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## Preliminary Plan 4-04013

Application	General Data
<b>Project Name:</b> BRANDYWINE CROSSING  <b>Location:</b> South side pf Crain Highway, 4,000 feet north of Dyson Road.  <b>Applicant/Address:</b> Chesapeake Custom Homes 6196 Oxon Hill Road, Suite #340 Oxon Hill, MD. 20745	Date Accepted: 02/26/04
	Planning Board Action Limit: 07/14/04
	Plan Acreage: 26.87
	Zone: R-E
	Lots: 22
	Parcel: 2
	Planning Area: 85A
	Tier: Developing
	Council District: 09
	Municipality: N/A
200-Scale Base Map: 216SE09	

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003)
	Sign(s) Posted on Site: 06/02/04

Staff Recommendation		Staff Reviewer: Whitney Chellis	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-04013  
Brandywine Crossing, Lots 1-22, Parcels A and B

OVERVIEW

The subject property is located on Tax Map 135, Grid E-3, as is known as Parcels 34 and 57. The property is located on the southeast side of US 301. The property is zoned R-E and is approximately 26.87 acres. The applicant is proposing to subdivide the property into 22 lots and two parcels. All of the proposed lots meet or exceed the minimum standards for conventional development in the R-E Zone including the minimum lot area of 40,000 square feet. The proposed lots range from 55,408 square feet in size to 40,001 square feet. All of the lots have adequate lot width at the front street line (50 feet) and at the front building line (120 feet).

The required lot width at the front building line on Lot 8 is 100 feet from the front street line. In order to ensure orderly development along Harsh Call Drive, greater than normal front building setbacks should be required for Lots 6 and 7. Because Lot 8 has a narrow front yard, the lot width at the front building line requires a greater setback than the normal 50 feet specified for the zone. If the dwelling on abutting Lot 7 is located at the minimum front building setback (50 feet), the dwelling on Lot 8 would be oriented to the rear of the dwelling on Lot 7, similar to a flag lot effect. This problem cascades to Lot 6. Therefore, staff is recommending additional graduating setbacks on Lots 6 and 7 to ensure that dwellings are located harmoniously to one another.

Open space parcels A and B are to be conveyed to a homeowners association (HOA) and will contain the required facilities for stormwater management. The two stormwater facilities will be visible from the adjoining lots. The stormwater facilities should be evaluated to ensure that they are designed and improved as a visual amenity for the community. Staff is recommending that a limited detailed site plan be approved by the Planning Board or its designee for Parcels A and B.

The Brandywine Motel abuts the southwest property line and vacant land abuts the northeast property line. The applicant has provided adequate lot areas to accommodate the development and the bufferyards required by the *Landscape Manual* with the exception of Lot 1, Block A. The preliminary plan should be revised to combine Lot 1 and Lot 2, Block A (Staff Exhibit A) to provide an adequate usable yard area for development on Lot 1, without overly restricting the use of the lot by the future residence. The preliminary plan submitted by the applicant proposes a smaller dwelling on Lot 1, Block A than indicated on all of the other lots in the subdivision. Staff believes that this is due to the limited yard area.

The applicant is proposing access to US 301 to the north. The preliminary plan provides a stub street along the southwest property line for a possible future connection to the Drula Estates subdivision and Dyson Road to the south, in the event that access to US 301 is eventually restricted, as discussed further in Findings 3 and 6 of this report. US 301 is recommended in the master plan to be improved to a freeway standard (F-10). Section 24-121 of the Subdivision Regulations requires that residential lots abutting a

freeway or higher classification be platted with a minimum lot depth of 300 feet to protect the future residences from possible adverse impacts from the use of the road. The applicant has proposed lots along US 301 that conform to this minimum lot depth requirement, allowing the greatest flexibility in the location dwellings. The applicant has provided the unmitigated 65-dBA line, associated with noise impacts from US 301, on the preliminary plan. The 300-foot lot depth is also provided, and there is adequate usable outdoor living areas for the residence on lots abutting US 301, outside the 65 dBA noise line.

