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

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

DETAILED SITE PLAN DSP-05059

Application	**General Data**	
Project Name: Bevard North	Date Accepted:	3/9/2006
	Planning Board Action Limit:	Waived
	Plan Acreage:	275.83
Location: Located on the northwest side of Piscataway Road, approximately 8,000 feet south of its intersection with Steed Road.	Zone:	R-E
	Dwelling Units:	815
	Square Footage:	NA
	Planning Area:	81B
Applicant/Address: Washington Park Estates, LLC 5450 Branchville Road, Branchville, MD 20740	Tier:	Developing
	Council District:	9
	Municipality:	NA
	200-Scale Base Map:	214SE03

Purpose of Application	**Notice Dates**	
Detailed site plan for a planned retirement community with 191 single-family detached dwellings, 273 single-family attached (townhomes), and 351 multifamily units with clubhouse.	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003)	12/9/2005
	Sign(s) Posted on Site and Notice of Hearing Mailed:	05/02/06

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

July 20, 2006

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Susan Lareuse, Planner Coordinator

SUBJECT: Detailed Site Plan DSP-05059
Bevard North

The Urban Design staff has reviewed the specific design plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions.

EVALUATION

The specific design plan was reviewed and evaluated for conformance with the following criteria:

a. The requirements of the Zoning Ordinance, Planned Retirement Community, in the R-E Zone.

b. The requirements of Preliminary Plan of Subdivision 4-05045.

c. The requirements of the Prince George's County Woodland Conservation Ordinance.

d. Referral comments.

FINDINGS

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

1. **Request**: The request is for 191 single-family detached dwellings, 273 townhouses, and 351 multifamily units in a planned retirement community. The detailed site plan includes a site plan, tree conservation plan, landscape plan and details, and architectural elevations.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-E	R-E
Use(s)	Vacant	Single-family detached, single-family attached and multifamily
Gross Acreage	275.83	275.83
100-year floodplain	35.85	35.85
Net Tract area	239.98	239.98
Lots	N/A	815
Dwelling Units	0	815
Detached	0	191
Attached	0	273
Multifamily	0	351

3. **Location:** Located on the northwest side of Piscataway Road, approximately 8,000 feet south of its intersection with Steed Road. The site is in Planning Area 81B in Council District 9.

4. **Surroundings and Use:**

North—To the north of the subject property is M-NCPPC-owned property (known as Old Fort Hills), Old Fort Hills residential community, and the Potomac Airfield.

East—To the east of the subject property is the Edelen Property (unsubdivided) and the proposed residential subdivision of the King Gallahan property.

South—To the south of the subject property is MD 223, Piscataway Road, and the proposed residential subdivision of the Bevard East property. To the southeast is the Washington Executive Airport, also known as Hyde Field.

West—To the west of the subject property is an existing residential subdivision known as Mary Catherine Estates and the proposed residential subdivision known as Bevard West.

5. **Previous Approvals:** The property is the subject of Preliminary Plan 4-05045, approved by the Planning Board on February 16, 2006, in accordance with PGCPB Resolution No. 06-15. The preliminary plan remains valid until February 16, 2012, or until a final record plat is approved.

6. **Design Features**: The plans indicate an access point into the property at Piscataway Road. This collector status road serves the property and incorporates a circle, which will provide access to the development through a gate system. At the circle, the access road intersects with proposed A-65, a master planned roadway. The project places the main social and recreational facilities, including the clubhouse, on line with the main entrance into the development. This primary entrance road is lined with the multifamily component of the development, providing close and convenient access to the clubhouse from the multifamily structures. The plan proposes townhouses to the east and west of the central entrance point and clubhouse area. Furthest from the central recreational area and clubhouse are the single-family detached units on small lots.

ARCHITECTURAL MODEL DATA

The following architectural elevations are proposed by Lennar Homes:

Model	Base Finished Area (Sq. Ft.)
Single-family detached	
Cedar	2,808
Chestnut	2,241
Danbury	2,607
Heritage Hunt	2,066
Marjoram	2,522
Oakleaf	2,054
Tigerlily	2,501
Yardley I	2,338
Yardley II	2,346
Single-family attached	
Nautilus	2,287
Spinnaker	2,319

Comment: Housing for a planned retirement community should minimize the number of steps within the units and full living quarters should be provided on the first floor of units for both single-family attached and detached dwellings. The floor plans should be submitted for review prior to signature approval to assure that all models proposed in the list above include a master bedroom on the first floor of the single-family attached and detached units. If the master bedroom is not included on the first floor, then the model should be deleted from the approved package of architecture.

The size of the units range from approximately 2, 050 square feet of finished living area to approximately 2,800 square feet. These figures reflect the minimum finished living areas of the units. The minimum size proposed of 2,050 is a reasonable minimum size considering the use of the property as a planned retirement community.

7. The requirements of the Prince George's County Zoning Ordinance for a planned retirement community, Section 27-441(b)(6), in the R-E Zone are found in CB-53-2005 as follows:

Permitted in the R-E Zone, without a Special Exception, provided that the subject property meets the following criteria:

(A) Has area of at least two hundred fifty (250) acres; and

Comment: The property consists of 275.83 acres of land

(B) Has at least two hundred fifty (250) feet of frontage on a State highway of arterial classification or higher.

Comment: The subject property has 297 linear feet of frontage on Piscataway Road, which is designated as arterial classification.

For a Planned Retirement Community permitted in accordance with the standards listed below, the applicant must obtain approval of a Detailed Site Plan as provided in Part 3, Division 9. In site plan review, the Planning Board shall find that the proposed use and subject property meet all Division 9 requirements (except as provided below) and will:

(A) Include at least seven hundred fifty (750) but not more than nine hundred forty-two (942) residential units, and a clubhouse of at least twelve thousand (12,000) square feet gross floor area;

Comment: The plan proposes 815 dwelling units. The clubhouse is proposed as 17,396 square feet of gross floor area as shown on the Bevard North Recreation Center plans dated February 8, 2006.

(B) Have a traffic study approved by DPW&T showing on-site circulation patterns, access points on and off site, and impacts on major highways and intersections, impacts mitigated in accordance with the Guidelines for the Analysis of the Traffic Impact on Development Proposals and the General Plan;

Comment: The Transportation Planning Section found that the traffic study provided at the time of the preliminary plan and follow-up meetings with DPW&T between the applicant and M-NCPPC have found the above requirement to be fulfilled.

(C) Incorporate reasonable regulations for height of structures, architectural design, lot size and coverage, frontage, setbacks, density (as restricted below), dwelling unit types, percentages of uses, and other dimensional requirements, in place of conventional requirements;

Comment: The applicant has proposed the following regulations for the development of the site:

DEVELOPMENT STANDARDS

Single-Family Detached Lot Standards	
Minimum Lot Size	6,000 square feet
Maximum Lot Coverage	80 percent
Maximum Height	40 feet
Minimum Front Yard	15 feet
Minimum Side Yard	6 feet
Minimum Rear Yard*	10 feet
*Decks and patios may extend up to four feet beyond rear building restriction line.	

Comment: The rear building restriction line for the single-family detached units should not be less than 20 feet to provide privacy and a usable rear yard. The standards should also be revised to incorporate a minimum 2,000 square feet of finished living area and 80 percent brick fronts.

