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

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

# SPECIFIC DESIGN PLAN SDP-0504

| **Application** | **General Data** | |
|---|---|---|
| **Project Name:**<br>Bevard East, Phase 1 | Date Accepted: | 2/27/06 |
| | Planning Board Action Limit: | None |
| | Plan Acreage: | 104.30 |
| **Location:**<br>On the northwestern side of Thrift Road at its intersection with Broken Lance Court. | Zone: | R-L |
| | Dwelling Units: | 88 |
| | Square Footage: | NA |
| **Applicant/Address:**<br>Washington Park Estates, LLC<br>5450 Branchville Road<br>College Park, MD 20740 | Planning Area: | 81B |
| | Tier: | Developing |
| | Council District: | 9 |
| | Municipality: | NA |
| | 200-Scale Base Map: | 215SE04 |

| **Purpose of Application** | **Notice Dates** | |
|---|---|---|
| Residential subdivision consisting of 88 single-family detached lots | Adjoining Property Owners<br>Previous Parties of Record<br>Registered Associations:<br>(CB-12-2003) | 12/6/2006 |
| | Sign(s) Posted on Site and Notice of Hearing Mailed: | 5/9/2006 |
| | | |

| **Staff Recommendation** | | **Staff Reviewer: Ruth E. Grover, AICP** | |
|---|---|---|---|
| **APPROVAL** | **APPROVAL WITH CONDITIONS** | **DISAPPROVAL** | **DISCUSSION** |
| | X | | |

May 24, 2006

**MEMORANDUM**

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Ruth Grover, Senior Planner

SUBJECT: Specific Design Plan, SDP-0504, Bevard East, Phase I

The Urban Design staff has completed its review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the recommendation section of this report.

EVALUATION

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

a. Zoning Map Amendment A-9967

b. Comprehensive Design Plan CDP-0504

c. Preliminary Plan of Subdivision 4-05050

d. The requirements of the Zoning Ordinance, specifically:

- Section 27-514.08 through Section 27-515, Purposes, Uses, Regulations, Minimum Size Exceptions and Uses Permitted in the R-L (Residential Low ) Comprehensive Design Zone.

e. The requirements of the *Landscape Manual*

f. The requirements of the Woodland Conservation and Tree Preservation Ordinance

g. Referral comments

**FINDINGS**

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

1. **Request:** The subject application is for approval of 88 single-family detached dwelling units in the R-L Zone.

2. **Development Data Summary:**

| | Existing | Proposed |
|---|---|---|
| Zone | R-L | R-L |
| Uses | Vacant | Single-family detached |
| Acreage (in the subject SDP) | 104.30 | 104.30 |
| Single-family detached units | 0 | 88 |

3. **Location:** This portion of the Bevard East development is located on the northwestern side of Thrift Road at its intersection with Broken Lance Court, in Planning Area 81B and Council District 9.

4. **Surroundings and Use:** The subject site is surrounded by Phase 2 of the development to the northwest and single-family detached residential development beyond the boundary of the subject project, by vacant residentially zoned land to the south, by single-family detached residential development to the east on the opposite side of Thrift Road, and by residentially zoned vacant land to the north.

5. **Previous Approvals:** The subject property has an approved Basic Plan, A-9967, approved by the District Council on March 28, 2006, in accordance with Zoning Ordinance No. 7-2006. The Planning Board approved the Comprehensive Design Plan, CDP-0504 on January 12, 2006. The CDP was appealed by a citizen party of record to the District Council. As of the writing of this report, the final decision of the District Council has not been rendered. Preliminary Plan of Subdivision 4-05050 was approved on February 16, 2006, by the Planning Board, prior to the final approval by the District Council of the rezoning case and prior to the final decision on the CDP.

6. **Design Features:** Most (80 lots) of the subject phase of development are accessed from Thrift Road, primarily via "Public Road B." The remainder (8 lots) are accessed by "Public Road A," a cul-de-sac also off Thrift Road in the plan's northeasterly corner. Public Road B extends through the plan in a northwestern direction, intersecting first with "Public Road D," which ends in culs-de-sac in either direction, with an additional cul-de-sac extending off it in a southern direction at its western end. Then Public Road D intersects with "Public Road H" that ends in a cul-de-sac in the northern direction, but intersects with Public Road D at its southern terminus. "Public Road E", a cul-de-sac emanating from Public Road D in the southernmost portion of the phase, provides frontage for six lots.

   A playground for ages 2-12 (a "tot lot" combined with a "pre-teen" playground) has been included on Parcel DD, land to be dedicated to the homeowners association measuring approximately 92,927 square feet. Details for the playground have been included in the plans and are specified as follows:

   **Engineered wood fiber surfacing—**To be installed for footing over the entire playground surface.

   **Moving tunnels—**Play structure manufactured by Kompan, Inc., specified as EC-635.

**Shade structure—**Shade structure manufactured by RCP Shelters, Inc., specified as AS-H12-2P-04.

**Chain link fence—**Vinyl coated, steel chain link fence manufactured by Perfection Fence Corp.

**Panorama—**Play structure manufactured by Kompan, Inc., specified as BT-2805.

**Sunrise—**Play structure manufactured by Kompan, Inc. specified as BT-2807.

**Cabana—**Play Structure manufactured by Kompan specified as EC-650-10.

**Rocker—**Wood and steel riding rocker specified as ELE-4000002E.

**Tot swing—**Wood and steel double tot swing specified as EC-2241.

**Bench—**Teak bench specified as "Windsor" style.

**Playpod maze—**Wood and steel playpod Maze specified as BY-560.

Trails included in the subject phase of the Bevard development include a trail from the bulb of the cul-de-sac of "Public Road C" along the westerly side of the development, connecting to the bulb of the cul-de-sac of "Public Road B," to the bulb of the cul-de-sac of "Public Road D," then connecting to the cul-de-sac of "Public Road A," in the northeastern corner of the subdivision.

