models for the proposed single-family detached units in the East Village, but the approved models can be used in any other portions of the Beech Tree development. Since the approval of SDP-0001, three additional approvals have been granted by

the Planning Board, and at the time of writing of this staff report, a fourth revision to SDP-0001 is pending approval by the Urban Design Section.

Of three conditions attached to the approval of SDP-0001, none of them is applicable to the review of this SDP. The four revisions are all Planning Director-Designee level cases. No conditions are attached to the approvals. Since the architectural models to be used in the subject approval will be either chosen from the previous approvals or included in a new revision to SDP-0001, the subject application is therefore in general conformance with SDP-0001 and its revisions.

13. **Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of Zoning Ordinance as follows:

a. The proposed 65 single-family dwelling units are part of a larger project known as Beech Tree, which is the subject of numerous approvals. Therefore, the subject SDP is in general compliance with the requirements of the R-S Zone as stated in Sections 27-511, 512, 513 and 514 with regard to permitted use and other regulations such as general standards and minimum size of property.

b. Section 27-528, requires the following findings for approval of a Specific Design Plan

(a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**

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

**Comment:** As stated in Findings 8 and 14, the proposed specific design plan conforms to the approved comprehensive design plan and the applicable standards of the *Landscape Manual*.

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

**Comment:** Findings for adequate public facilities including fire, rescue, police, public school, and transportation have been normally made in conjunction with the preliminary plan of subdivision. In this case, a complete staging plan and the accompanying transportation improvements for the entire Beech Tree development were not approved until the Planning Board approved SDP-9907 on June 8, 2000. Per a review by the Transportation Planning Section (February 15, 2005, Burton to Zhang), the subject specific design plan is consistent with the previous transportation adequacy findings. The staff finds that the subject site will be adequately served within a reasonable period of

time with nearby transportation facilities existing and planned to be completed in the near future.

As with other public facilities such as fire engine, ambulance, paramedic, and police services, the Public Facilities and Historic Preservation Planning Section in a memorandum (Izzo and Harrell to Zhang) dated February 22, 2005, indicated that the population generated by the proposed residential development will be adequately served by the existing paramedic and police services. However, the existing fire engine and ambulance services (for 41 units) are beyond response time guidelines. In order to alleviate the noted inadequacies, the public facilities planner has calculated the amount of contribution required to constitute the applicant's fair share toward the provision of the new Leeland Road Fire Station and ambulance services. A condition of approval has been proposed in the recommendation section of this report to require a fee of \$263.34 for each of the 41 units prior to the issuance of building permit.

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

**Comment:** The Department of Environmental Resources has stated that the proposal is consistent with approved stormwater management concept plan #008004950-2000-00. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

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

**Comment:** As indicated in Finding 15 below, a Type II Tree Conservation Plan, TCPII/49/98-06, has been submitted with this SDP. TCPII/49/98-06 has been found to meet the requirements of the Woodland Conservation Ordinance according to the review by the Environmental Planning Section. The Environmental Planning Section recommended approval of the subject SDP and TCPII/49/98-06 subject to certain conditions that have been incorporated into the recommendation section of this report.

14. **Landscape Manual:** The proposed construction of single-family detached houses in the R-S Zone is subject to Section 4.1, Residential Requirements, and not subject to Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*. But Section 4.7 standards of the *Landscape Manual* should be used as a guide to appropriate standards in the comprehensive design zone.
- a. The subject specific design plan includes 65 dwelling units, of which 50 lots are smaller than 9,500 square feet and 15 lots are between 9,500 to 19,999 square feet. Per Section 4.1(c) and (d), 80 shade trees and 65 ornamental or evergreen trees are required. The landscape plan provides 88 shade trees, 53 ornamental trees, and 23 evergreen trees and

complies with the *Landscape Manual*. However, no trees have been shown on Lots 6 to 14, Block H. Many of the proposed trees have also been shown outside the limit of disturbance. A condition of approval has been proposed in the recommendation section of this report to require the applicant to revise the landscape plan prior to certification of this specific design plan.