Town Homes Lot Standards	
Minimum Lot Size	1,800 square feet
Maximum Lot Coverage	80 percent
Maximum Height	40 feet
Minimum Front Yard	*
Minimum Side Yard	*
Minimum Rear Yard*	*
*Each lot shall have a minimum yard area of 350 square feet	

Comment: In keeping with traditional requirements for the development of townhouses within Prince George's County, the chart above should be revised to eliminate a maximum lot coverage and simply use the minimum yard area requirements of the R-T Zone. The standards should also be revised to incorporate a minimum 2,000 square feet of finished living area and 80 percent brick fronts.

Apartment/Condominium Lot Standards	
Maximum Height	50 feet

Comment: The apartment/condominium units should be required to have a minimum of 80 percent brick, with each end wall entirely brick.

(D) Have residential densities not exceeding eight (8) units per gross tract acre;

Comment: The plan proposes 815 dwelling units, or 3.4 units per acre. In comparison to the underlying R-E Zone, developed as a traditional single-family detached subdivision, the estimated average dwelling units per acre would be 0.85 units per acre (see *Guide to Zoning Categories* dated May 2002).

(E) Have interior private roads only where appropriate for and in furtherance of community purposes, and approved by DPW&T; and

Comment: Per memorandum dated April 11, 2006, DPW&T found the application showing private roadways acceptable, except as noted (memo attached). Those requirements will be fulfilled prior to the issuance of permits for the project.

(F) Include a community center or meeting area, and recreation facilities which the District Council finds are appropriate, as follows:

(i) Recreation facilities should serve the planned retirement community fully and completely;

Comment: The plan proposes a 17,396-square-foot clubhouse with separate indoor and outdoor pools as the main social and recreational features of the site to serve the future population of the community. The original plan provided trails and sitting areas, which staff suggested that the plan did not provide for active outdoor facilities for the retirement population. Staff recommends that the plan be revised to including a satellite outdoor recreation area for use by the residents of the western portion of the site, in order to make the above finding.

The plan proposes the following indoor amenities and recreational facilities within the clubhouse to serve the planned retirement community:

First floor
Arts and crafts room
Kitchen
Ballroom
Two offices
Lounge
Clubroom/billards

Basement
Pool
Fitness room
Pool office
Pool equipment storage
Lockers
Lobby
Mechanical equipment room

The following outdoor recreational facilities are provided for the residents on a plan submitted June 19, 2006:

Double tennis court
7,500 linear feet of HOA trails
5 sitting areas with gazebos
Croquet field
3 putting greens
1 bocce courts
1 horseshoe court

The layout shown on the revised plan places the additional recreational facilities in areas that are inappropriate, such as behind multifamily units that should be semi-private areas and in public areas that should be reserved for attractive landscaping and entrance features. Staff recommends that the plans be revised prior to signature approval to relocate all of the outdoor facilities listed above in a secondary satellite recreational area within the western portion of this site. In order to provide for a usable open space for recreational facilities, staff recommends that the townhouses shown within Block T be deleted and the recreational facilities described above be placed within Block T.

The plan has been revised to show the proposed location of the master planned right-of-way of A-65 entering the site from the east and connecting to the circle that will also be the primary access point of the subdivision. The addition of A-65 has a negative impact to the site, in that it will sever a relatively small portion of the development from the overall site, thus separating the recreational and social opportunities of the planned recreational community from the future residents of that section of the development. The plans have been revised to substitute single-family detached housing for what was previously shown as single-family attached housing. This area of the site is further complicated because the property is within the APA 4, which requires a minimum of 30 percent of the area in open space. The severing of this portion of the development from the main clubhouse by the arterial will make it difficult and dangerous to cross the

roadway to take advantage of the recreational facilities and other amenities that are part of the planned recreational community. Staff recommends that the lots in this area be designed more closely to standard RE development, which will reduce the density in this area, and provide for compatibility to the adjoining lots within the King Gallahan subdivision to the east, which was approved with 40,000 square foot lots. Further, staff objects to the backing of the lots to the collector status road that connects Piscataway Road to the new alignment of A-65. Staff recommends that the plans be revised prior to signature approval to enlarge the lots in this area to not less that 30,000 square feet and redesign the section so the lots do not back-up to the roadway. A clear pedestrian connection shall be shown on an interim plan that accommodates pedestrians to and from the clubhouse into this section of the development.

(ii) The Council may permit larger recreation facilities, to serve the community and surrounding residential areas, only if the recreation facilities are harmoniously integrated with both the retirement community and the surrounding neighborhood; and

Comment: The plan proposes a 4,000-linear-foot master planned trail within the stream valley park to serve the community at large.

(iii) The recreation facilities shall be constructed prior to or concurrently with the residential units within the retirement community, or as stated in a construction schedule approved by the District Council.

Comment: The applicant has proposed the following construction schedule:

PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
Recreation center Indoor recreation facilities	Prior to the issuance of the 200th building permit overall	Complete by 400th building permit overall
Outdoor recreation facilities and outdoor pool	Prior to the issuance of the 400th building permit overall	Complete before the 600th building permit overall
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.		

Comment: Staff recommends that the schedule above be revised to require the bonding of the recreation center and indoor facilities and the outdoor pool prior to the issuance of the first building permit. The completion of the recreation center should occur prior to the release of the 150th permit. The outdoor recreational facilities should be bonded prior to the issuance of any building permit and completed prior to the 200th building permit overall.

Before the Planning Board, the applicant shall include proof of the following, in addition to the Detailed Site Plan requirements stated above:

(A) Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application and shall be approved by the District Council and filed in the Land Records at the time the final subdivision plat for the property is recorded.

Comment: The covenants are included in the record to be forwarded to the District Council for review and approval.

(B) Covenants guaranteeing perpetual maintenance of the recreation facilities and the right of retirement community residents to use the facilities shall be submitted with the application. The covenants shall be approved by the District Council and filed in the Land Records when the final subdivision plat for the property is recorded.

Comment: The covenants are included in the record to be forwarded to the District Council for review and approval.

(C) For the planned retirement community generally, the proposed community and its site plan:

(i) Are in harmony with the purposes of this Subtitle;

Comment: The purposes of this Subtitle protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the county; the purposes promote the best interests of the communities through adequate public facilities and guide the orderly growth of the county. This plan provides for serving the purposes of the Zoning Ordinance and the review of the plans through the public hearing process help to promote the interests of the community in the area and the community at large.

(ii) Conform with all applicable requirements of this Subtitle;

Comment: The majority of the application is located within Aviation Policy Areas for Potomac Airfield and Washington Executive Airport. The plans have demonstrated conformance to the requirements of Part 10B, Airport Compatibility.

(iii) Will not substantially impair the integrity of the applicable Master Plan, any applicable Functional Master Plan, or the General Plan;

Comment: The Community Planning Division explains that the application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. This application is generally in conformance with the master plan recommendation for a planned residential community at this location.

(iv) Will not adversely affect the health, safety, or welfare of residents or workers in the neighborhood;

Comment: The proposed planned retirement community will not adversely affect the health, safety, or welfare of residents or workers in the neighborhood.

(v) Will not be detrimental to the use or development of adjacent properties or the neighborhood generally; and

Comment: The proposed planned retirement community will not be detrimental to the use or development of adjacent properties or the neighborhood generally.

(vi) Conform to an approved Tree Conservation Plan.