Architecture for the development will be approved by the Planning Board in a separate umbrella architecture Specific Design Plan, SDP-0605, that has been recently accepted by the Development Review Division for processing.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9967:** This case rezoned approximately 562.85 acres of land in the R-E Zone to the R-L Zone and was approved by the District Council on March 28, 2006, in accordance with Zoning Ordinance No. 7-2006. The following conditions relate to the subject specific design plan. Each relevant condition is listed in bold face type below and is followed by staff's comment.

**1. The basic plan shall be revised as follows, and submitted to the Office of the Zoning Hearing Examiner for inclusion in the record:**

- **The right-of-way for A-65 as designated on the Subregion V Master Plan shall be shown. A determination shall be made at the time of preliminary plan concerning dedication, reservation, or no preservation strategy for the right-of-way for this facility within the subject property.**

- **The Basic Plan shall be revised to reflect a proposed basic plan density of 827 units and a maximum of 165 attached units (20% of the total, as provided in Section 27-514.10 of the Zoning Ordinance). With the provision of density increments, Applicant shall construct no more than 827 units.**

Comment: According to the Zoning Section, a revised basic plan has not been submitted to this office to show A-65 or the density as stated above.

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

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

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

Comment: As per the Environmental Planning Section, a Natural Resources Inventory (NRI), NRI/40/05, has been approved for the site. The NRI includes a soils study that clearly defines the limits of past excavation and indicates all areas where fill has been placed and includes borings, test pits, and logs of the materials found above undisturbed ground.

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

Comment: As per the Environmental Planning Section, Condition 13 of CDP-0504 was formulated to address this issue. In their referral comments, the Environmental Planning Section detailed how the comprehensive design plan avoided impacts to sensitive areas and how these impacts were limited to the minimum necessary to support the development concept as a whole.

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

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

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

Comment: In their referral comments dated May 24, 2006, the Environmental Planning Section stated that the noise model that they use predicts that the unmitigated 65 dBA Ldn noise contour will be about 168 feet from the centerline of Piscataway Road in ten years. Further, they stated that, based upon dedication of 60 feet from the centerline of existing Piscataway Road, the predicted 65 dBA Ldn contour is approximately 118 feet from the edge of the proposed right-of-way and clearly not impacting any proposed lot.

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

Comment: In their referral comments dated May 24, 2006, the Environmental Planning Section stated that Condition 16 of CDP-0504 was formulated to address this issue. Further, they stated that the preliminary plan of subdivision provides for minimum 40-foot easements adjacent and contiguous to the proposed 10-foot public utility easements along the land to be dedicated for Piscataway and Thrift Roads. Lastly, with respect to this condition, they stated that these easements will be shown on the relevant final plats.

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

Comment: The subject phase has met the requirements of this condition.

**Considerations**

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

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

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

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

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

Comment: The CDP approved a time mechanism for the collection of the money and the same condition (1.m.) is included in the recommendation section of this report.

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

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

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

As a means of ensuring that the condition is met, the Transportation Planning Section requested the inclusion of the following condition on each SDP:

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

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

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

Such condition has been included in the recommendation section of this report.

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

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

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

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

Comment: The applicant has not fulfilled this condition because the CDP has not been certified yet.

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

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

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

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

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

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

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

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

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

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

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

**a. $200,000.00 for the design and engineering of the community center shall be paid prior to the issuance of the 50$^{th}$ building permit.**

**b. $ 900,000.00 for the construction of the community center shall be paid prior to issuance of the 200$^{th}$ building permit. Beginning from the date of issuance of the 50$^{th}$ building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).**

**c. $ 900,000.00 for the construction of the community center shall be paid prior to issuance of the 400$^{th}$ building permit. Beginning from the date of issuance of the 50$^{th}$ building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI).**

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

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

**a. If a closed section road is required, the applicant shall construct an eight-foot-wide Class II trail along the site's entire road frontage of Thrift Road.**

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

Comment: The submitted plans demonstrate conformance with this condition.

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

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

Comment: Although a portion of the subject phase is located in APA Zone 6, it is not indicated on the plan. Therefore, this condition has not been fulfilled and should be shown on the plans prior to signature approval of this plan.

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

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

Comment: An eight-foot-wide asphalt HOA trail from the southernmost cul-de-sac to the proposed trail immediately to the north in the vicinity of the stormwater management pond has been indicated on the plans in accordance with the above requirement.

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

Comment: This requirement applies to Phase 2 only.

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

Comment: This requirement applies to the public park only.

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

Comment: This requirement applies to the public park only.

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

Comment: This requirement applies to Phase 4 only.

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

Comment: Standard sidewalks are indicated on both sides of all public roads internal to the subdivision. Therefore, compliance with this requirement has been demonstrated.

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

Comment: The applicant has fulfilled this condition.

**13. During the review of proposed impacts as part of the preliminary plan review process, impacts to sensitive environmental features shall be avoided. If avoidance is not possible, the impacts shall be the minimum necessary to support the development concept as a whole. All impacts to sensitive environmental features that require mitigation by subsequent state or federal permits shall provide the mitigation using the following priority list:**

**a. On site**

**b. Within the Piscataway Creek Watershed**

**c. Within the Potomac River watershed.**

Comment: As per the Environmental Planning Section referral comments dated May 24, 2006, this condition was addressed during the review of variation requests that were submitted with Preliminary Plan 4-05050. Condition 32 of Preliminary Plan 4-05050 was formulated to address this issue and is discussed in greater detail in Finding 9 below.

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

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

Comment: The applicant has not fulfilled this condition because the CDP has not been certified yet.

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

Comment: The applicant has not fulfilled this condition because the CDP has not been certified yet.

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

Comment: This application has shown the 40-foot easement on the plans.

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

Comment: This condition has been fulfilled.

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

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

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

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

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

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

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

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

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

Comment: The above requirements have been met.