- b. The Smith family cemetery is located to the west and north of the single-family detached houses in Block H. The cemetery site is more than 100 feet away from the closest house on the top of a knoll. Extensive grading has been shown close to the single-family lots, especially the area along Lake Forest Drive, where the proposed slope is near 3:1 and several segments of retaining wall have been installed. However, no landscaping has been proposed. The Urban Design Section recommends that a landscape strip based on the requirements of Type B landscaped bufferyard be put in place between the cemetery and the lots to the extent practical and additional landscaping in combination with the historic marker be installed along the site's frontage on Lake Forest Drive. A condition of approval has been proposed in the recommendation section of this report.

The other area that needs additional landscaping is a stormwater management pond, which is located at the intersection of the cul-de-sac road leading to Block H and Lake Forest Drive. Given its prominent location, additional landscaping should be put in place per concurrence of the Department of Environmental Resources. A condition of approval has been proposed in the recommendation section of this report.

15. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet; there are more than 10,000 square feet of existing woodland on site; and there is a previously approved Tree Conservation Plan, TCPI/73/97.
  - a. The detailed forest stand delineation (FSD) was previously reviewed with the approval of CDP-9706 and Type I Tree Conservation Plan TCP I/73/97 and found to address the criteria for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation Technical Manual. No further information is required with respect to the forest stand delineation at this time.
  - b. A Type II Tree Conservation Plan, TCP II/49/98, was initially approved with SDP-9803 for the golf course, which covers the entire site. As each specific design plan is approved for the Beech Tree development, TCPII/49/98 will be revised. The revised Type II Tree Conservation Plan, TCPII/49/98-06, submitted with this application, has been reviewed and was found to be in compliance with the previously approved Type I Tree Conservation Plan and to address the requirements of the Woodland Conservation Ordinance, subject to certain conditions.
16. **Referral Comments:** The subject application was referred to the concerned agencies and

divisions. The referral comments are summarized as follows:

- a. The Community Planning Division (Foster to Zhang, January 31, 2005) has stated that there are no master plan or General Plan issues related to this specific design plan. General Plan and master plan issues were addressed during the review of the preliminary plan of subdivision application.
- b. The Transportation Planning Section (Burton to Zhang, February 15, 2005) has listed all the required transportation improvements accompanying the staging plan for the entire Beech Tree project as approved with Infrastructure Specific Design Plan SDP-9907. The transportation planner indicates that with the approval of this SDP the total approved residential units will be around 398, which is within Phase III of the residential development (residential building permits #132-1,000) and concludes that the subject development as proposed in SDP-0409 will be adequately served. The transportation improvements that are applicable to the subject SDP related to Phase III residential development have been identified and incorporated into the conditions of approval of this SDP.

In a separate memorandum (Shaffer to Zhang, February 24, 2005) on specific design plan review for master plan trail compliance, the Transportation Planning Section noted that the submitted site plan reflects sidewalks along both sides of all internal streets that are consistent with the previous recommendation. Lake Forest Drive is a county right-of-way and has been designated as a Class III bikeway. A financial contribution in the amount of \$420 should be provided to the Department of Public Works and Transportation to help defray the cost of installing appropriate signage. A condition of approval has been proposed in the recommendation section of this report.

- c. The Environmental Planning Section (Stasz to Zhang, February 18, 2005) has recommended approval of Specific Design Plan SDP-0406 and TCPII/49/98-06 subject to five conditions. These conditions of approval for the SDP have been incorporated into the recommendation section of this report.
- d. The Subdivision Section (Chellis to Zhang, February 4, 2005) has indicated that the property is the subject of Preliminary Plan of Subdivision 4-00010 and has listed the conditions of approval that are applicable to this SDP. The reviewer also noted that the lotting pattern contained in the SDP is consistent with the approved preliminary plan of subdivision. See Finding 9 above for a discussion on the conditions attached to the approval of 4-00010 that are applicable to the review of this specific design plan.
- e. The Permit Section (Linkins to Zhang, February 7, 2005) has made 11 comments on the subject SDP regarding the plan's compliance with the Zoning Ordinance. The relevant comments have been incorporated into the conditions of approval for this specific design plan.