Comment: The site has a previously approved TCPI, which was approved concurrently over the Preliminary Plan of Subdivision. The TCPII/60/06, submitted with the application, is recommended for approval, as stated in Finding No. 10 of this report.

8. The Permits Office has reviewed the DSP for conformance to Part 11, Off-Street Parking and Loading, Sections 27-568 and 27-582 of the Zoning Ordinance, and provides the following comments:

a. The parking schedule provided utilizes an incorrect parking requirement for the ballroom and lounge. The correct ratio is 1 space per 4 seats. Please identify the number of seats for each use. The dance floor is the only area that receives the one space per 80 square feet.

b. The pool office is calculated at the same rate as the office business center at one space per 250 square feet.

c. Handicap parking is determined by the totals number of spaces provided and is required for the multifamily dwellings as well.

d. The number of required parking spaces is incorrect. Once the parking schedule has been revised to show the correct amount of required parking for the ballroom, lounge and pool office, please revise the number of required handicap accessible spaces.

Comment: The plans should be revised prior to signature approval of the plans to address all of the issues raised above.

9. **Preliminary Plan of Subdivision:** The property is the subject of Preliminary Plan 4-05049, approved by the Planning Board on January 19, 2006. The resolution of approval, PGCPB Resolution 06-15 was adopted on February 16, 2006. The validity period of the preliminary plat is based on the number of approved lots. If the number of lots remains above 400, the plan is valid until February 16, 2012 or until a final record plat is approved. If the number of lots reduces to less than 400, the plan will be valid for only two years. The following conditions of approval are relevant to the review of the Detailed Site Plan:

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

e. Conform to DPR Exhibit A.

Comment: Condition 1.e of the Planning Board's Resolution 06-15, required that the preliminary plan of subdivision conform to the Department of Parks Exhibit A. Part of Finding 7 of that resolution set forth the following:

> "DPR staff recommends dedication of 53 acres of open space area to M-NCPPC for Tinkers Creek stream valley park in accordance with DPR Exhibit A, and construction of the hiker/biker trail in the stream valley. The additional acres are recommended along the Tinkers Creek stream valley on the south side of Old Fort Road extended and will complete the conveyance of the stream valley park, providing the connection envisioned by the master plan for the dedication of the entire stream valley park. The proposed dedication will preserve the stream valley as public open space available to all Prince George's County residents and will provide trail linkages to existing and future recreational facilities in the public park system to the north and south of the subject site."

The detailed site plan does not appear to provide for parkland dedication along the south side of Old Fort Road extended. The detailed site plan should be revised to provide additional dedication for the stream valley park prior to signature approval, and in conformance to the Planning Board's finding above

2. A Type II Tree Conservation Plan shall be submitted and approved with the limited detailed site plan.

Comment: A Type II Tree Conservation Plan, TCPII/60/06, was submitted with this application and is discussed in detail in the environmental review section below.

3. Prior to the approval of final plats a detailed site plan shall be approved by the Planning Board that shall include the review of the construction of the master plan trail by the applicant on lands to be conveyed to M-NCPPC, prior to the conveyance, to allow for a comprehensive review of the recreational facilities.

Comment: The applicant has submitted a detailed site plan showing the layout of the master-planned trail and standard trail cross-section, however, there is not sufficient detail shown on the plan. The submitted plan provides general information about the master-planned trail and associated connector trails to allow a comprehensive review of the trail system, but not enough information to consider these plans as construction documents.

4. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan #27879-2005-00 and any subsequent revisions.

Comment: The Type II TCP shows six on-site ponds to control water quantity and quality for the proposed development. As of the writing of this report, the applicant has not submitted evidence from DER that the site plan is consistent with the approved stormwater management concept plan.

10. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFAs) to DRD for construction of recreational facilities on homeowners land, for approval prior to the submission of final plats. Upon approval by the DRD, the RFA shall be recorded among the county land records.

11. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on homeowners land, prior to the issuance of building permits.

12. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFAs) to the DPR, Park Planning and Development Division for construction of recreational trail facilities on park property. The RFA shall be approved prior to the approval of final plats. Upon approval by PP&D, the RFA shall be recorded among the county land records and noted on the final plat of subdivision.

13. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on park property two weeks prior to the approval of building permits.

Comment: All of the requirements above will be enforced prior to final plat and prior to building permits.

14. Prior to the issuance of a grading permit for the development, a Public Safety Mitigation Fee shall be paid in the amount of $3,092,040 ($3,780 x 818 dwelling units). Notwithstanding the number of dwelling units and the total fee payments noted in this condition, the final number of dwelling units shall be as approved by the Planning Board and the total fee payment shall be determined by multiplying the total dwelling unit number by the per unit factor noted above. The per unit factor of $3,780 is subject to adjustment on an annual basis in accordance with the percentage change in the Consumer Price Index for All Urban Consumers. The actual fee to be paid will depend upon the year the grading permit is issued.

Comment: This condition will be enforced prior to the issuance of a grading permit.

15. The review of the detailed site plan for recreational facilities shall include the review of the public master plan trail construction by the applicant, his heirs, successors and/or assignees on M-NCPPC land (Parcel A and part of Parcel G). Review shall include:

a. Construction of a 10-foot-wide asphalt hiker/biker trail along the Cabin Branch and Back Branch as shown on DPR Exhibit A.

Comment: The trail is shown on the plans.

b. Construction of a 6-foot-wide asphalt trail connectors from the neighborhoods to the Tinkers Creek stream valley trail as shown on attached DPR Exhibit A.

Comment: The trail is shown on the plans.

c. The location of the trail shall be staked in the field and approved by DPR prior to construction.

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

d. Prior to issuance of the 404th building permit, a 10-foot-wide asphalt hiker/biker trail along Tinkers Creek shall be completed, and 6-foot-wide feeder trails shall be constructed in phase with development. No building permits shall be issued for the lots directly adjacent to the trail until the trail is under construction (this shall include clearing, grading and installation of the gravel base).

Comment: This timing element will be added to the recreational facilities agreement.

e. With the submission of the detailed site plan, the applicant shall submit detailed construction drawings for trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines.*

Comment: A condition has been added to the recommendation section to require final review by the DPR prior to signature approval of the plans.

f. All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR.

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

g. The handicapped accessibility of all trails shall be reviewed during the review of the limited DSP.

Comment: The plans indicate that the trails are handicap-accessible.

Comments: The applicant provides a preliminary layout of the trails. The applicant has submitted a plan showing trail location, however, the plan lacks sufficient details. A connector trail is also shown on the plan making a number of twists and sharp turns, which would be confusing to the park users. The applicant submitted revised plans to DPR on May 31, 2006, for review and comments. DPR staff is in process of reviewing the revised plans.

The applicant proposes maintenance access to the SWM ponds via a master-planned trail. There is no evidence on the plans that this trail is designed for vehicular use. Although DPR staff believes that trails can be used for maintenance access to the SWM ponds, the trail should be ten feet wide and designed for vehicular loads. In addition, the applicant should enter into easement and maintenance agreements for use of the master planned trail.