The applicant had previously submitted Preliminary Plan 4-03083 for this property. The County Ten-Year Water and Sewer Plan recommends that development on this site be served by public systems. At the time of application of 4-03083, the property was not in public water and sewer service categories. Therefore, that application was withdrawn and the applicant filed a request to have the property placed in a public system category. Subsequently, the County Ten-Year Water and Sewer Plan, CR-15-2004 for the December 2003 Cycle of Amendments, was adopted by the County Council on March 30, 2004, became effective on April 7, 2004, and changed the water and sewer service category for this property from 5 to 4, which provides for public service.

**SETTING**

The property is located on the southeast side of US 301, three-quarters of a mile north of Dyson Road. The Brandywine Motel is abutting to the southwest on land in the R-E Zone. To the northeast is R-E-zoned land that is generally vacant. To the east and south is residential large lot development in the R-E Zone.

**FINDINGS AND REASONS FOR STAFF RECOMMENDATION**

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-E	R-E
Use(s)	Vacant	Residential
Acreage	26.87	26.87
Lots	0	22
Parcels	2	2
Dwelling Units:		
Detached	0	22

2. **Environmental**—This property is subject to the provisions of the Prince George’s County Woodland Conservation Ordinance because the property is greater than 40,000 square feet gross tract area, there are more than 10,000 square feet of existing woodland, and more than 5,000 square feet of woodland clearing is proposed. A revised Type I Tree Conservation Plan (TCPI/54/03) was submitted on June 9, 2004.

The revised tree conservation plan has been reviewed. The woodland conservation threshold for this site is 6.72 acres plus additional acres due to removal of 16.93 acres of woodland, for a total minimum requirement of 10.95 acres of woodland conservation. The TCPI proposes to meet the requirement with 7.80 acres of on-site preservation and 3.15 acres of off-site mitigation.

In a residential development with large lots and good quality woodlands, the Environmental Planning Section encourages the provision of woodland conservation on site to the greatest extent possible. The TCPI currently proposes providing almost 30 percent of the woodland

conservation requirement off site. The TCPI should be revised to increase and provide a greater percentage of on-site woodland conservation. Any off-site woodland conservation should be provided within the Piscataway Creek subwatershed as the first alternative and within the Potomac River watershed as the second alternative.

There are no streams, nontidal wetlands, or 100-year floodplain located on this property, but an expanded stream buffer associated with the property directly north of this site extends onto the northern portion of the property. The site is fully wooded and the topography is gently sloping toward the unnamed tributary to Piscataway Creek on the adjacent property to the east. No impacts to expanded stream buffer (primary management area) are shown on the revised preliminary plan.

According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this lot. There are no designated scenic and historic roads located adjacent to the property or in the vicinity of the property.

Crain Highway (US 301) is a master-planned freeway (F-10) with a right-of-way of 350 feet. The current traffic volume is 30,850 vehicles per day. The estimated location of the 65 dBA Ldn noise contour based on the Environmental Planning Section noise model is 283 feet from the centerline of US 301 using 10-year traffic projections. The preliminary plan and TCPI have been revised to show the location of the 65-dBA Ldn noise contour. The location of the noise contour does not impact any proposed dwellings or the assumed 40-foot-wide active rear yard.

The Subdivision Ordinance requires a minimum lot depth of 300 feet adjacent to a freeway, which all lots adjacent to Crain Highway (US 301) meet. In addition, the *Landscape Manual* requires a Section 4.6 residential landscape buffer adjacent to a freeway. This buffer, with a minimum width of 75 feet, is required to be placed in a landscape easement at time of final plat. Planting requirements in the Section 4.6 buffer can be met with existing woodlands. The TCPI shows that existing woodlands, which are of good quality, are proposed to be preserved.

The soils found to occur, according to the Prince George’s County Soil Survey, include Aura, Beltsville, Croom, Iuka, and Sassafras. The Aura soils are not hydric, but are highly erodible. Beltsville soils may exhibit impeded drainage and perched water tables, as well as being highly erodible. Croom soils are hydric and highly erodible. Iuka soils are in hydrologic class C, and may experience development limitations with respect to impeded drainage or seasonally high water tables. Sassafras soils are in hydrologic class B and have few development limitations. Although these limitations may affect the construction phase of this development, there are no apparent limitations that would affect the site design or layout if the PMA were respected.

