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CONCEPTUAL SITE PLAN CSP-05002A

Rezone Property to the M-U-I Zone

Application	General Data
Project Name: Addison Road South, Phase I Location: West side of Addison Road and Rollins Avenue; south of Central Avenue, approximately 2,500 feet south of its intersection with Central Avenue. Applicant/Address: Addison Road South, LLC C/o Elm Street Development 175 Admiral Cochrane Drive, Suite 204 Annapolis, MD 21401	Date Accepted: 07/07/2005
	Planning Board Action Limit: 10/17/2005
	Plan Acreage: 33.04
	Zone: R-55, D-D-O
	Dwelling Units: 107
	Square Footage: NA
	Planning Area: 75A
	Tier: Developed
	Council District: 07
	Municipality: NA
200-Scale Base Map: 201SE06	

Purpose of Application	Notice Dates
Applicant requests zoning change from the R-55 to the M-U-I Zone for the development of a mixed-use development.	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003) 5/12/2005
	Sign(s) Posted on Site and Notice of Hearing Mailed: 8/9/05

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

August 23, 2005

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Susan Lareuse, Planner Coordinator, Urban Design Section

SUBJECT: Conceptual Site Plan, CSP-05002A
Addison Road South, Phase I

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

EVALUATION

The conceptual site plan was reviewed and evaluated for conformance with the following criteria:

- a. Conformance to the requirements of the Addison Road Metro Town Center Development District Standards, October 2000.
- b. The requirements of the Zoning Ordinance for development in the Development District Overlay Zone.
- c. The Site Design Guidelines per Section 27-274.
- d. Referrals.

FINDINGS

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

1. **Request:** The application is a request to rezone the property from the R-55 zone to the M-U-I zone. The proposal consists of 83 single-family attached, 16 single-family detached homes and 8 live/work units. The conceptual site plan approval is required by the sector plan.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-55	M-U-I
Use(s)	Vacant	Single-family attached Single Family detached Live/work units
Acreage	17.13 acres	17.13 acres
Lots	0	107
Square Footage/GFA	0	199,200–237,900 SF residential 4,000–7,200 SF commercial
Total Dwelling Units:	0	107
Single family detached	0	16
Single family attached	0	83
Live/work units	0	8

3. **Location:** The subject property is located on the west side of Addison Road, approximately 2,500 feet south of its intersection with Central Avenue (MD 214).
4. **Surroundings:** To the north of the subject property is an existing structure owned by Prince George’s County and used for social services; the eastern edge of the property has frontage on Addison Road; to the south of the property is a vacant parcel of land Zoned R-55; and to the west of the property is R-55-zoned property which was recently approved as detailed site plan DSP-04082 for Brighton Place.

Required Findings:

5. Section 27-548.26 of the Zoning Ordinance states the following:
- (b) Property Owner.**
- (1) A property owner may request that the District Council amend development requirements for the owner's property, as follows:**
- (B) An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.**

The applicant is asking for a change in the underlying zone from the R-55 Zone to the M-U-I Zone.

- (2) The owner's application shall include:**
- (A) A statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan; and**

The applicant has provided a justification statement, which is attached to the staff report.

(B) A site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.

The applicant has filed a conceptual site plan in order to request the rezoning of the subject property, in accordance with Section 27-270, Order of Approvals, which requires the rezoning of property prior to the review of a preliminary plan of subdivision.

- (3) Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application, and the Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.**

The Planning Board hearing for this case is the evidentiary hearing and the Planning Board will make a recommendation to be forwarded to the District Council on this case.

- (4) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan, and meets applicable site plan requirements.**

The plan conforms with the purposes and recommendations for the approved Addison Road Metro town center and vicinity sector plan. That plan focuses on the Metro station as the core of the sector plan. The town center concept was approved for the area as a focal point for the community. The form of the development for the area is a broad mix of uses arranged in a compact development. The area immediately surrounding the town center is suitable for medium density housing; the future residents will provide a market to support revitalization of the existing commercial activities. The town center proposal was selected by the Addison Road community after an evaluation of several alternative development scenarios for the Metro core: suburban shopping area, town center, and major metropolitan center (see pages 26 and 27 of the approved sector plan and sectional map amendment).