17. In accordance with Section 27-548.43 of the Zoning Ordinance and prior to final plat approval the Declaration of Covenants for the property, in conjunction with the formation of a homeowners association, shall include language notifying all future contract purchasers of homes in the community of the existence of two general aviation airports, Washington Executive Airport (2,000 feet to the northeast) and Potomac Airfield (abutting to the north), which are within one mile of the community. The Declaration of Covenants shall include the General Aviation Airport Environmental Disclosure Notice. At the time of purchase contract with homebuyers, the contract purchaser shall sign an acknowledgement of receipt of the Declaration. The liber and folio of the recorded Declaration of Covenants shall be

noted on the final plat along with a description of the proximity of the development to the general aviation airport.

Comment: This condition has been reformatted appropriately to be added to the approval of this plan.

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

Comment: The plan has been found to be in conformance with the requirements of the Aviation Policy Area. See Finding 11 for a detailed discussion.

20. The applicant shall obtain signature approval of the preliminary plan of subdivision prior to the approval of the detailed site plan.

Comment: This condition has been fulfilled.

23. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

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

26. As part of the detailed site plan, the landscaping in the 40-foot-wide scenic easement adjacent to the 10-foot public utility easement (parallel to the land to be dedicated for Piscataway Road) shall be reviewed. The landscaping shall be sufficient to preserve the historic character of Piscataway Road.

Comment: The plans should be revised to clearly indicate the extent of the proposed right-of-way, the public utility easement, and the 40-foot-wide scenic easement with landscaping using native plant species.

29. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

a. MD 223/Old Branch Avenue/Brandywine Road: Reconstruct the intersection to provide two through lanes, an exclusive right-turn lane, and an exclusive left-turn lane on both the eastbound and westbound approaches, and provide an exclusive through lane, an exclusive right-turn lane, and an exclusive left-turn lane on both the northbound and southbound approaches. Modify traffic signal, signage, and pavement markings as needed.

b. MD 223/Temple Hill Road: Construct a second through lane along the south/westbound MD 223 approach. Modify signals, signage, and pavement markings as needed.

c. MD 223/Steed Road: Reconstruct the intersection to provide a shared through/right-turn lane and a shared through/left-turn lane on the southbound MD 223 approach; a shared through/right-turn lane, an exclusive through lane, and an exclusive left-turn lane on the northbound MD 223 approach; and an exclusive left-turn lane and shared through/right-turn lane on the Steed Road approach. Modify signals, signage, and pavement markings as needed.

d. MD 210/Old Fort Road North: Modify the eastbound and westbound Old Fort Road approaches to provide an exclusive through lane, a shared through/left-turn lane, and an exclusive right-turn lane. Modify signals, signage, and pavement markings as needed.

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

30. Prior to the approval of the initial detailed site 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 and a determination shall be made if the signal is warranted. 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 detailed site plan review that certain geometric modifications are not needed for adequacy, the Planning Board may waive the requirement during approval of the detailed site plan.

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

31. Prior to the approval of the detailed site 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 and a determination shall be made if the signal is warranted. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the operating agencies. If a signal is deemed warranted at that time, the applicant shall bond the signal with the appropriate agency prior to the release of any building permits within the subject property, and install it at a time when directed by that agency.

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

32. Prior to the approval of the detailed site 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 and a determination shall be made if the signal is warranted. 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 detailed site plan review that the second eastbound through lane is not needed for adequacy, the Planning Board may waive the requirement during approval of the detailed site plan.

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

33. The detailed site plan for this site will reflect right-of-way for dedication of 100 feet along Old Fort Road in the approximately location shown on subject plan. The expansion of the right-of-way shall not be to the south of the location shown on the subject plan. During detailed site plan review, the requirement may be generally reduced to a lesser amount (80 feet minimum) in consultation with the Transportation Planning Section and DPW&T, with wider sections at the three intersections (the emergency site access point, the traffic circle, and the access to the King Gallahan subdivision), if it is determined that the lesser right-of-way remains consistent with the future function of the roadway.

Comment: This condition requires that the detailed site plan demonstrate right-of-way of 100 feet along Old Fort Road within the area of the plan. Revised plans indicate this right-of-way is 100 feet and narrowed to 80 feet at the environmentally sensitive crossing.

34. At the time of final plat approval, the applicant shall dedicate right-of-way along MD 223 of 60 feet from centerline, as shown on the preliminary plan.

Comment: This condition requires dedication of right-of-way along MD 223. This dedication is reflected on the site plan.

35. Prior to conveyance of the parkland to M-NCPPC, which includes a stormwater management pond, the applicant shall enter into a joint Multiuse Stormwater Management System Maintenance Agreement between the applicant, the county Department of Environmental Resources and M-NCPPC, Department of Parks and Recreation for the construction, operation and maintenance of the stormwater management facility.

36. The applicant shall construct a stormwater management pond on dedicated parkland in accordance with DPR applicable standards. The pond shall be a wet pond and designed as a recreational amenity. For public safety and aesthetic reasons, the slope around the pond shall be gentle, generally 5:1 or less. Attractive landscaping shall be provided around the pond.

Comment: The applicant proposes three stormwater management (SWM) ponds in the Tinkers Creek Stream Valley. Two of the ponds proposed are on dedicated parkland. DPR staff finds substantial changes in the design of the SWM ponds and the proposed grading on dedicated parkland from Preliminary Plan 4-04059 and the associated TCPI. The proposed design of the development elevates the north portion of the development approximately 20 feet higher than existing grade, which leads to the mass grading on dedicated parkland, removal of the mature woodland (see pictures on Park Exhibit A attached). Additional disturbance to the parkland would result from the proposed construction of the SWM ponds. DPR staff expressed concerns about the impact of these alterations to the quality of the stream valley. DPR staff believes that the plans should be revised to minimize the impact by either altering the proposed grading, minimizing the woodland disturbance, redesigning and relocating the SWM ponds, and/or constructing the retaining walls or terraces and walls. DPR staff believes that the applicant should work with DPR and DER to minimize the impact to the sensitive areas of the Tinkers Creek Stream Valley. DPR recommends that construction drawings for the improvements on parkland, including the grading plan, SWM plan, and landscaping plan, be reviewed and approved by DPR staff prior to certificate approval of DSP-05059.

37. The detailed site plan shall provide a minimum 75-foot-wide buffer between Old Fort Road and Elizabeth Ida Drive and a 35-foot wide buffer as required by the Landscape Manual between the rears of residential dwellings to the south and Old Fort Road. The Type II Tree Conservation Plan should demonstrate the use of larger stock of two to two and a half inch caliber trees and should be incorporated into the proposed plans within this buffer.

Comment: The plans were recently revised (submitted on May 24, 2006) to show the expansion of Old Fort Road from an 80-foot right-of-way to a 100-foot right-of-way. In that process, the road is shown to encroach into the required 35-foot-wide buffer between the rears of residential dwellings to the south. The buffer is shown at approximately 25 to 30 feet wide. The plans should be revised to provide for the 35-foot-wide buffer and to show the use of larger stock material prior to signature approval.

38. Review of the Detailed Site Plan for this site shall include conceptual details of the proposed roundabout along A-65 at the site entrance by the County Department of Public Works and Transportation (DPW&T). Conceptual approval of the roundabout by DPW&T shall be required in writing prior to the approval of the Detailed Site Plan.

Comment: DPW&T stated in its memo dated April 11, 2006, the following:

> "The proposed roundabout is not acceptable. The details given for the roundabout are in conflict. Please refer to sheets 1-E, 34 and 35. The roadway centerline radii are not provided on the plans. Revise and resubmit the plans with the above-required information to DPW&T for review"

10. **Woodland Conservation and Tree Conservation Ordinance:** The property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site has a previously approved Type I tree conservation plan. A Type II tree conservation plan is required.