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

| PHASING OF AMENITIES | | |
|---|---|---|
| **FACILITY** | **BOND** | **FINISH CONSTRUCTION** |
| **Public Park** | **Prior to the issuance of any building permits** | **Complete by 50th building permit overall** |
| **Recreation center Outdoor recreation facilities** | **Prior to the issuance of the 200th building permit overall** | **Complete by 400th building permit overall** |
| **Recreation Center Building and pool** | **Prior to the issuance of the 200th building permit overall** | **Complete before the 400$^{th}$ building permit overall** |
| **Pocket Parks (including Playgrounds) within each phase** | **Prior to the issuance of any building permits for that phase** | **Complete before 50% of the building permits are issued in that phase** |
| **Trail system Within each phase** | **Prior to the issuance of any building permits for that phase** | **Complete before 50% of the building permits are issued in that phase** |
| **It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering 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: The requirements above should be formalized in an executed recreational facilities agreement prior to the approval of any final plats for the development to assure that the recreational facilities are constructed in a timely manner.

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

**a. The most visible side elevations of single-family detached or attached units on corner lots and other lots whose side elevation is highly visible to significant amounts of passing traffic shall have a minimum of three architectural features such as windows, doors and masonry fireplace chimneys, and these features shall form a reasonably balanced and harmonious composition.**

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

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

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

Comment: The subject application only includes single-family detached units. The architectural elevations for the single-family detached units will be reviewed separately under SDP-0605, an umbrella architecture specific design plan for the overall project that has already been accepted by the Development Review Division for processing.

**21. The following standards shall apply to the development:**

**Bevard East Standards Proposed**

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

**Variations to the standards may be permitted on a case-by-case basis by the Planning Board at the time of specific design plan if circumstances warrant.**
***Except minimum lot frontage for flag lot configurations shall be 25 feet.**
****Except that the yard area may be reduced to 300 sf for decks.**
*****Except that the minimum lot width at the front street line shall be no less than 80 feet for the lots adjacent to Piscataway Road, the main entrance drive from Piscataway Road to the first intersection, and along the secondary entrance from Tippett Road to the second intersection.**
******Except that on the lots across from the park, the front yard setback shall be no less than 30 feet.**

Comment: The above development standards were appropriately included on the cover sheet of the subject specific design plan. Compliance with those development standards will be evaluated before the issuance of building permits for the project.

**22. Every specific design plan shall include on the cover sheet a clearly legible overall plan of the project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted specific design plan numbers, all approved or submitted tree conservation plan numbers, and the number and percentage.**

Comment: The plans demonstrate conformance to this condition.

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

**A. <u>MD 223/Old Branch Avenue/Brandywine Road</u>: 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. <u>MD 223/Temple Hill Road</u>: Construct a second through lane along the south/westbound MD 223 approach. Modify signals, signage, and pavement markings as needed.**

**C. <u>MD 223/Steed Road</u>: 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. <u>MD 210/Old Fort Road North</u>: Modify the eastbound and westbound Old Fort Road approaches to provide an exclusive through lane, a shared through/left-turn lane, and an exclusive right-turn lane. Modify signals, signage, and pavement markings as needed.**

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

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

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

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

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

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

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

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

Comment: In comments dated May 24, 2006, the Transportation Planning Section stated that none of the potential alignments of A-65 across the Bevard East property would impact the subject specific design plan.

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

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

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

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

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

Comment: This condition requires that certain streets be shown as primary streets on the CDP and preliminary plan. This was done.

9. **Preliminary Plan 4-05050:** Preliminary Plan of Subdivision 4-05050 was approved by the Planning Board on January 19, 2006. Resolution 06-16 was then adopted by the Planning Board on February 16, 2006, formalizing that approval. The following relevant conditions of approval are included in bold face type below, followed by staff comment:

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

**g. Lots 1 and 8, Block LL, to be a minimum of 30,000 square feet, and conformance to Condition 12 of A-9967.**

Comment: The layout of Phase 1 fulfills the above requirement. Design deficiencies noted by the Subdivision Section in their comments dated May 23, 2006, have been addressed in the recommended conditions below.

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

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

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

Comment: The Type II TCP shows stormwater management facilities to control water quantity and quality for the proposed development. As per revised comments offered by the Department of Environmental Resources on May 24, 2006, the SDP is consistent with Stormwater Management Concept Plan 25955-2005-00.

**14. In conformance with the Adopted and Approved Subregion V Master Plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following at the time of Specific Design Plan:**

**a. The Subregion V Master Plan designates Thrift Road as a master plan trail/bicycle corridor. Depending on the type of roadway required by the Department of Public Works and Transportation, one of the following shall be provided:**

**(1) If a closed section road is required, the applicant shall construct an eight-foot wide Class II trail along the site's entire road frontage of Thrift Road.**

**(2) If an open section road is required, the applicant shall provide wide asphalt shoulders along the subject site's entire road frontage of Thrift Road and a financial contribution of $210.00 to the Department of Public Works and Transportation for the placement of one "Share The Road With A Bike" sign. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.**

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

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

**d. Provide trails within and to the proposed public park.**

**e. Provide trail connections from the proposed public park to Roulade Place and Mordente Drive.**

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

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

**h. Provide a connection from Block KK to the internal trial.**

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

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

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

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

"• A proposed bikeway along Thrift Road (SDP-0504).

"• A proposed trail along A-65.

"• A proposed trail from A-65 to the planned parkland in the southern portion of the subject site

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

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

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

"Due to the density of the proposed development (including townhouses and many single-family lots of less than 10,000 square feet), staff recommends the

provision of standard sidewalks along both sides of all internal roads, unless modified by DPW&T. This is reflected on the submitted specific design plans.

"In conformance with the approved Subregion V master plan, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:

"a. Provide an eight-foot-wide asphalt HOA trail from Proposed Public Road J to the main north/south trail that is planned, as indicated on SDP-0514. This connection will provide more direct pedestrian access from this residential neighborhood to the proposed trail network and recreation facilities on the rest of the site.

"b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T. All trails shown on Sheet 1 (cover sheet) of the subject application should be marked and labeled on all 30- and 100-scale sheets in the approved SDP.**"**

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

**16. The applicant shall obtain signature approval of the preliminary plan of subdivision prior to the approval of the specific design plan.**

Comment: The applicant has obtained signature approval of the preliminary plan of subdivision.

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

Comment: Compliance with the above requirement is ensured by a recommended condition below.