The subject property is located within the Addison South Subarea. This subarea is recommended to be developed at medium suburban and low-urban densities. Table 6, Land Use Quantities for Town Center Subareas, identifies Subarea 4–Addison South as a total of 78.2 acres of land broken down into the following land use types:

Residential/Single-family detached (approx. 113 DU)	25.1
Residential/Single-family attached (approx. 62 DU)	9.4 acres
Institutional	10.0 acre
Park	2.0 acres
Open space (steep slopes and floodplain)	15.2 acres
Right-of-way	16.5 acres

The quantities above were based on approximate acreages of land. This application is the second residential development to be proposed within Addison South. The first application was approved by the Planning Board for the development of Brighton Place, DSP-04082, which consisted of 29

acres of land. That project included 68 single-family detached units and 60 single-family attached units. This application proposes the following breakdown of units on approximately 17 acres of land and will result in the following total number of units for the Addison South Subarea:

Addison Road South Phase I	Brighton Place	Total
83 Single-family attached units	60	143
8 Live/Work units	0	8
16 Single-family Detached units	68	84

(5) If a Conceptual Site Plan is approved with an application, the owner may not obtain permits without an approved Detailed Site Plan.

The applicant is required to submit a detailed site plan (DSP) for approval prior to the approval of final plats and the issuance of any permits, per Section 27-270, unless the staff finds that the approval of the DSP will not affect the final plats. However, the staff recommends that a condition be placed on this project so that the DSP is required to be approved prior to the approval of final plats for this development.

The sector plan requires that a conceptual site plan be approved by the Planning Board in accordance with Part 3, Division 9, of the Zoning Ordinance. The conceptual site plan submitted has been reviewed in accordance with those provisions and it was found that the plan represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

6. The applicant intends to develop the property with new urbanism techniques by providing pedestrian-friendly grid-pattern streets, traditional parallel on-street parking with the majority of the resident parking behind the buildings accessed by alleys, and a small village square. This is consistent with the vision of the sector plan.
7. The conceptual site plan identifies roadway widths and construction details for the development of the project. To a certain extent, this information is valuable in determining conformance to the sector plan. However, this issue should be addressed with the review of the preliminary plan and the detailed site plan, where the level of construction drawings for the development can be reviewed. Therefore, the staff recommends that the plans be revised to eliminate the detail sheet included with the conceptual site plan package. The hierarchy of the road systems should be addressed by the preliminary plan and the construction detailing should be reviewed at the time of the detailed site plan.
8. **Amendment of Approved Development District Overlay Zone.**

The applicant has filed a request to change the underlying zone for a portion of the property from R-55 to M-U-I, pursuant to Section 27-548.26(b) in the Development District Overlay Zone section of the Zoning Ordinance. The owner of the property may request changes to the underlying zone in conjunction with the review of a conceptual site plan. Pursuant to Section 27-548.26(b)(3), the Planning Board is required to hold a public hearing on the application and make a recommendation to the District Council. Only the District Council may approve a request to change the underlying zone of a property.

Under Section 27-546.16 of the Zoning Ordinance for approval of the Mixed-Use Infill (M-U-I) Zone on a property, the owner is required to show that the proposed rezoning and development will be compatible with existing or approved future development on adjacent properties. Staff has concluded, based on the applicant's proposal, that the rezoning and the proposed development are compatible with adjacent properties, including the recently approved Brighton Place DSP-04082, particularly where the site backs up to that property. The applicant has shown the use of single-family detached units, albeit smaller lot sizes, backing up to the single-family detached units on Brighton Place, creating a transition area between the traditional single-family detached units on Brighton Place to the townhouse units within the majority of the subject Addison Road South property. The property to the north is owned by Prince George's County and may be converted to a community-oriented use in the future, which would enhance the relationship between the subject property and the property to the north. The southern portion of the subject site is a naturalized area with stormwater management ponds that are adjacent to a narrow parcel of land zoned R-55. The property to the south might be developed in the future with a single-family home. The stormwater management pond area and the retention of trees in that area are deemed compatible to a single-family detached unit.

Under Section 27-548.26(b)(5), the District Council is required to find "that the proposed development conforms with the purposes and recommendations for the Development District as stated in the Master Plan, Master Plan Amendment or Sector Plan, and meets applicable site plan requirements." Conformance to the applicable site plan requirements is being demonstrated in a general sense at this time, e.g., the grid-patterned road network and the location and mix of uses on the site. At the time of detailed site plan the staff will review the exact plan layout and will be able to provide a detailed site analysis in the recommendation to the Planning Board and the District Council. The applicant's justification for the zoning change is attached to this staff report.

Staff is in agreement with the applicant's justification to rezone the property to the M-U-I Zone and concludes that the proposed development conforms with the purposes and recommendations for the development district as stated in the sector plan and will meet the applicable site plan requirements prior to the approval of a detailed site plan.