A Type II Tree Conservation Plan, TCPII/60/06, was submitted with this application. The plan proposes the clearing of 125.35 acres of the existing 176.04 acres of upland woodland, the clearing of 2.05 acres of the existing 19.73 acres of woodland within the 100-year floodplain, and the clearing of 3.77 acres off-site. The woodland conservation threshold for this site is 60.00 acres. Based upon the proposed clearing, the woodland conservation requirement is 104.13 acres. The plan proposes to meet this requirement by providing 48.52 acres of on-site woodland conservation, 53.88 acres of on-site planting, and 1.73 acres of off-site conservation, for a total of 104.13 acres. An additional 2.17 acres of woodland will be preserved on-site but not as part of any requirement.

There are some technical issues with the TCPII. On sheet 20, the plan improperly shows woodland clearing to the east of multifamily building 3 within the expanded stream buffer; however, no variation request was requested or granted for this impact. The use of a small retaining wall could provide adequate clearing and side slopes for the construction of the recreation facilities and significantly reduce the area of woodland cleared while reducing the overall woodland conservation requirement, reducing the total planting area, and preserving more woodland on-site without otherwise altering the layout. Urban Design Section believes that the recreational facilities in this area should be removed because this area is a semi-private area and is an inappropriate area to add recreational facilities.

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

a. Revise the grading on sheet 20 to avoid all impacts to the expanded stream buffer on the east side of multifamily building 3.

b. Revise the worksheet as needed.

c. Have the revise plan signed and dated by the qualified professional who prepared the plan.

11. **Landscape Manual—**The project is subject to Section 4.1, Residential Requirements, Section 4.7, Buffering Residential Development from Streets, and Section 4.7, Buffering Incompatible Uses. The plan includes schedules for Section 4.1 and 4.6, but the schedules are confusing and should be modified to clearly indicate specific areas of which the sections apply.

Referral Responses

12. The Transportation Planning Section provided the following information in a memo dated June 19, 2006, Masog to Lareuse.

Development of the site is also governed by CB-56-2005, and the transportation staff would offer the following comments:

- For the record, DPW&T had many concerns with the submitted traffic study and did not find the study submitted at the time of preliminary plan to be acceptable. Nonetheless, there have been follow-up discussions with DPW&T to ensure that off-site traffic impacts

are adequately addressed. Notwithstanding these discussions, staff would note that, aside from the extension of Old Fort Road onto the subject property, virtually all traffic impacts of this site occur along state highways. SHA did approve the traffic study and the various measures and improvements that have been proffered and approved by the Planning Board in approving preliminary plan of subdivision 4-05049.

- The ongoing discussions with DPW&T have included the internal private roadways. DPW&T has commented on the internal private roadways, and the most recent submitted plan incorporates all comments.

- It is required that this site plan "will not substantially impair the integrity of the applicable master plan, any applicable functional master plan, or the General Plan." Condition 33 is a means by which this finding could be assured, and the transportation staff has determined that the plan conforms to this condition. Furthermore, it is noted that the current plan makes provision for the A-65 facility along an alignment that roughly replicates the master plan alignment. This alignment provides a fourth leg at the roundabout shown on the plan and extends eastward to connect to the adjacent Edelen property and eventually to Hyde Field. This additional alignment will be able to connect to the A-65 alignment, which is being proposed across Bevard East, and to the planned/proposed A-65 right-of-way across Wolfe Farm.

- It is required that this site plan "will not be detrimental to the use or development of adjacent properties or the neighborhood generally." There are currently active discussions to preserve a right-of-way for A-65 between MD 223 and Brandywine Road, and these discussions were not occurring when the preliminary plan was under review. Once again, the ultimate alignment for A-65 connecting the subject site, Bevard East, and Wolfe Farm has been determined in discussions with DPW&T, and this plan is consistent with those discussions.

It is noted that the A-65 alignment shown needs to be slightly revised. Coordination with the Department of Public Works and Transportation will be essential to establish a final alignment. Most plans that have been circulated by the applicant have not shown the Rolee Subdivision, which is immediately east of the King Gallahan subdivision. Use of the alignment shown on this plan would possibly have impacts on Lots 6B, 7B, and 1C. It is the view of transportation staff that this alignment should extend from the traffic circle slightly north and west of where it is currently shown. There would be no apparent impact on lots or proposed buildings within this site. Even with this change, however, the completion of A-65 between Bevard East and Bevard North would require variations from county road standards or even the use of a roundabout within the adjacent Edelen property, but would keep A-65 away from the homes within the Rolee Subdivision.

Vehicular access within the site is acceptable.

It is noted for the record that the recommendation for A-65 in the Subregion V Master Plan specifies a 120-foot right-of-way with the construction of a four- to six-lane facility with a median. The 100-foot right-of-way being generally shown across the subject site will allow for the construction of a four-lane facility with a median. Where the right-of-way narrows to 80 feet approaching the bridge crossing of Tinkers Creek, four travel lanes with a barrier can still be provided; this narrowed crossing minimizes environmental impacts. This is very consistent with the master plan recommendation. Furthermore, if a need for six lanes to be determined in the

future, sufficient area is available along the right-of-way on this plan to expand the right-of-way and provide the fifth and sixth lanes.

The subject property was the subject of a 2005 traffic study and was given subdivision approval pursuant to a finding of adequate transportation facilities made in 2005 for Preliminary Plan of Subdivision 4-05049. Given the plan that has been most recently submitted and the status of the conditions placed on this plan by the preliminary plan approval, it would appear that the transportation staff can recommend approval of this plan with the following condition:

> The final alignment for A-65 between the roundabout and the Edelen property shall be determined prior to signature approval of the detailed site plan. Such determination shall occur in consultation with DPW&T and transportation planning staff in consideration of county road standards as well as the need to minimize impacts on developed lots within existing subdivisions.

13. The State Highway Administration stated the following in a letter dated March 16, 2006, Foster to Lareuse:

    "a. The subject property is located along east side of MD 223 (Piscataway Rd) and west side of Thrift Road and Tippett Road. The State Highway Location Reference identifies MD 223 (Piscataway Road) as a principal arterial State facility with an Annual Average Trip (AADT) volume of 16,875 vehicle trips per day. Co Rte 146 (Tippett) and Co Rte Thrift Road are local 2 lane facilities owned and maintained by Prince George's County.

    "b. The plan reflects a proposed street (50-foot right-of-way) labeled Old Fort Road with perpendicular alignment at MD 223 (Piscataway Road). Also the plan shows a future connection to the King Gallahan Subdivision. We understand that existing access to MD 223 is to be closed when the future connection with Bevard is open to traffic. Coordination with the appropriate operating agencies is necessary in order to facilitate redirecting access.

    "c. Improvements associated with ingress/egress must be consistent with State Highway Access Manual rules and regulations.

    "d. A site distance diagram must be developed indicating the appropriate site access location. The stopping sight distance and intersection sight distance must be consistent with acceptable guidelines used by this Administration.

    "e. Improvements such as deceleration/acceleration lanes, left turn lanes, bike lanes, and storm drain items may be necessary for adequate public facility requirements."

    Comment: These requirements will be enforced by the State Highway Administration through the review of permits.