- f. The Department of Environmental Resources (Nicole to Zhang, February 9, 2005) has stated that the site plan for Beech Tree, North Village Sections 4 and 5, is consistent with approved stormwater concept plan #008004950-2000.
- g. The State Highway Administration (SHA) (Foster to Zhang, February 10, 2005) has stated that SHA has no objection to Specific Design Plan SDP-0409 approval.
- h. The Historic Preservation and Public Facilities Planning Section (Carlson-Jameson and Bienenfeld to Zhang, February 10, 2005 ) has indicated that the applicant of Beech Tree project has satisfied the requirements of the Maryland Historical Trust for Phase I Archeological Investigation for specific sites within the development and no further investigation is required on this portion of the property. But staff has noted that one of the three cemeteries within the Beech Tree development (the Smith family cemetery) is located on the subject site and recommended one condition of approval that has been incorporated into the conditions of approval.
- i. The Department of Parks and Recreation (DPR) (Asan to Zhang, January 24, 2005) has provided no comments on this application because there is no parkland in Sections 4 and 5.
- j. The Washington Suburban Sanitary Commission (WSSC) (Thacker to Zhang, February 7, 2005) has indicated that a revision to the existing project has been submitted to WSSC for review and approval. The staff also has noted that the proposed alignment of sewer that traverses the culvert on Lake Forest Drive should be realigned to avoid future maintenance and that water extension will be required.
- k. The Historic Preservation and Public Facilities Planning Section (Harrell and Izzo to Zhang, February 22, 2005) has reviewed the subject SDP for adequacy of public facilities and found that the existing fire engine and ambulance service are beyond the respective response time guidelines. In order to alleviate the negative impact on fire and rescue services due to the inadequate services listed, the planners recommend two conditions that have been incorporated into the recommendation section of this report.  
  
The planners also have reviewed the existing police facilities and concluded that the police facility will adequately serve the population generated by the proposed development.
- l. The Department of Public Works and Transportation (DPW&T) , the Fire/EMS Department of Prince George's County, and the Town of Upper Marlboro had not responded to the referral request at the time the staff report was written.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree

Conservation Plan (TCPII/49/98-06), and further APPROVED Specific Design Plan SDP-0409 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this specific design plan, the applicant shall
  - a. Revise the site plan and landscape plan as follows:
    - (1) Provide the total number of units previously approved and the total number of units proposed in the subject SDP.
    - (2) Provide all approved or submitted specific design plan numbers and all approved or submitted Tree Conservation Plan numbers for Beech Tree on the coversheet.
    - (3) Provide the required minimum number of shade tree and ornamental/ evergreen trees on Lots 6 to 14, Block H, pursuant to the requirements of Section 4.1 of the *Landscape Manual*.
    - (4) Relocate all proposed trees that are outside the limit of disturbance (LOD) within the LOD line.
    - (5) Provide additional landscaping around the Smith family cemetery along with the design of the interpretive marker to be reviewed and approved by the Historic Preservation and Public Facilities Planning Section and the Urban Design Section as the designees of the Planning Board.
    - (6) Provide additional landscaping around the stormwater management pond at the intersection of Lake Forest Drive and the cul-de-sac road leading to Block H for review and approval by the Urban Design Section as the designee of the Planning Board.
    - (7) Provide a minimum 20-foot-wide landscape buffer along the rear property lines of Lots 33 through 40, Block F.
    - (8) Label all abutting HOA parcels consistent with Preliminary Plan of Subdivision 4-00010.
    - (9) Provide details of the retaining wall on the site plan.
    - (10) Provide lot standards for corner lots.
    - (11) Show building setbacks (front, sides and rear) graphically on the site plan.
    - (12) Delete all off-site grading unless the applicant can confirm with evidence to the Urban Design Section, as the designee of the Planning Board, that required grading easements have been obtained.