In rezoning the property to the M-U-I Zone, staff also recommends that some of the uses that are typically allowed in the zone be restricted. In accordance with Section 27-546.17(a)(2), use restrictions can be imposed at the time of rezoning. If use restrictions are imposed, the District Council is required to follow the conditional zoning procedure in Part 3, Division 2, Section 27-157 (b)(1), which states:

- (1) When it approves a Zoning Map Amendment, the District Council may impose reasonable requirements and safeguards (in the form of conditions) which the Council finds are necessary to either:**
 - (A) Protect surrounding properties from adverse effects which might accrue from the Zoning Map Amendment; or**
 - (B) Further enhance the coordinated, harmonious, and systematic development of the Regional District.**

Uses have been restricted in other D-D-O Zones that have been approved in the county, including the recently approved rezoning to the M-U-I Zone for the Springhill Lake site. In this case, the staff recommends that the uses be limited to the uses as listed on the conceptual site plan, single-

family and work/live units. The commercial area of the live/work units should be limited to commercial retail and offices only.

Section 27-546.18, Regulations, sets forth the requirements for development in the M-U-I Zone. The following is the applicable section:

- (b) Where an owner proposes a mix of residential and commercial uses on a single lot or parcel in the M-U-I Zone, the site plan as approved shall set out the regulations to be followed. The approved regulations may reduce parking requirements by thirty percent (30%), where evidence shows that proposed parking will be adequate, notwithstanding provisions in Part 11.**

The exact development regulations will be set at the time of the detailed site plan review since this proposal is for a mixed-use development. The mix of uses includes the single-family detached, the single-family attached, and the live/work units. The regulations allow for flexibility at the time of detailed site plan in regard to, setbacks, size, height, lot size, density, and other dimensional requirements in the M-U-I Zone.

Referrals:

9. The Transportation Planning Section has reviewed the conceptual site plan and provided the comments below.

The M-U-I Zone is implemented through the sector plan and sectional map amendment for the Addison Road Metro (ARM) town center and vicinity. The purpose of the conceptual site plan in this process is to request the M-U-I Zone and to allow review of the preliminary site plan for conformance with concepts in the sector plan. As such, the adequacy of transportation facilities is not an issue in the review of the conceptual site plan. Adequacy findings and off-site transportation conditions will be considered as a part of a preliminary plan of subdivision. A traffic study has been provided, and it will be reviewed as a part of the preliminary plan review. For purposes of establishing a record and gaining general concurrence with the scope of this study, the scope of the study and its recommendations will be highlighted herein, but these elements will not form a basis for the transportation staff's recommendation.

The ARM plan was recommended as a strategy for creating a transit-oriented town center in the area of the Addison Road Metrorail Station. From the standpoint of transportation, that plan includes several primary elements:

- a. Continued endorsement of the longstanding planned roadway facilities to serve the town center: MD 214, Addison Road, and Brooks Drive/Rollins Avenue Extended as arterial facilities, MD 332 (Old Central Avenue) as a collector facility, and Rollins Avenue as a primary facility.
- b. Use of a modified grid pattern within the town center to connect proposed uses to the above facilities.
- c. Establishment of two intersecting commercial main streets, with a north-south one extending southbound from Addison Plaza and MD 214 just west of Yolanda Avenue, and an east-west one extending westbound from Addison Road at the Metrorail station entrance.

The subject plan takes a significant step toward the realization of the ARM plan, but with a few changes. Adequate dedication is shown along Rollins Avenue. A modified grid pattern is effectively used. Another adjacent site known as Brighton Place (subdivision 4-04011 and DSP-04082) included the future north-south main street.

During review of the subject plan, it was determined that the Brooks Drive/Rollins Avenue Extended facility would incur great difficulty in obtaining the needed environmental permits for a stream crossing in the area separating the two properties that encompass this site. Discussions with the county Department of Public Works and Transportation (DPW&T) indicated that they did not believe that this crossing was essential to the development of the site. After lengthy discussions, it was determined that the north-south main street should become the new extension of Brooks Drive rather than routing this north-south roadway into a three-way intersection with Brooks Drive onto environmentally critical areas. By doing this, the Brooks Drive facility could be downgraded to a primary-type facility to the south of the subject property. In response, the Brighton Place site plan has been modified so that the north-south street can connect to the Brooks Drive primary facility shown on the subject plan. It was a change that was deemed to have little net impact on adjacent properties for the following reasons:

- a. The point at which the master plan right-of-way leaves the subject property was moved slightly east on the adjacent property to the south, away from existing development and away from the flat, open area along Rollins Avenue where additional development could be placed.
- b. The right-of-way has been reduced from 120 feet to 60 feet, reflecting the change in function of this roadway. This reduces the direct right-of-way needed for the roadway as well as setbacks and lot depth requirements along it.