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

Comment: Such review has been completed and compliance with the above requirement is ensured by a recommended condition below. The SDP does provide an APA map on the coversheet.

**23. Prior to the approval of the specific design plan within the subject property, the applicant shall submit a revised acceptable traffic signal warrant study to SHA**

**and/or DPW&T for signalization at the intersection of MD 223 and Windbrook Drive 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: Such revised traffic signal warrant study was submitted and found acceptable by the Transportation Planning Section.

**24. Prior to the approval of the specific design plan within the subject property, the applicant shall submit a revised acceptable traffic signal warrant study to SHA and/or DPW&T for signalization at the intersection of MD 223 and 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 specific design plan review that the second eastbound through lane is not needed for adequacy, the requirement may be waived by the Planning Board during approval of the specific design plan.**

Comment: Such revised traffic signal warrant study was submitted and found acceptable by the Transportation Planning Section.

**25. At the time of final plat approval, the applicant shall dedicate right-of-way along Thrift Road of 40 feet from centerline, as shown on the submitted plan.**

Comment: The SDP should be revised to label the centerline of all abutting rights-of-way, including centerline and ultimate right-of-way of Thrift Road. Such revisions are required in the recommended conditions below.

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

Comment: This condition has been included in the recommended conditions below.

**28. The nonstandard typical section shown for secondary public streets within the subject property shall be specifically approved by DPW&T in writing prior to the approval of each specific design plan where applicable.**

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

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

**a. $200,000.00 for the design and engineering of the community center shall be paid prior to the issuance of the 50th building permit.**

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

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

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

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

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

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

Comment: 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 Thrift Road has been reviewed and found deficient. A recommended condition below would ensure that the landscaping plan for the SDP is improved to meet the requirements of the above condition to the satisfaction of the Urban Design Section as designee of the Planning Board.

10. **Zoning Ordinance:** The subject SDP is in general compliance with Section 27-514.08 through Section 27-515, Purposes, Uses, Regulations, Minimum Size Exceptions and Uses Permitted in the R-L (Residential Low) Comprehensive Design Zone. This SDP fulfills the requirement of the R-L Zone for the large lot component of the comprehensive design plan.

11. ***Landscape Manual*:** The project is subject to only certain of the *Landscape Manual* provisions due to its location in a Comprehensive Design Zone. These include Sections 4.1 Residential Requirements and 4.6 Buffering Residential Development from Streets.

Staff has evaluated the submitted landscape plans according to the relevant provisions of the *Landscape Manual* and found the plans to be basically in compliance, but that the appropriate schedules should be added to the plans.

12. **Woodland Conservation Ordinance:** The property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site has

previously approved tree conservation plans. Type I Tree Conservation Plan TCPI/53/04 was approved with Comprehensive Design Plan CDP-0504. A revised Type I Tree Conservation Plan, TCPI/53/04-01, was approved together with Preliminary Plan of Subdivision 4-05050. The approved Type I Tree Conservation Plan, TCPI/53/04-01, requires that all woodland conservation for the project be done on site. Additionally, because this is a comprehensive design zone, no woodland preserved on small lots may be used to meet any requirement of the Woodland Conservation requirement.

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

The relevant submitted Type II Tree Conservation Plan, TCPII/71/06, has been reviewed and was found to require revisions. This phase contains 103.4 acres of the 562.85-acre project. The plan proposes clearing 50.33 acres of the existing woodland, 85.63 acres of upland woodland, clearing .58 acre of the 3.46 acres of woodland within the 100-year floodplain, and no clearing off-site. The threshold for this phase is 25.21 acres, and this phase of the project proposes 24.57 acres of on-site preservation.

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

As noted previously, there are impacts to expanded stream buffers that must be eliminated. All lots must show minimum 40-foot cleared areas behind each structure in order to provide adequate outdoor activity areas. There is a detail showing permanent fencing to be placed along planting areas; however, the location of the fencing is not shown in the legend or on the plans. Because there are significant areas that will need to be planted, the timing of planting these areas is a concern. The planting tables indicate the use of eastern hemlock; however, this species does not survive well in the area because of wooly aphids. On most sheets, the tree protection fences are located only along the boundaries of woodlands that are to be retained as woodland conservation areas; however, the tree protection fences should be located along the proposed limits of disturbance and not between woodlands retained but not part of any requirement and woodlands retained as designated woodland conservation areas.

In their memorandum dated May 24, 2006, the Environmental Planning Section suggested certain revisions to Type II Tree Conservation Plan TCPII/71/06, submitted together with Specific Design Plan SDP-0504, in order to bring the project into compliance with the requirements of the

Woodland Conservation Ordinance. Those suggested revisions have been listed in the recommendations section of this report.

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

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

**Archeological Review—**In comments dated March 20, 2006, the staff archeologist stated that Phase I (Identification) archeological investigations were completed on the above-referenced property, and the draft report (which included Bevard East, West and North) was received on July 13, 2005, and comments were sent to the archeology consultant URS, by Donald Creveling, Archeology Program Manager, M-NCPPC Natural and 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. However, additional work may be required by the Maryland Historical Trust as part of the Section 106 process. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

**Community Planning—**In a memorandum dated Mary 19, 2006, the Community Planning Division stated that the subject application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and that it conforms to the suburban estate and low density planned neighborhood land use recommendations of the 1993 Subregion V approved master plan and SMA.

**Transportation—** In a memorandum dated May 24, 2006, the Transportation Planning Section discussed the transportation-related conditions in the relevant Preliminary Plan of Subdivision 4-05050 approval, namely conditions 21, 22, 23, 24, 25, 26 and 28 and relevant transportation-related conditions in the relevant comprehensive design plan CDP-0504, namely conditions 27 and 29. They found general conformance with all the above conditions with respect to the subject specific design plan.