### **Water and Sewer Categories**

The water and sewer service categories are W-4 and S-4 according to CR-15-2004, adopted March 30, 2004.

3. **Community Planning**—The subject property is located within the limits of the 1993 Subregion V Master Plan, Planning Area 85A in the Brandywine Community. The master plan land use recommendation is for suburban estate residential land use at up to one dwelling unit per acre. The 2002 General Plan locates the property in the Developing Tier. One of the visions for the

Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities. The proposed preliminary plan is consistent with the recommendations of the master plan and the General Plan.

The previously submitted application (4-03083) proposed a cul-de-sac subdivision with access only to/from US 301, a controlled access highway that is recommended for improvement to freeway standards. This revised application shows street access to both US 301 and to the property adjoining to the southwest along US 301, thus providing an alternative means of future access when US 301 is upgraded to freeway standards and direct access is prohibited.

Completing the proposed alternative means of access will require future right-of-way dedication or acquisition and involves crossing a number of other properties. Whether there is a design for a frontage road with improvements to US 301 in this area and how the proposed alternative access route from this application would connect to it are unknown.

4. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, all of the lots proposed in the subdivision that exceed one acre (43,560 square feet) are exempt from the requirement of mandatory dedication of parkland. Therefore, three of the 22 lots proposed are exempt; the remaining 19 lots are subject to mandatory dedication of parkland.

For the lots that are subject, Section 24-134 would provide for the dedication of 1.1 acres of land to M-NCPPC for the fulfillment of mandatory dedication of parkland. Because there is no abutting parkland and because the 1.1 acres is not sufficient area for a public park, the Department of Parks and Recreation does not recommend the dedication of land to M-NCPPC for public park purposes. In lieu of the dedication of land the applicant could be required to provide private on-site recreational facilities in the amount of \$24,128. The Department of Parks and Recreation has evaluated the proposed plan and recommends a payment of fee-in-lieu of the mandatory dedication of parkland.

5. **Trails**—There are no master plan trail issues associated with this application
6. **Transportation**—The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The staff did not request traffic counts of this applicant because counts dated March 2004 were provided in connection with another project and available for staff analysis.

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

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

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

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

the appropriate operating agency.

The intersection of US 301 and Dyson Road is determined to be the critical intersection for the subject property. This is the nearest major intersection to the site and would serve a significant portion of the site-generated traffic. The critical intersection is unsignalized, and due to the width of the US 301 median, actually operates as a pair of intersections—one along US 301 northbound and one along US 301 southbound. Recent turning movement counts indicate that the following conditions exist at the critical intersection: AM peak hour, maximum average delay of 776.1 seconds at the northbound intersection and 99.5 seconds at the southbound intersection; PM peak hour, maximum average delay of 51.0 seconds at the northbound intersection and 589.3 seconds at the southbound intersection. The Prince George's County Planning Board has defined an upper limit of 50.0 seconds of delay in any movement as the lowest acceptable operating condition on the transportation system.

There are no funded capital projects at this intersection in either the county's Capital Improvement Program or the state's Consolidated Transportation Program that would affect the critical intersection. An annual growth rate of three percent was assumed for through and background traffic along US 301. The following background traffic conditions were determined: AM peak hour, maximum average delay of 976.5 seconds at the northbound intersection and 231.0 seconds at the southbound intersection; and PM peak hour, maximum average delay of 56.5 seconds at the northbound intersection and 670.2 seconds at the southbound intersection.

The original application was a plan for a residential development of 24 single-family dwelling units. Subsequent to the original application the preliminary plan was revised to 22 units. The analysis was performed on a 24-lot subdivision. The proposed development would generate 18 AM (4 in, 14 out) and 22 PM (14 in, 8 out) peak-hour vehicle trips as determined using the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The site was analyzed using the following trip distribution:

- 15 percent—West along Dyson Road
- 40 percent—South along US 301
- 45 percent—North along US 301

With site traffic, the following operating conditions were determined: AM peak hour, maximum average delay of 1,441.0 seconds at the northbound intersection and 483.8 seconds at the southbound intersection. In the PM peak hour, a maximum average delay of 72.3 seconds at the northbound intersection and 733.1 seconds at the southbound intersection.