Additionally, the plan reflects a grid pattern on the portion of the site adjacent to Addison Road and extends key east-west connections from the Brighton Place property. Therefore, it is determined that the plan is in general conformance with the sector plan.

Traffic Impact Study

The traffic study for this site examines the site impact at five intersections; these intersections are listed below:

- MD 214 and Addison Road (signalized)
- MD 332 and Rollins Avenue (unsignalized)
- Walker Mill Road and Rollins Avenue (signalized)
- Walker Mill Road and Addison Road (signalized)
- MD 458 and Walker Mill Road (signalized)

The traffic counts were completed in April 2004; the counts were less than one year in age at the time of submittal of study and were accepted. The area of background development includes 19 approved developments.

The traffic study assumes development of 199 townhouses (live-work units are analyzed using traditional townhouse trip rates). The proposal would generate 139 AM and 159 PM peak-hour vehicle trips. Under total traffic, the MD 214/Addison Road, MD 332/Rollins Avenue, and Walker Mill Road/Addison Road intersections are shown to operate unacceptably, and the applicant has proffered improvements that would provide LOS E in both peak hours.

This synopsis of the traffic study is provided solely for purposes of establishing a record and allowing comment upon the scope of this study as a part of this process. As the preliminary plan application is being advanced concurrently, this study will be the traffic study of record for the preliminary plan as well. It is generally acceptable to staff for review.

In consideration of these findings, the Transportation Planning Section determines that the plan conforms to the required findings for approval of the conceptual site plan from the standpoint of transportation.

10. The Historic Preservation and Public Facilities Planning Section has reviewed the conceptual site plan for adequacy of public facilities and concluded the following that is provided for informational purposes only. Conceptual site plans are not required to demonstrate that adequate public facilities exist. The proposed residential development that includes work/live units requires a zoning change from R-55 to M-U-I.

Fire and Rescue

Fire and paramedic services are provided by Seat Pleasant Company 8, Engine, Ambulance and Ladder truck services are provided by Company 5-Capitol Heights. All these facilities are within response time standards.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

Police Facilities

The proposed development is within the service area for Police District III-Palmer Park. The Planning Board's current test for police adequacy is based on a standard complement of officers. As of January 2, 2005, the county has 1,302 sworn officers and 43 student officers in the academy for a total of 1,345 personnel, which is within the standard of 1,278 officers. This police facility will adequately serve the population generated by the proposed residential development.

11. In a memorandum dated August 3, 2005 (Metzger to Lareuse), the Environmental Planning Section offered the following comments:

The Environmental Planning Section recommends approval of Conceptual Site Plan CSP-05002 and TCPI/15/05 subject to the environmental conditions at the end of the memorandum.

Background

The Environmental Planning Section has no records of previous applications for this property, except that a preliminary plan of subdivision is concurrently being reviewed. This property is located within the approved sector plan area for the Addison Road Metro town center.

Site Description

This 33.04-acre property in the R-55/D-D-O Zone is located between Addison Road and Rollins Avenue, south of Central Avenue and north of Walker Mill Road. The site is characterized by terrain sloping toward the northeast and southwest and drains into unnamed tributaries of the

Cabin Branch and the Anacostia River watershed in the Anacostia River basin. A review of the available information indicates that there are streams, 100-year floodplain, wetlands, highly erodible soils, and areas of severe and steep slopes on the site. There are no Marlboro clays found to occur on the site. Addison Road and Rollins Avenue are collector roadways and generally not regulated for noise. The primary soil types found to occur on the subject property according to the Prince George's County Soils Survey are Collington series, Galestown and Westphalia. These soil series generally exhibit slight to moderate limitations to development when found on steep slopes. Based on the information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled, "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads adjacent to this property. This property is located in the Developed Tier as delineated on the adopted General Plan.

Addison Road Metro Town Center and Vicinity Sector Plan Requirements

The subject property is located within Subarea 4 of the sector plan. There are no specific environmental requirements or design standards that require review for conformance.