14. The Historic Preservation and Public Facilities Planning Section has reviewed the case for both the effects on historic resources and the need for archeology. The site has no impact on any historic resources. A phase I (Identification) archeological investigation was completed on the above-referenced property and the draft report (which included Bevard East, West, and North) was received on July 13, 2005, and comments were sent to the archeology consultant, URS, by Donald Creveling, Archeology Program Manager, M-NCPPC Natural and Historic Resources Division, Department of Parks and Recreation, in a letter dated October 17, 2005. Four copies of

the final report were received by the Planning Department on February 17, 2006. Four historic and two prehistoric archeological sites (18PR774, 18PR775, 18PR776, 18PR777, 18PR778, 18PR779) were identified on the entire Bevard property (North, West, and East). All the archeological sites were determined to be disturbed or too minor to be considered significant. No further archeological work is required on the subject property by the Planning Department. However, additional work may be required by the Maryland Historical Trust as part of the Section 106 process. Section 106 of the National Historic Preservation A t requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

15. The detailed site plan was reviewed for conformance with the Countywide Trails Plan and/or the appropriate area master plan in order to provide the master plan trails. The following master plan trail facilities impact the subject site:

    a. A proposed stream valley trail along Tinkers Creek

    b. A proposed trail along A-65

    Staff supports the location of the stream valley trail reflected on the plans. The Department of Parks and Recreation will make any final decisions regarding stream valley dedication and the trail location.

    The trail along A-65 will be completed at the time of road construction. It appears that Old Fort Road east, as shown on the submitted preliminary plan, will function as this road connection in the vicinity of the subject site. Staff recommends the provision of an eight-foot-wide Class II trail along the subject site's entire frontage of Old Fort Road east. The plans currently include standard sidewalks along both sides of Old Fort Road east. Staff recommends that an eight-foot-wide trail replace the standard sidewalk along the north side of the road, in keeping with the master plan and approved preliminary plan.

    Due to the density of the subject application, staff recommends standard sidewalks along both sides of all internal roads. Lots are smaller than 10,000 square feet, with many lots being less than 5,000 square feet. On the original preliminary plan submittal, trail connections were recommended from the end of both Road "B" and Road "C" to the master plan trail along Old Fort Road East. Due to the location of the environmental buffer, a trail connection is not recommended from Sunshine Drive (formerly Public Road C) to the master plan trail along Old Fort Road East. However, staff still recommends a trail or standard sidewalk along the "grasscrete" access road from Verdant View Drive (formerly Public Road B) to the master plan trail along Old Fort Road East. If this access road is implemented with the "grasscrete" surface, a six-foot-wide asphalt trail shall be provided. If the "grasscrete" access road connecting to Verdant View Drive becomes a regular vehicular roadway, this connection can be accommodated through the provision of standard sidewalks along both sides.

    Staff worked with the applicant to develop additional trail connections internal to the proposed development. These trails will complement the sidewalk network and master plan trails, allow for additional pedestrian connectivity, and provide additional recreational opportunities for future residents. The additional trails included on the revised plans include:

    - A six-foot-wide path around stormwater management pond 3 from Wildflower Way.

- A six-foot-wide path around stormwater management pond 4, behind Parcel N, and adjacent to the croquet field, putting green, and other recreational features north of Verdant View Drive.

- A six-foot-wide path from Verdant View Drive, around stormwater management pond 5, and to Monet Lane near the tennis courts on Parcel E.

Staff supports these additional trail connections as shown on the plan. Other trail connections were explored but judged not to be feasible due to potential impacts within the environmental buffer.

BACKGROUND: TINKERS CREEK TRAIL AND A-65:

Staff has concerns with the proposed at-grade crossing of the stream valley trail at Old Fort Road. The currently proposed location for the stream valley trail takes it to an at-grade crossing of Old Fort Road (A-65). This road will be a major collector with four lanes of traffic, a 100-foot right-of-way, and relatively high speeds. Moreover, immediately across Old Fort Road from the proposed trail alignment is an area of extensive steep slopes, which would make the extension of the trail south of Old Fort Road difficult. As Old Fort Road (extended) has not been constructed yet, there may be an opportunity to construct the bridge over Tinkers Creek with sufficient room to accommodate the master plan trail underneath the bridge and the roadway, thus eliminating the need for the at-grade crossing. The Department of Parks and Recreation has worked with DPW&T on recent bridge improvements along Bock Road and Tucker Road to accommodate the Henson Creek Trail under these busy roads. Similar designs should be utilized at this location to eliminate the need for an at-grade crossing for the master plan trail. Staff recommends that the A-65 bridge over Tinkers Creek be designed to accommodate the master plan trail under the road and that the trail be aligned to utilize this underpass and eliminate the currently shown at-grade crossing.

Trails Recommendation:

a. In conformance with the adopted and approved Subregion V master plan and approved Preliminary Plan 4-05049, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

   (1) Construct an eight-foot-wide Class II trail along the subject site's entire road frontage of Old Fort Road East (from Tinkers Creek to Piscataway Road).

   (2) Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.

   (3) Provide a six-foot-wide asphalt trail adjacent to the "grasscrete" emergency access road linking Old Fort Road East with Road "B" in the subject site. This trail will provide direct pedestrian access from the site to the master plan trail along Old Fort Road East. If this access road is converted into a regular road connection, this connection shall be accommodated with standard sidewalks along both sides.

   (4) Provide park dedication along Tinkers Creek in order to accommodate the Tinkers Creek stream valley trail. Trail construction shall be per the latest Park and Recreation Design Guidelines and at a location agreeable to DPR.

(5) Construct an eight-foot wide Class II trail along the subject site's entire road frontage of the east side of Purple Fields Drive, unless modified by DPW&T.

(6) Design the Old Fort Road bridge over Tinkers Creek in a manner that accommodates the master plan trail underneath the bridge in order to eliminate the need for an at-grade crossing of the planned major collector. The master plan trail should be aligned to utilize this underpass and eliminate the currently shown at-grade crossing. The ultimate alignment of the master plan trail shall be determined by DPR.

b. Prior to issuance of the 404th building permit, a 10-foot-wide asphalt hiker/biker trail along Tinkers Creek shall be completed, and 6-foot-wide feeder trails shall be constructed in phase with development. No building permits shall be issued for the lots directly adjacent to the trail until the trail is under construction (this shall include clearing, grading and installation of the gravel base).

c. All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR.

d. Provide six-foot-wide HOA paths at the following locations:

i. Around stormwater management pond 3 with access from Wildflower Way.

ii. Around stormwater management pond 4 to Verdant View Drive (east of Parcel N and adjacent to the proposed recreational features).

iii. From Verdant View Drive, around stormwater management pond 5, and to Monet Lane near the tennis courts on Parcel E.

16. **The Department of Environmental Resources,** in a memorandum dated June 21, 2006, stated that the proposal is consistent with the approved stormwater concepts.

17. **The Community Planning Division** in memo dated May 17, 2006, has stated that this application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier. This application is generally in conformance with the master plan recommendation for a planned residential community at this location, and the majority of the application is located within Aviation Policy Areas for Potomac Airfield and Washington Executive Airport.