In analyzing unsignalized intersections, average vehicle delay for various movements through an intersection is measured in seconds of vehicle delay. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Staff has determined that the minimum delay exceeds 50.0 seconds during both the AM and PM peak hours at the intersection of US 301 and Dyson Road. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency. Therefore, the applicant should provide a traffic signal warrant study and install the signal if it is deemed warranted by the State Highway Administration. The condition is written to allow the applicant to pay a fair share of the cost of the signal if it is warranted, but only in the context of the remainder of the funding being available from other

private or government sources. This identical condition was approved by the Planning Board for the Tayman Property, Preliminary Plan of Subdivision 4-03130.

The proposed residential lots would receive access via a new primary street onto US 301. US 301 is classified as a freeway facility on the Subregion V master plan. Any access must have SHA approval. The preliminary plan for the resubdivision of Drula Estates (4-03023) to the southwest provided a new street stubbing to Parcels 32 and 72 to the west of this site. The subject plan shows a stub street to the southwest that could eventually serve as an alternate access to Dyson Road in the event that access to US 301 is closed or denied in the future. As noted previously, US 301 is a master plan freeway with a proposed right-of-way of 350 feet. The plan reflects adequate right-of-way of 175 feet from centerline.

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions.

7. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following:

Finding

**Impact on Affected Public School Clusters**

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	24 sfd	24 sfd	24 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	5.76	1.44	2.88
Actual Enrollment	4096	4689	8654
Completion Enrollment	180.48	86.22	158.07
Cumulative Enrollment	100.56	25.38	50.76
Total Enrollment	4382.80	4802.04	8865.71
State Rated Capacity	4214	5114	7752
Percent Capacity	104.01	93.90	114.37

Source: Prince George's County Planning Department, M-NCPPC, December 2003

These figures were correct on the day the referral memorandum was written. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers that will be shown in the resolution will be the ones that will apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of: \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

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

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

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue facilities and concluded the following:
  - a. The existing fire engine service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road, has a service travel time of 5.25 minutes, which is within the 5.25-minute travel time guideline for Block A, Lots 1-2, and Block B, Lots 1-5, 8-13, 19-22. All other lots are beyond.
  - b. The existing ambulance service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road, has a service travel time of 5.32 minutes, which is within the 6.25-minute travel time guideline.
  - c. The existing paramedic service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road, has a service travel time of 5.32 minutes, which is within the 7.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

These findings are in conformance with the *Approved Public Safety Master Plan (1990)* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department requires that all residential structures be fully sprinklered in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws. Since this is a matter of existing law, no condition is necessary.

9. **Police Facilities**—The proposed development is within the service area for Police District V-Clinton. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
10. **Health Department**—The Health Department has no comment.
11. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 4182-2004-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.

Staff has concerns with the proximity of the two-stormwater management facilities to the east property line and the dwelling on Lot 10. The applicant has proposed a significant amount of grading on Lot 10 to accommodate the stormwater facility on Parcel A. In addition, the grading and outfall locations for both the facilities, on Parcel A and B, are in close proximity to the east property line. The original preliminary plan proposed outfalls from these facilities off-site on the abutting property to the east. Staff requested that the plan be revised to accommodate the necessary improvements for the development of this property on site. Although the preliminary plan has been revised to relocate the outfalls on site, assurances should be required that off-site outfalls will not be necessary. Staff recommends that the approval of the technical stormwater management plan occur prior to the approval of the final plat. Alterations to the lot layout could result if on-site outfalls cannot be accommodated with the proposed lot configuration.