Environmental Review

- a. An approved Natural Resources Inventory (NRI/002/05) dated March 31, 2005, was submitted with the original review package dated May 20, 2005. It was noted that the signed NRI plan inadvertently named the expanded stream buffer a primary management area (PMA). Because the site is located in the Anacostia watershed, the plan should show the required expanded stream buffers. This discrepancy has been reconciled and corrected. The revised Natural Resources Inventory (NRI/002/05-01) dated July 14, 2005, has been submitted for the record. The TCPI and the preliminary plan show all the required information correctly.

Comment: No revisions are required for conformance to the NRI.

- b. This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. For the purposes of this review, these areas include all of the expanded stream buffer and any isolated sensitive environmental features. The expanded stream buffer is correctly shown on the conceptual site plan and the Type I TCP. The impacts proposed to these areas are addressed with the preliminary plan.

Comment: No further information is required at this time with regard to regulated buffer areas.

- c. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract is in excess of 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The Type I tree conservation plan (TCPI/15/05) has been reviewed and was found to conform with the requirements of the Woodland Conservation Ordinance.

The current zone is R-R, which has a Woodland Conservation Threshold of 20 percent. The requested zoning is M-U-I, which is listed as a zone in the Woodland Conservation with a WCT of 15 percent. The TCPI worksheet correctly calculates the WCT at 20 percent because the character of the development is more like a residential use than a commercial use.

The minimum woodland conservation requirement for the site is 6.22 acres of the net tract. An additional 9.10 acres are required due to the removal of woodlands on-site, for a total woodland conservation requirement of 15.32 acres. The plan shows the requirement being met with 2.09 acres of on-site preservation and 13.23 acres of off-site mitigation at a location to be determined later.

Recommended Condition: The woodland conservation threshold for this site shall remain at 20 percent. Prior to certificate approval of the CSP, the worksheet on the TCP shall be revised to reflect the M-U-I zoning and the following note shall be added beneath it: “ Per a condition of the Planning Board, the WCT for this site is 20 percent.”

Recommended Condition: Development of this conceptual site plan shall be in compliance with an approved Type I tree conservation plan (TCPI/15/05). 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/15/05), 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.”

- d. A Stormwater Management Concept Approval Letter (10853-2005-00) dated April 7, 2005, was submitted with the subject application. Requirements for stormwater management will be met through subsequent reviews by the Department of Environmental Resources.

Comment: No further information is required at this time with regard to stormwater management.

- e. Grading or filling of streams and nontidal wetlands requires the permission of the appropriate state and/or federal agencies.

Recommended Condition: Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

- 12. In a memorandum dated, August 1, 2005 (Bienenfeld to Wagner), the Historic Preservation and Public Facilities Planning Section has indicated that Phase I (Identification) archeological investigations are recommended for the subject property. The residences of J.E. Berry, Jr., and Albert B. Berry were located just north and northeast, respectively, of the subject parcel, as shown on the 1861 Martenet map (they are no longer standing). The Berrys were large landholders in the antebellum period. Also, a portion of Cabin Branch runs in the southeast corner of the property. Prehistoric archeological sites have been found in similar environmental settings.

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994) and report preparation should follow MHT guidelines and the *American Antiquity* or *Society of Historical Archaeology* style guide. Archeological excavations shall be

spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.

13. The application was sent to the following surrounding municipalities for review: Capitol Heights and Seat Pleasant. As of the writing of this report, no responses have been received.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE CSP-05002 and TCPI/15/05. Staff further recommends that the Planning Board recommend APPROVAL to the District Council of an amendment to change the underlying zone from R-55 to M-U-I, with the following conditions.

1. Detailed site plan approval is required prior to approval of final plat.
2. At the time of detailed site plan, the following issues shall be addressed:
 - a. The plans shall identify the location and width of all streets, including private streets, alleys, and drive aisles.
3. The Woodland Conservation Threshold for this site shall remain at 20 percent. Prior to certificate approval of the CSP, the worksheet on the TCP shall be revised to reflect the M-U-I zoning and the following note shall be added beneath it:

Per a condition of the Planning Board, the WCT for this site is 20%.

4. Development of this conceptual site plan shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/15/05). 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/15/05), 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.
5. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
6. Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archaeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archaeological literature) for those lands determined to be subject. Archeological excavations shall be spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.
7. Prior to approval of a detailed site plan, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance

and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland (Schaffer and Cole: 1994)* and must be presented in a report following the same guidelines. Report editorial style shall follow the *American Antiquity* or *Society of Historical Archaeology* style guide.