**Subdivision—**In revised comments dated May 23, 2006, the Subdivision Section stated that the property is the subject of Preliminary Plan 4-05050, approved by the Planning Board on January 19, 2006. The resolution of approval, PGCPB Resolution 06-16(C), was adopted on February 16, 2006. The preliminary plan remains valid until February 16, 2012, or until a final record plat is approved. Further, they stated that the property is subject to the conditions contained in the resolution of approval. That resolution contains 36 conditions. They noted the conditions that related to the review of the subject SDP and added comments they felt appropriate. Salient among these comments were the following. Staff has included each relevant conditions in bold face type below, followed by staff's comment:

**Condition 1g:** Lots 1 and 8, Block LL, to be a minimum of 30,000 square feet, and conformance to Condition 12 of A-9967.

**Comment:** Sheets 1a and 1b are **NOT** legible.

Finding 15 of PGCPB Resolution 06-16(C), File 4-05050 address the large lot component of the site (Phase I) required by Condition 12 of A-9967 as follows:

**12. The applicant shall execute a large lot component located on approximately 118 acres of land, at the southern portion of the site, south of the tributary and north of Thrift Road. Lot size averaging, in accordance with the R-E Zone, shall be utilized per Section 27-423. The lot size shall not be less than 30,000 square feet for lots bordering Thrift Road and adjoining subdivisions as shown on applicant's Exhibit A. All other lots shall be a minimum of 20,000 square feet. The layout shall be determined at the time of the CDP and preliminary plan of subdivision approval.**

**Comment:** The layout of the large lot component at the southern portion of the site appears to fulfill the requirements above; however, the plan appears deficient in a number of areas. First, the cul-de-sac located on the east side of the southern portion does not provide for 30,000-square-foot lot sizes on Lots 1 and 8, Block LL. This should be added as a condition of approval prior to signature approval and should be shown on any future specific design plans.

Conformance to the condition above is contingent on conformance to Section 27-423, which requires the minimum of 50 percent of the lots to be a minimum lot size. Per the condition above, the minimum lot size should be 30,000 square feet, which allowed for a reduction from 40,000 square feet from the R-E Zone. The remaining lots have a 20,000-square-foot lot minimum lot size. In counting the number of lots above 30,000 square feet, it appears that the application depicts a shortage of lot sizes 30,000 square feet or more. This should be added as a condition of approval prior to signature approval and should be shown on any future specific design plans.

The SDP for Phase I should be revised to provide a lot size averaging table (LSA) demonstrating conformance to the minimum requirements.

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

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

**Condition 14.** In conformance with the adopted and approved Subregion V master plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following at the time of specific design plan:

a. The Subregion V master plan designates Thrift Road as a master plan trail/bicycle corridor. Depending on the type of roadway required by the Department of Public Works and Transportation, one of the following shall be provided:

(1) If a closed section road is required, the applicant shall construct an eight-foot wide Class II trail along the site's entire road frontage of Thrift Road.

(2) If an open section road is required, the applicant shall provide wide asphalt shoulders along the subject site's entire road frontage of Thrift Road and a financial contribution of $210.00 to the Department of Public Works and Transportation for the placement of one "Share The Road With A Bike" sign. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.

b. Provide an eight-foot wide asphalt HOA trail from the southernmost cul-de-sac to the proposed trail immediately to the north, in the vicinity of the stormwater management pond.

c. Provide an eight-foot-wide asphalt HOA trail from one of the culs-de-sac west of the mainstream valley to the main north/south trail that is proposed.

d. Provide trails within and leading to the proposed public park.

e. Provide trail connections from the proposed public park to Roulade Place and Mordente Drive.

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

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

h. Provide a connection from Block KK to the internal trial.

**Condition 16**. The applicant shall obtain signature approval of the preliminary plan of subdivision prior to the approval of the specific design plan.

Comment: The applicant has obtained signature approval of the preliminary plan of subdivision.

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

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

Comment: Conditions 19 and 20 are provided for informational purposes. The SDP does provide an APA map on the coversheet.

**Condition 22.** Prior to the approval of the specific design plan within the subject property, the applicant shall submit a revised acceptable traffic signal warrant study to SHA and/or DPW&T for signalization at the intersection of MD 223 and Floral Park Road 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 specific design plan review that certain geometric modifications are not needed for adequacy, the requirement may be waived by the Planning Board during approval of the specific design plan.

**Condition 23**. Prior to the approval of the specific design plan within the subject property, the applicant shall submit a revised acceptable traffic signal warrant study to SHA and/or DPW&T for signalization at the intersection of MD 223 and Windbrook Drive 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.

**Condition 24**. Prior to the approval of the specific design plan within the subject property, the applicant shall submit a revised acceptable traffic signal warrant study to SHA and/or DPW&T for signalization at the intersection of MD 223 and 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 specific design plan review that the second eastbound through lane is not needed for adequacy, the requirement may be waived by the Planning Board during approval of the specific design plan.

**Condition 25.** At the time of final plat approval, the applicant shall dedicate a right-of-way along Thrift Road of 40 feet from centerline, as shown on the submitted plan.

**Condition 26**. At the time of final plat approval, the applicant shall dedicate a right-of-way along MD 223 of 60 feet from centerline, as shown on the submitted plan.

Comment: The SDP should be revised to label the centerline of all abutting rights-of-way demonstrating conformance to the above conditions, including the centerline and ultimate right-of-way of Thrift Road.

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

Comment: Emphasis added.

**Condition 28**. The nonstandard typical section shown for secondary public streets within the subject property shall be specifically approved by DPW&T in writing prior to the approval of each specific design plan where applicable.

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

a. $200,000.00 for the design and engineering of the community center shall be paid prior to the issuance of the 50th building permit.

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

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

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

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

Comment: The SDP should be revised to address both the 65 dBA (mitigated and unmitigated) and the 40-foot-wide scenic easement adjacent to the 10-foot public utility easement.