The following discussion is provide in regard to the issues identified above:

a. Land Use and Density. To the extent that the plan recommends planned residential development at his location and this proposal is for a planned retirement community, it is consistent with the plan recommendation. Although the plan recommends this site be developed at a lower density than is proposed (1.0–1.5 dwelling units per acre), the proposed density (2.9 dwelling units per acre), is allowed in the zone in which it is located pursuant to CB-53-2005. An additional density consideration is that this application is within the aviation policy areas for two general aviation airports (see the following discussion of aviation policy area regulations).

b. Aviation Policy Areas. The subject property is affected by air traffic from Potomac Airfield and Washington Executive Airport (Hyde Field). Portions of this site fall within three Aviation Policy Areas (APA): APAs 3M and 6 for Potomac Airfield and APAs 4 and 6 for Washington Executive Airport. Regulations for development in the vicinity of general aviation airports are detailed in Sections 27-548.32 to 27-548.49 of the Zoning Ordinance. This application needs to demonstrate compliance with these regulations. Within all aviation policy areas, properties are required to disclose to prospective purchasers information regarding their proximity to the airports. A sample disclosure statement can be accessed on the Planning Department's website (search: CB-51-2002). The issues discussed below were raised during the review of the preliminary plan of subdivision. (See 4-05049, approved on January 19, 2006, per PGCPB No. 06-15.)

i Density. In APA 3M, residential densities are to be shifted, to the extent possible, away from the extended 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. The aviation policy area mitigation residential subdivision techniques described in Section 27-548.40 of the county Zoning Ordinance may be used to shift development away from the extended runway centerline. The subject application does not propose any dwelling units within the APA 3M Zone.

ii Open Space. Zoning Ordinance Section 27-548 requires that certain percentages of open area be retained in APAs 1– 4 for the purpose of providing strategically located areas under flight paths to permit a successful emergency landing without hitting an occupied structure and to allow aircraft occupants to survive the landing without serious injury. This section of the Zoning Ordinance clarifies that "open area" in aviation policy areas generally refers to stormwater management ponds, field crops, golf courses, pasture lands, streets or parking lots, and recreational facilities such as ball parks, or yards, if the area is relatively level and free of objects such as overhead lines and large trees and poles. It further explains that because a pilot's discretion in selecting an emergency landing site is reduced when the aircraft is at low altitude, open areas should be designed as one or more contiguous acres. In APA 4, there is a requirement for 30 percent of the land within the APA to remain as open space. The applicant should calculate the acres of land within APA-4 and the corresponding open area that must be designated. Section 27-548.40., aviation policy area mitigation residential subdivision, allows flexibility in lot dimensions, setback, lot coverage, and yard requirements where such flexibility is needed for the effective implementation of the regulations.

iii Height. In APAs, proposed dwelling units should not be lined-up perpendicular to the flight path. Within the open areas for APA 4, to further ensure effective implementation of the aviation policy area open area regulation, it is strongly recommended that there be homeowner association covenants to prevent the planting of tall tree species in yards or in HOA property that is in or adjacent to these areas. In APA 6, applications to build structures that are more than 50 feet in height are required (per 27-548.42(b) to demonstrate compliance with the Federal Aviation Regulations Part 77 or Code of Maryland, COMAR 11.03.05. Obstructions to Air Navigation.

This table summarizes the Aviation Policy Area regulations for APAs 3M, 4 and 6, which impact the subject application and demonstrates how the application conforms to the regulations.

APA	Zoning Ordinance Citation	Use Restrictions	Proposed Uses
3M	27-548.38 (b)(3)	.20 dwelling units per acre; .50 dwelling units per acre, if clustered using mitigation techniques	No dwelling units are proposed within APA 3M
	27-548.41 (b)(3)	20% open area	100% open area
4	27-548.38 (b)(4)	Same density as underlying zone Density allowed by CB-53-2005, for active adult development (8 units per acre)	2.3 units per acre proposed
	27-548.42 (b)	Heights of structures to comply with Federal/State regs. and may not exceed 50 ft. without review by MAA	40 feet
	27-548.41 (a),(b)(4)	30% open area	31% open area
6	27-548.38 (b)(4)	Same uses/density as underlying zone Uses/density allowed by Zoning Ordinance (8 units per acre)	3.4 units per acre proposed.
	27-548.42 (b)	Heights of structures to comply with Federal/State regs. and may not exceed 50 ft. without review by MAA*	50 feet
All APAs	27-548.41 (d)(3)	Generally, land uses shall not endanger the safe operation of aircraft, specific activities also mentioned.	None of the uses will endanger the safe operation of aircraft.
	27-548.43	Disclosure requirements	Required in HOA covenants, on final plat, with permits, at the time of contract signing

* Ashish Solanki, Director, Office of Regional Aviation Assistance, Maryland Aviation Administration, P.O. Box 8766, BWI Airport MD 21240-0766

Comment: The application demonstrates conformance to the standards above.

18. The Environmental Planning Section has reviewed the revised Detailed Site Plan for Bevard North, DSP-05059, and the revised Type II Tree Conservation Plan, TCPI/60/06, stamped as received by the Environmental Planning Section on June 19, 2006. The Environmental Planning Section recommends approval of DSP-05059 and TCPII/60/06 subject to the conditions noted at the end of this memorandum.

Preliminary Plan 4-05049 and TCPI/26/05 were approved with conditions by the Planning Board. This application is for a planned retirement community containing 273 attached, 191 detached and 351 multifamily units.

The 275.83-acre property in the R-E Zone is located on the east side Tinkers Creek, on the west side of Piscataway Road, and immediately north of Mary Catherine Estates and Rivergate Estates. 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. Piscataway Road is an adjacent source of traffic-generated noise. 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, Butlertown, Chillum, Croom, Galestown, Howell, Iuka, Keyport, Marr, Matapeake, Ochlockonee, Sassafras and Sunnyside series. Marlboro clay occurs on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled "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 is a designated historic road. This property is located in the Tinkers Creek watershed in the Potomac River basin. The site is in the Developing Tier according to the approved General Plan.

A soils report dated July 26, 2005 was submitted. The report includes a map showing the locations of 23 boreholes/test pits, includes logs for each site, has laboratory analyses of representative samples, and includes slope stability analyses for critical slopes. Additionally, the report contains recommendations for the future development of the site based upon the soils described in the report. One area of potential slope failure due to Marlboro clay was identified and is clearly shown on the TCPI.

Staff have reviewed the report in detail and determined that with the layout proposed none of the proposed residential lots or active recreation areas will be affected by any of the existing areas of potentially unsafe lands on the property.

Discussion: This information is provided for the applicant's benefit. The Prince George's County Department of Environmental Resources will require a soils report in conformance with CB-94-2004 during the permit process review.

b. A Natural Resources Inventory (NRI), NRI/045/05, has been signed for this property. The NRI contains a wetlands report, forest stand delineation, and delineates the expanded stream buffers and isolated wetland buffers. All streams shown as perennial or intermittent on the plans require minimum 50-foot stream buffers that shall be expanded in accordance with Section 24-130(b)(6) of the Subdivision Regulations. The expanded stream buffers are correctly shown on the detailed site plan and the Type II tree conservation plan. Because small residential lots are proposed, no conservation easements shall be on any residential lot.