- (13) Provide entrance sign details on the detail sheet.
- b. Revise Type II Tree Conservation Plan, TCPII/49/98-06, as follows:
  - (1) Replace the worksheet on sheet 46 with a TCPII phased worksheet that shows the acreage of each phase
  - (2) Have the revised plan signed and dated by the qualified professional who prepared the plan
2. Prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than \$225,000 for a single-family detached house (in 1989 dollars).
3. Prior to submittal of any building permits for the lots covered under the subject SDP, the applicant shall demonstrate that the Smith family cemetery shall be preserved and protected in accordance with the Prince George's County Subdivision Regulations Section 24-135.02 including:
  - a. An inventory of existing cemetery elements (two copies shall be provided: one to the Prince George's County Historical Society library and the other to the Historic Preservation and Public Facilities Planning Section).
  - b. Measures to protect the cemetery during development shall be provided, as deemed necessary by the Planning Board's designee.
  - c. A permanent wall or fence shall be provided to delineate the cemetery boundaries, and an interpretive marker shall be placed at a location close to or attached to the cemetery fence/wall. The applicant shall submit for review and approval by the Historic Preservation and Public Facilities Planning Section staff a proposed text for the marker at the Smith family cemetery.
  - d. Arrangements for perpetual maintenance. A perpetual maintenance easement shall be prepared and attached to the legal deed (i.e., the lot delineated to include the cemetery). Evidence of this easement shall be presented to and approved by the Planning Board or its designee prior to final plat.
4. Prior to issuance of any permit, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$420 to the Department of Public Works and Transportation for the placement of Class III bikeway signage along Lake Forest Drive.
5. At time of issuance of building permit, the applicant shall pay the fair share of \$263.34 per unit for ambulance service for 41 units to the Treasury of Prince George's County toward the provision of the Leeland Road Fire Station and ambulance services to alleviate the existing

inadequacy of services.

6. Prior to approval of building or grading permits, the Environmental Planning Section shall review all technical stormwater management plans approved by the Department of Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that the plan is consistent with the habitat management program and that water quality is provided at all storm drain outfalls. If revisions to the TCPII are required due to changes to the technical stormwater management plans, the revisions shall be handled at the staff level if the changes result in less than 20,000 square feet of additional woodland cleared.
7. Prior to issuance of any permits for Beech Tree, the applicant shall demonstrate to the Environmental Planning Section that all applicable conditions of the state wetland permit have been addressed.
8. Prior to issuance of grading permits, each grading permit shall show required on-site wetland mitigation areas.
9. Prior to issuance of any building permit, the applicant shall provide a soils report addressing specific remedies and their locations in all areas where Marlboro Clay presents development problems that shall be reviewed and approved by the Environmental Planning Section and the Prince George's County Department of Environmental Resources. The report shall include a map showing all borehole locations and logs of all of the boreholes, and identify individual lots where Marlboro Clay poses a problem.
10. Prior to issuance of the 132<sup>nd</sup> building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
  - a. Widen southbound US 301 to provide three exclusive through lanes from 1,000 feet north of Trade Zone Avenue to 2,000 feet south of Trade Zone Avenue.
  - b. Construct an internal site connection from Beech Tree Parkway to Leeland Road.
  - c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.
11. At the time of building permit, exact building footprints shall be shown on the site plan and elevations for each house that shall be provided.
12. No grading or cutting of trees or tree removal on the site (covered by SDP-0409) shall occur until after approval of the specific design plan by the District Council.
13. All structures shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NFPA) Standard 13D and all applicable county laws and regulations.

14. No two units located next to or across the street from each other may have identical front elevations.
15. The developer, his heirs, successors and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the detailed site plan, landscape plan, and plans for recreational facilities.

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 17, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of April 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:HZ:rmk