A finding of the preliminary plan offers the following**:**

"Piscataway Road and Thrift Road are designated scenic roads. Development will have to conform to the Department of Public Works and Transportation publication 'Design Guidelines and Standards for Scenic and Historic Roads.' The preliminary plan provides 40-foot scenic easements adjacent and contiguous to the proposed 10-foot public utility easements along the land to be dedicated for Piscataway Road and Thrift Road. These easements can serve to preserve the scenic nature of these roads. Most of the proposed scenic easements are devoid of trees and significant landscaping will be required. The detailed landscaping will be reviewed concurrently with the specific design plan."

a. Section 27-195 (c)(3) of the Zoning Ordinance, specifically Map Amendment Approval, requires that all building permit plans shall list the condition(s) and shall show how the proposed development complies with them. The SDP does not provide reference to the approved map amendment (A-9967), nor does the plan list the conditions of that approval as required.

b. The "lot size" chart should be revised to include the "large lot component" of Phase I.

c. Add a note stating that development of this property shall conform to A-9967 and CDP-0504.

d. Revise the regulation table to correspond to lot numbers, to allow for the verification of conformance to the percentage maximums (townhouses vs. singles) and standards proposed.

e. Each sheet of the SDP should label the parcel and lot numbers shown on that sheet and provide the acreage including the HOA parcels.

f. The font size should be increased to ensure that site plans that are microfilmed and copied are legible.

g. Remove the "M-NCPPC Approval" box these plans will be affixed with a certificate of approval.

h. Lots 4 and 6 Block EE (Phase 5), the lot size is not legible and has been covered by the placement of the stormdrain on the lots. The stormdrain location should be reviewed carefully and the extent of the required easements located on the SDP. Its location should be shifted to create the least encumbrances on individual lots.

In closing, the Subdivision Review Section stated that these referral comments should be addressed to ensure that the SDP is in substantial conformance to the approved preliminary plan of subdivision.

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

**Permits—**In a memorandum dated March 20, 2006, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or are listed in the recommendation section of this report.

**Public Facilities—**In a memorandum received March 23, 2004, the Historic Preservation and Public Facilities Planning Section stated that the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

**Environmental Planning—** In a memorandum dated May 24, 2006, the Environmental Planning Section offered the following:

a. According to the "Prince George's County Soil Survey," the principal soils on the site are in the Aura, Beltsville, Bibb, Chillum, Croom, Iuka, Matapeake, Rumford, Sassafras and Westphalia soils series; however, portions of the site were mined for sand and gravel after the publication of the "Prince George's County Soil Survey," Marlboro clay is not found to occur in the vicinity of this property. Portions of this site have been mined for sand and gravel as approved by applications SE-1823, SE-3266 and SE-3755. These

gravel pit areas are of concern. Due to the unknown nature of the soils and the limitations associated with these areas, a soils report addressing the soil structure, soil characteristics, and foundation stability was submitted and reviewed. The limits of previous mining are shown on the approved natural resources inventory.

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

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

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

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

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

The Subregion V Master Plan elaborates on page 139:

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

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

Impacts to significant environmental features that are required to be protected by Section 24-130 of the Subdivision Regulations are proposed. The design should avoid any

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

Variation requests with exhibits for 18 impacts were received on January 9, 2005, and reviewed with Preliminary Plan 4-05050. Of the 18 requests, nine were fully approved, seven were approved in part, and one was denied by the Planning Board. The Type I Tree Conservation Plan, TCPI/53/04-01, was revised prior to signature to reflect the Planning Board decision.

The impacts shown on the SDP are not consistent with those that were granted variation request by the Planning Board during the approval of Preliminary Plan 4-0505. On sheet 9 of 14, the trail is shown a separate crossing of the stream valley; however, this impact was specifically denied by the Planning Board during the review of Plan 4-05050 and the trail must be rerouted to cross the stream valley using the same impact that was approved for the sanitary sewer.

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

Recommended Condition: Prior to certification of the specific design plan, the SDP and Type II tree conservation plan shall be revised to eliminate the stream crossing for the trail on sheet 9 and reroute the trail to utilize the crossing approved for the sanitary sewer.

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

c. The property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site has previously approved tree conservation plans. Type I Tree Conservation Plan, TCPI/53/04, was approved with Comprehensive Design Plan CDP-0504. A revised Type I Tree Conservation Plan, TCPI/53/04-01, was approved with Preliminary Plan 4-05050. The approved Type I Tree Conservation Plan, TCPI/53/04-01, requires that all woodland conservation for the project be done on-site. Additionally, because this is a comprehensive design zone, no woodland preserved on small lots may be used to meet any requirement of the Woodland Conservation Ordinance.

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

approved, the overall development will still retain compliance with the Type II TCP because clearing of woodland would be reduced and additional woodland would be retained on-site.

The Type II Tree Conservation Plan, TCPII/75/06, has been reviewed and was found to require revisions. This phase contains 92.97 acres of the 562.85-acre project. The plan proposes clearing 18.24 acres of the existing 58.94 acres of upland woodland, clearing 0.85 acre of the 18.24 acres of woodland within the 100-year floodplain, and no clearing off-site. The clearing on the Wolfe property for the installation of the sanitary sewer main between Phase 1 and Phase 5 is part of the tree conservation plan for that property and does not need to be calculated as off-site clearing.

Because this is a comprehensive design zone and the residential lots are small, no portion of any lot should be encumbered with a restrictive easement. Woodland conservation areas are restrictive because they severely limit the use of the land. In order to avoid multiple changes to the TCPII, the plan at this time should calculate all woodland on lots as cleared, even if they are retained at this time. This would permit a property owner to treat the retained woodlands in any manner they deem appropriate without having to first obtain a revised TCPII or pay a fee-in-lieu.

Overall, the plan fulfills the goals of the Woodland Conservation Ordinance and the Green Infrastructure Plan by providing for the conservation of large contiguous woodlands along the stream valleys. Some technical changes should be made. All required woodland conservation should be provided on-site. As noted previously, clearing for a proposed trail crossing of a stream must be eliminated. Sheets 9 and 10 shown designated woodland conservation areas on small lots; however, such preservation areas are prohibited by TCPI/53/04-01. On most sheets, the proposed limit of disturbance is incomplete. All lots must show minimum 40-foot cleared areas behind each structure in order to provide adequate outdoor activity areas. There is a detail showing permanent fencing to be placed along planting areas; however, the location of the fencing is not shown in the legend or on the plans. Because there are significant areas that will need to be planted, the timing of planting these areas is a concern. The planting tables indicate the use of eastern hemlock; however, this species does not survive well in the area because of wooly aphids. On most sheets, the tree protection fences are located only along the boundaries of woodlands that are to be retained as woodland conservation areas; however, the tree protection fences should be located along the proposed limits of disturbance and not between woodlands retained but not part of any requirement and woodlands retained as designated woodland conservation areas.