12. **Limited Detailed Site Plan**—The applicant has proposed two stormwater management facilities. The facility on Parcel A is located near the end of a cul-de-sac in a highly visible location from adjoining lots. That facility is located in close proximity to the building envelope on Lot 10. The facility on Parcel B will be visible from the majority of the dwellings at the end of the southernmost cul-de-sac. Both facilities are in close proximity to the abutting properties to the east. Because of this, staff recommends that a limited detailed site plan be approved prior to the approval of the final plat. Review of the LDSP should include evaluation of the approved technical stormwater management plan as discussed in Finding 11 above.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
  - a. To relabel the “reservation” as dedication along the property’s frontage with MD 301.
  - b. To establish a front building setback on Lot 7 at 70 feet from the front street line and a front building setback on Lot 6 at 90 feet from the front street line.
  - c. To revise the plan in accordance with staff Exhibit A, revising the preliminary plan to 21 lots.
2. Prior to the issuance of permits, a Type II tree conservation plan shall be approved.
3. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan, # 4182-2004-00 or revision thereto.
4. Prior to the approval of the final plat of subdivision, the applicant will obtain approval from the Department of Environmental Resources (DER) of the technical stormwater management plan. Adjustments to the lot layout may occur to accommodate these facilities and the necessary outfalls on site.
5. Prior to the approval of the final plat of subdivision, a limited detailed site plan shall be approved by the Planning Board or its designee for the stormwater management facilities on Parcels A and B. Review shall include but not be limited to additional requirements for landscaping and ornamental fencing to ensure pleasing views of these facilities from adjoining lots and

neighboring properties.

6. The record plat of subdivision shall establish a front building setback on Lot 7 at 70 feet from the front street line and a front building setback on Lot 6 at 90 feet from the front street line.
7. Prior to building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.
8. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 1.53± acres of cluster open space land (Parcels A and B). Land to be conveyed shall be subject the following:
  - a. Conveyance shall take place prior to the issuance of building permits.
  - b. A copy of the unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
  - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
  - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
  - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures; tree removal, temporary or permanent stormwater management facilities, utility placement and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
  - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
  - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
  - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
10. Prior to signature approval of the Type I TCP, the woodland conservation worksheet shall be revised as follows:
  - a. Provide for the woodland conservation requirements on-site to the greatest extent possible.

- b. Add a table itemizing the area of existing woodland, woodland cleared, WCA preservation, WCA afforestation, WCA reforestation, and woodland saved not counted, for each lot;
  - c. Add a note regarding the presence or absence of rare, threatened, or endangered species on the site; and
  - d. Have the revised plan signed and dated by the qualified professional who prepared the plan.
11. Any off-site woodland mitigation shall be located in the Piscataway Creek subwatershed as the first alternative and in the Potomac River watershed as the second alternative.
  12. The following note shall be placed on the final plat of subdivision:
 

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/54/03), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”
  13. Prior to the approval of a TCPII for the subject property, any adjacent tree conservation plans that are impacted by the development of this site shall be revised to reflect impacts necessary for required utilities.
  14. Technical stormwater management plans for the subject property shall not include impacts to the adjacent off-site woodland mitigation bank (TCPII/08/01).
  15. At time of final plat, the area that includes the delineated “expanded stream buffer” shall be described by bearings and distances and shall be placed a conservation easement. The following note shall be placed on the plat:
 

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
  16. At time of final plat, the 75-foot-wide landscape easement adjacent to US 301 shall be delineated and the following note shall be placed on the plat:
 

“The landscape easement delineated on this plan, required by Section 4.6 of the Prince George’s County *Landscape Manual*, is an area where the installation of structures and/or the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches or trunks in allowed.”
  17. Prior to the issuance of any building permits within the subject property, the applicant shall conduct a traffic signal warrant study at the intersection of US 301 and Dyson Road. The performance of a new study may be waived by SHA in writing if SHA determines that an acceptable recent study has been conducted. If a traffic signal is deemed warranted by SHA, the

applicant shall bond a pro-rata share of the cost of the signal, provided that full funding for the signal, through any combination of public funding and funding by other private parties, is available, and provided that an equitable arrangement can be coordinated with SHA. Otherwise, the applicant shall bond the full cost of the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. The applicant will be responsible for any additional pavement markings and signage at the intersections.

18. US 301 is a master plan freeway with a proposed right-of-way of 350 feet. The plan reflects adequate right-of-way of 175 feet from centerline. At the time of final plat approval, the applicant shall dedicate right-of-way along US 301 as shown on the submitted plan.
19. Prior to approval of the final plat of subdivision, the applicant, his heirs, successors and/or assignees shall pay a fee-in-lieu of parkland dedication.

STAFF RECOMMENDS APPROVAL OF TREE CONSERVATION PLAN TCPI/54/03.