Impacts are proposed to significant environmental features that are required to be protected by Section 24-130 of the Subdivision Regulations. The design should avoid any impacts to streams, wetlands or their associated buffers unless the impacts are essential for the development as a whole. Impacts to sensitive environmental features required variations to the Subdivision Regulations during the review of Preliminary Plan 4-05049. Variation requests, dated December 15, 2005, with exhibits were submitted for ten impacts. Two of the proposed impacts were for connections to existing sanitary sewer lines that are wholly within expanded stream buffers. Four proposed impacts were

for outfalls associated with stormwater management facilities. Four proposed impacts were for street crossings. Because the property contains several streams, the expanded stream buffers account for 23.8 percent of the entire project site.

Comment: The impacts to sensitive environmental features shown on the Type II TCP are consistent with those granted variations during the review and approval of Preliminary Plan 4-05049.

19. **Department of Parks and Recreation (DPR):** The staff has reviewed the above referenced detailed site plan application for conformance with the requirements of the Preliminary Plan 4-05049. The project includes parkland dedication and construction of the master planned trail and a connector trail on dedicated parkland. Conditions of approval are necessary in order to conform to the previous conditions of approval for this case and included in the recommendation section of this report.

20. **Subdivision Office—**In memorandum dated June 21, 2006, the Subdivision Office reviewed the plans and provided the following comments:

    a. Open space parcels around each stick of townhouses should be enlarged to provide adequate access to the rears and sides of the units for homeowners, and for maintenance purposes. The open space parcels should be increased to a width of 15 to 20 feet wide. This revision to the plans is appropriate to provide access and avoid long linear spaces with fencing on each side.

    b. The site plan has been modified from the layout approved with the preliminary plan as the design and layout has been refined through this more detailed review process (DSP). Staff has reviewed the layout and finds that the DSP is in substantial conformance with the preliminary plan with the concurrence of the Environmental and Transportation Planning Section. There are no other subdivision comments at this time.

    Comment: The staff recommends that the plans be revised prior to signature approval to address the widening of the open space parcels

21. With the proposed conditions, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE DSP-05059 and TCPII/60/06 subject to the following conditions:

1. Prior to certification of the detailed site plan, the Type II tree conservation plan shall be revised to:

    a. Revise the grading on sheet 20 to avoid all impacts to the expanded stream buffer on the east side of multifamily building 3.

    b. Revise the worksheet as needed.

c. Have the revised plan signed and dated by the qualified professional who prepared the plan

2. Prior to signature approval of the detailed site plan, the applicant shall revise the plans as follows:

a. The architectural floor plan for all the single-family attached and detached units shall indicate a master bedroom with full bath or the model shall be deleted from the package.

b. The hiker/biker trails and stormwater management pond construction drawings, including the grading, SWM, and landscape plans, shall be reviewed and approved by DPR.

c. The development standards chart shall be revised to indicate a 20-foot rear yard for single-family detached units, to indicate a minimum yard area requirement consistent with the R-T Zone for the single-family attached units, and to require a minimum of 80 percent of all the units to have a brick front. The apartment/condominium units shall have 80 percent of the facades as brick with each endwall entirely brick.

d. The plans shall be revised to provide for a 25 to 35-foot-wide afforestation buffer from the rear of residential lots along proposed Old Fort Road and shall indicate larger material.

e. The plans shall be revised to demonstrate conformance to the *Landscape Manual,* Section 4.7, and schedules shall be revised to clarify specific conformance to Sections 4.1 and 4.6.

f. The plans shall be revised to clearly indicate the extent of the proposed right-of-way along Piscataway Road, the public utility easement, and the 40-foot-wide scenic easement with landscaping using native plant species.

g. The plans shall be revised to amend the Parking and Loading schedule to conform to Part 11 of the Zoning Ordinance.

h. The plans shall be revised to enlarge the lots in the area of land severed from the remaining portion of the development by A-65 to not less than 30,000 square feet and re-design the section so the lots do not back-up to the roadway.

3. The final plat shall include an agreement providing access to DPW&T for maintenance of the SWM pond. The note shall be reviewed and approved by DPR.

4. Prior to final plat of subdivision, the applicant and DPW&T (if applicable) shall enter into an easement agreement with M-NCPPC for use of the master planned trail as a maintenance access to the stormwater management facilities on dedicated parkland.

5. The applicant shall review the plans to reduce impacts to dedicated parkland. The use of retaining walls and/or terraces shall be considered to reduce the clearing on the slopes leading to the stream valley. Revised plans shall be reviewed and approved by DPR.

6. In conformance with the adopted and approved Subregion V master plan and approved Preliminary Plan 4-05049, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

a. Construct an eight-foot-wide Class II trail along the subject site's entire road frontage of Old Fort Road East (from Tinkers Creek to Piscataway Road).

b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.

c. Provide a six-foot-wide asphalt trail adjacent to the "grasscrete" emergency access road linking Old Fort Road East with Road "B" in the subject site. This trail will provide direct pedestrian access from the site to the master plan trail along Old Fort Road East. If this access road is converted into a regular road connection, this connection shall be accommodated with standard sidewalks along both sides.

d. Provide park dedication along Tinkers Creek, specifically the south side of Old Fort Road extended, in order to accommodate the Tinkers Creek stream.

e. Construct an eight-foot wide Class II trail along the subject site's entire road frontage of the east side of Purple Fields Drive, unless modified by DPW&T.

f. Design the Old Fort Road bridge over Tinkers Creek in a manner that accommodates the master plan trail underneath the bridge in order to eliminate the need for an at-grade crossing of the planned major collector. The master plan trail should be aligned to utilize this underpass and eliminate the currently shown at-grade crossing. The ultimate alignment of the master plan trail shall be determined by DPR.

7. The following construction schedule shall be included on the recreational facility agreement:

PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
Recreation center Indoor recreation facilities	Prior to the issuance of the any building permits overall	Complete by 300th building permit overall
Outdoor recreation facilities and outdoor pool	Prior to the issuance of the any building permits overall	Complete before the 400th building permit overall
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.		

8. Prior to issuance of the 404th building permit, a 10-foot-wide asphalt hiker/biker trail along Tinkers Creek shall be completed, and 6-foot-wide feeder trails shall be constructed in phase with development. No building permits shall be issued for the lots directly adjacent to the trail until the trail is under construction (this shall include clearing, grading and installation of the gravel base).

9. At the time of purchase contract with homebuyers, the contract purchaser shall sign an acknowledgment of receipt of the declaration.

10. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

11. The plans shall be revised prior to signature approval to provide adequate recreational facilities for the retirement community by deleting the 20 townhouse units proposed within Block T and relocating the following facilities into that area:

    1 double tennis court
    1 sitting area with gazebo
    1 croquet field
    3 putting greens (or equal)
    1 bocce court
    1 horseshoe court

12. The final alignment for A-65 between the roundabout and the Edelen property shall be determined prior to signature approval of the detailed site plan. Such determination shall occur in consultation with DPW&T and transportation planning staff in consideration of county road standards as well as the need to minimize impacts on developed lots within existing subdivisions.

13. The minimum size of dwelling units within the planned retirement community shall be 2,000 square feet of finished living area.

14. Open space parcels around each stick of townhouses should be enlarged to provide adequate access to the sides and rears of a minimum width of 15 and 20 feet, respectively.

15. Prior to the issuance of a grading permit, the applicant shall make every effort to obtain the right-of-ways from Prince George's County, as shown on the plans as " 39' right-of-way, liber 1157 @ folio371" and "PG right-of-way, liber 5013 @ 559 and Plat A-6931" for the purposes of incorporating into the subject property as an extension of the landscape buffer referenced in Condition No. 2(d) above.