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

(1) Eliminate the stream crossing for the trail on sheet 9 and reroute the trail to utilize the crossing approved for the sanitary sewer.

(2) Ensure that all tree protection fences are located only where appropriate.

(3) Show the permanent fencing for planting areas in the legend and on the plans.

(4) Ensure that all limits of disturbance are shown on all sheets.

(5) Remove designated woodland conservation areas from lots.

(6) Provide minimum 40-foot cleared areas at the rear of every structure.

(7) Calculate all woodlands on lots less than 20,000 square feet in area as cleared.

(8) Revise the worksheet as needed.

(9) Add the following note to each sheet of the TCPII that shows reforestation/ afforestation areas:

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

(10) Substitute a suitable evergreen for eastern hemlock in the planting tables.

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

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

The noise model used by the Environmental Planning Section predicts that the unmitigated 65 dBA Ldn noise contour will be about 168 feet from the centerline of Piscataway Road in ten years. Based upon dedication of 60 feet from the centerline of existing Piscataway Road, the predicted 65 dBA Ldn contour is approximately 118 feet from the edge of the proposed right-of-way and clearly not impacting any proposed lot within the development.

Comment: No further action regarding traffic-generated noise is required with regard to this specific design plan.

e. Piscataway Road and Thrift Road are designated scenic roads; however, neither is affected by this portion of the Bevard East project.

Comment: No further action regarding scenic roads is required with regard to this specific design plan.

**Department of Environmental Resources (DER)—**In revised comments dated May 24, 2006, DER stated that the site plan for Bevard East, Phase 1, SDP-0504, is consistent with revised stormwater concept plan #25955-2005.

**Prince George's County Fire/EMS Department—**In a memorandum dated May 10, 2006, the Prince George's County Fire/EMS Department offered information on required access for fire apparatus, private road design, fire lane requirements, and the location and the performance of fire hydrants.

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

- The plan was unacceptable because it does not show the alignment of the proposed A-65 roadway as shown on the master plan.

- Old Fort Road East (A-65) is a proposed arterial roadway with a hiker biker trail and that its extension would be required, together with right-of-way dedication and construction from MD 223 to Thrift Road. Such construction would have to be designed in accordance with DPW&T's standards and specifications for an urban arterial road.

- The proposed development includes access from Thrift Road, MD 223 and Tippett Road. Noting that Thrift Road is a proposed scenic rural two-lane collector, they stated that right-of-way dedication and frontage improvements would be required in accordance with DPW&T's standards for a scenic and historic rural two-lane collector road. They also mentioned that right-of way dedication and roadway improvements would be required along Tippett Road, designed in accordance with DPW&T's standards for its classification as a primary residential road.

- Adequate turnaround would have to be constructed at the end of Roulade Place and Mordente Drive would have to be provided.

- An access study would have to be made by the applicant and reviewed by DPW&T to determine the adequacy of access point(s) and the need for acceleration/deceleration and turning lanes.

- Conformance with street tree and lighting standards would be required.

- Sidewalks would be required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the county Road Ordinance.

- All storm drainage systems and facilities would have to be designed in accordance with DPW&T's and DER's requirements.
- Existing utilities may require relocation and/or adjustments and coordination with the various utility companies.

- A detailed review of subdivision roadways at time of detailed site plan review.

- All improvements within the public right-of-way as dedicated to the county must be signed in accordance with the county Road Ordinance, DPW&T's Specifications and Standards, and the Americans with Disabilities Act.

- Installation of a traffic signal at the intersection of MD 223 and the access road to the subdivision is required, if warranted. If the signal is not currently warranted, a full signal installation fee-in-lieu contribution from the developer for future installation of a signal will be required.

- A soils investigation report that includes subsurface exploration and geotechnical engineering evaluation for Thrift Road, Tippett Road and the proposed subdivision streets is required.

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

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

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

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

**Washington Suburban Sanitary Commission (WSSC)—**In a memorandum dated March 14, 2006, WSSC stated that water and sewer extension would be required, that existing WSSC facilities are located on the site, and that Project #DA4324Z06 is an approved project within the limits of the proposed site. Further, they stated that an amendment revision package would be required along with hydraulic modeling to split the project into parts during the phasing stage and to update the project to show realignment of outfall sewer, additional lots and cul-de-sac or other lot and street layout differences between their original approval and that shown on the subject specific design plan. Also, they noted that the sewer outside the storm drain inlet on page 5 of the submitted plans would have to be realigned. Also, the proposed water and sewer on page 7 would have to be realigned into the proposed street and away from the proposed houses. Lastly, they mentioned that on pages 6 and 14, the applicant would have to maintain 15 feet of clearance from the buildings to the outside diameter of the proposed outfall pipeline.

**Maryland State Highway Administration (SHA)—**In a letter dated March 20, 2006, SHA stated:

- The subject property is located along the east side of MD 233 (Piscataway Road) and the west side of Thrift and Tippett Roads. The State Highway Location Reference identifies MD 223 (Piscataway Road) as a principal arterial state facility with an annual average daily trip (AADT) volume of 16,875 vehicle trips per day. Routes 146 (Tippett) and Thrift Road are local two-lane facilities owned and maintained by Prince George's County.

- Construction of improvements to provide access to Thrift Road requires coordination with the Prince George's County Department of Public Works & Transportation, which may require the applicant to complete the road improvements and open to traffic prior to use and occupancy.

- Improvements associated with ingress/egress must be consistent with the rules and regulations of Prince Georges County and offer appropriate contact information with the appropriate individual at DPW&T.

14. As required by Sec. 27-528 of the Zoning Ordinance, the following findings may be made. Staff has included each required finding in bold face type followed by staff comment:

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

Comment: As detailed in Finding 8 and Finding 11 above, Specific Design Plan SDP-0504 conforms to the requirements of the approved Comprehensive Design Plan, CDP-0504, and the applicable standards of the *Landscape Manual.*

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

Comment: In comments dated May 24, 2006, the Transportation Planning Section stated that the requirements for approval of this plan at this time are met. Therefore, the subject project will not affect the previous finding that the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development. In addition, in comments dated March 27, 2006, the Historic Preservation and Public Facilities Section stated that, with respect to fire and rescue services and police facilities, the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

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

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

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

Comment: In comments dated June 1, 2006, the Environmental Planning Section recommended approval of Tree Conservation Plan II/71/06, subject to conditions. Such conditions have been included in the recommendation section of this report. Therefore, it may be said that the plan is in conformance with an approved tree conservation plan.

**RECOMMENDATION**

Based upon the foregoing evaluation, analysis and findings, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Specific Design Plan SDP-0504 for Bevard East, Phase I, and TCPII/71/06 subject to the following conditions:

1. Prior to signature approval, the following revisions to the plans shall be made:

   a. Provide legible lot sizes, bearings and distances, and all dimensions of site improvements.

   b. The ten-foot-wide public utility easement shall be labeled on all sheets along all public and private rights-of-way, as required by the public utility company.

   c. Demonstrate all floodplain areas on the site plan.

   d. Demonstrate the 25-foot setback from the floodplain on the site plan.

   e. The plans shall provide for additional landscaping around storm water management facilities.

   f. Provide Section 4.1 landscape schedules on the landscape plans.

   g. Add a note stating that development of this property shall conform to A-9967 and CDP-0504.

   h. Each sheet of the SDP shall label the parcel and lot numbers shown on that sheet and provide the acreage including the HOA parcels.

   i. The font size shall be increased to ensure that site plans that are microfilmed and copied are legible.

   j. The "M-NCPPC Approval" box shall be removed from the approval sheet; these plans will be affixed with a certificate of approval.

   k. The approval sheet shall include the conditions of the Basic Plan, A-9967.

   l. The applicant shall have a note added to the plans that when individual lots are sold, the applicant shall disclose to purchasers that Washington Executive Airpark is within one mile, that the subject application is located within Aviation Policy Area 6, and that all structures within that area are limited to 50 feet in height.

   m. Play equipment shall be revised so as to eliminate wood as a construction material. Play equipment substitutions shall be approved by the Urban Design Section as designee of the Planning Board.

   n. The feasibility of installing traffic calming measures and crosswalks at the following locations shall be determined in consultation between the applicant and the appropriate transportation agency, either SHA or DPW&T:

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

      The applicant shall be required to install any traffic calming measures and crosswalks that are deemed to be feasible and appropriate by the operating agencies. The result of

such discussions shall be provided to planning staff in writing, and any required improvements shall be added as a note on any final plat.

o. APA Zone 6 shall be correctly reflected on the subject plans.

p. Sheets 1a and 1b shall be made legible and demonstrate conformance with Condition 1.g. of the preliminary plan, i.e., that Lots 1 and 8, Block LL, measure a minimum of 30,000 square feet.

q. The centerline and ultimate right-of-way of Thrift Road shall be indicated.

r. 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 Thrift Road shall be redesigned and improved. Such redesign shall be approved by the Urban Design Section as designee of the Planning Board.

s. The "lot size" chart shall be revised to include the "large lot component" of Phase 1.

t. The SDP for Phase 1 should be revised to provide a lot size averaging table (LSA) demonstrating conformance to the minimum requirements.

2. Prior to the issuance of any building permits:

a. Each lot should be reviewed to ensure conformance to the development standards established by the approved CDP.

b. The architectural elevations shall be approved by the Planning Board in a separate umbrella architecture specific design plan (SDP-0605).

c. The plans shall be revised to add a tracking chart that demonstrates 60 percent of the units will have brick fronts.

d. Provide a chart to demonstrate the percentage of lot coverage on the site plans.

e. Provide all the setbacks and distances from the dwellings to the property lines.

3. The applicant shall dedicate to M-NCPPC 14± acres of developable land for future parkland at the time of the first final plat of subdivision.

4. The land to be conveyed to M-NCPPC shall be subject to the conditions of Exhibit B attached to CDP-0504.

5. Prior to final plat, the applicant shall obtain signature approval of the specific design plan, signature approval of the basic plan, and signature approval of the comprehensive design plan.

6. Construction drawings for the recreational facilities on public parkland shall be reviewed and approved by the Park Planning and Development staff prior to certificate approval of this specific design plan or SDP-0514 or SDP-0517.

7. Prior to submission of any final plats of subdivision:

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

b. The applicant shall enter into a private RFA with M-NCPPC for the construction of recreation facilities on HOA lands. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.

8. The applicant shall submit to DPR or DRD a performance bond, a letter of credit, or other suitable financial guarantee for the construction of the public and private recreation facilities, as appropriate, in the amount to be determined by DPR or DRD, at least two weeks prior to issuance of grading permits, for either the public or private lands.

9. The recreational facilities on dedicated parkland shall be constructed prior to the issuance of the 50th building permit for the overall site.

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

a. $200,000.00 for the design and engineering of the community center shall be paid prior to the issuance of the 50th building permit.

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

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

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

a. Provide an eight-foot wide asphalt HOA trail from Proposed Public Road J to the main north/south trail that is planned, as indicated on SDP-0514. This connection will provide more direct pedestrian access from this residential neighborhood to the proposed trail network and recreation facilities on the rest of the site.

b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T. All trails shown on Sheet 1 (cover sheet) of the subject application shall be marked and labeled on all 30- and 100-scale sheets in the approved SDP.

12. Prior to signature approval of TCPII/71/06, the applicant shall:

a. Ensure that all tree protection fences are located only where appropriate.

b. Show area #8 on sheet 7 as cleared and revise the worksheet on sheet 2 and table on sheet 1.

c. Account for off-site clearing

d. Revise the worksheet as needed.

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

13. At the time of final plat approval, the applicant shall dedicate a right-of-way along Thrift Road of 40 feet from centerline, to be shown on the subject specific design plan.

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