



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

DETAILED SITE PLAN

DSP-04008

Application	General Data
Project Name: BOND MILL STATION Location: EAST OF BOND MILL ROAD, SOUTH OF INTERSECTION WITH BROOKLYN BRIDGE ROAD Applicant/Address: BOND MILL, LLC 2900 LINDEN LANE, SUITE 200 SILVER SPRING, MD 20910	Date Accepted: 2/28/05
	Planning Board Action Limit: 5/9/05
	Plan Acreage: 20.75
	Zone: R-R
	Dwelling Units: 28
	Square Footage: NA
	Planning Area: 62
	Tier: DEVELOPING
	Council District: 01
	Municipality: NA
200-Scale Base Map: 221NE06	

Purpose of Application	Notice Dates
Request for approval of 28 lots and 26 single-family detached units in a cluster development.	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003) 1/14/2005
	Sign(s) Posted on Site and Notice of Hearing Mailed: 04/06/05

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

April 27, 2005

MEMORANDUM

TO: Prince George's County Planning Board
VIA: Steve Adams, Urban Design Supervisor
FROM: Susan Lareuse, Planner Coordinator
SUBJECT: Detailed Site Plan DSP-04008
Bond Mill Station

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 below.

EVALUATION

This detailed site plan was reviewed and evaluated for compliance with the following criteria:

- a. Preliminary Plan 4-03013.
- b. The requirements of Section 24-137, Cluster Subdivisions, of the Subdivision Ordinance.
- c. The requirements of Section 27-428, Rural Residential, of the Zoning Ordinance.
- d. The requirements of the *Landscape Manual*.
- e. Referrals.

FINDINGS

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

1. **Request:** The subject detailed site plan proposes 28 lots, on which 26 new single-family detached units are proposed, and two existing homes will remain on two of the newly created lots. This application includes the site/grading, landscape, and architectural plans for the subdivision. The applicant is proposing the following architectural models by NV Homes and Greencastle Homes for the subdivision:

Greencastle Homes:

Model	Square Feet
Sopia	4,143
Elizabeth	3,468

NV Homes:

Model	Square Feet
Clifton Park	4,433
Monticello	4,923
Wynterhall	3,723
Carters Grove	3,490
Potomac	3,122
Remington	3,082
Kingsmill	3,313

The proposed models range in size in minimum finished living area from 3,122 square feet to 4,923 square feet. The architectural design of the units contributes to the overall superior quality of architecture proposed for this development.

2. Development Summary

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Single-family residential	Single-family residential
Acreage	20.91	20.91
Lots	0	28
Parcels	0	2
Square Footage/GFA	NA	NA

The additional development statistics for the subdivision are as follows:

Gross Tract Area	20.91 acres
Area Within 100-Year Floodplain	1.92 acres
Area With Slopes Greater Than 25%	0.27 acres
Net Tract Area	19.02 acres
Number of Lots Permitted	39
Number of Lots Proposed	28
Minimum Lot Size Permitted	10,000 sq. ft.
Minimum Lot Size Proposed	To be determined
Cluster Open Space Required	3.83 acres
2/3 required open space to be outside 100-yr. Floodplain & SWM	2.55 acres
Cluster Open Space proposed outside of 100-yr. Floodplain & SWM	4.92 acres
Cluster Open Space provided	7.33 acres

Mandatory Dedication required	1.1 acres
Mandatory Dedication proposed	Fee-in-Lieu acres
Total Open-space Required (Cluster + Mandatory dedication)	4.93 acres
Total Open Space Proposed	7.33 acres
Open Space to be dedicated to HOA	7.33 acres
Open Space to be dedicated to M-NCPPC	0.0 acres
Open Space to be dedicated to Prince George's County	0.0 Ac.
Slopes exceeding 25% in grade	0.27 acres
25% of Steep slopes	0.068 acres
Area of steep slopes to be disturbed	0.0 acres
Area of Nontidal Wetlands & Waters of the U.S.	0.39 acres

3. **Location:** The subject site is located in Planning Area 62. The site has frontage on Bond Mill Road and Brooklyn Bridge Road. The property does not have frontage at the intersection of these two streets. The entrance to the subdivision is across from McCahill Drive on Bond Mill Road and the second entrance is on Brooklyn Bridge Road approximately 900 feet from its intersection with Bond Mill Road.
4. **Surroundings and Uses:** The property is surrounded by single-family detached residences. Lands to the northeast are undeveloped and owned by the WSSC.
5. **Previous Approvals:** A preliminary subdivision plan, 4-03013, was approved for the subject property, known as Bond Mill Station, on January 29, 2004, as stated in PGCPB Resolution No. 04-02, for 30 lots and 3 parcels. Detailed Site Plan DSP-04008 is being submitted in fulfillment of the detailed site plan requirement for all cluster developments and to satisfy Condition 7 of the preliminary plan, which requires detailed site plan approval prior to final plat of subdivision.
6. **Design Features:** The plan deviates from the layout of lots as shown on the preliminary plan. The authority to make these changes is found in Section 24-137(h): "An approved preliminary plat for cluster development may be amended upon petition by the applicant for the subdivision or by a subsequent owner prior to final plat approval." In general, the Development Review Division policy has been that some modifications, as long as they are minor, are not adverse to conditions of approval, and do not include any increase in density, may be proposed by the applicant prior to final plat approval through the detailed site plan process.

The plan proposes one entrance into the project from Bond Mill Road and one entrance from Brooklyn Bridge Road; both existing roads are collector status roadways. The entrance from Bond Mill Road will serve 20 units. The entrance from Brooklyn Bridge Road will serve only four units. Two new units and one existing unit will have direct vehicular access to Bond Mill Road, and one existing unit will have direct vehicular access to Brooklyn Bridge Road.

7. The following conditions of the preliminary plan are applicable to the subject detailed site plan:

7. A Detailed Site Plan shall be approved prior to the approval of the final plat.

Comment: This application satisfies the condition above.

8. In addition to typical review, the detailed site plan shall examine the following:

a. Site distance problems along Bond Mill Road.

Comment: Charles P. Johnson & Associates prepared a site distance evaluation for each of the existing road frontages and found that the sight distance at the intersection of the entrance on Bond Mill Road to the right is 350 feet and to the left is unlimited. This demonstrates that there is adequate sight distance for the entrance as proposed along Bond Mill Road for the posted speed of 30 miles per hour.

b. Compatibility with surrounding uses, with particular attention to proposed Lot 30.

Comment: The detailed site plan is now 28 lots rather than 30 lots, and the lot referenced above is shown on the site plan as Lot 28. A fence has been added along the property line of Lot 28. Staff recommends additional landscaping along the property line adjacent to the Stiles subdivision.

c. The possibility of providing access to the property to the east from proposed Road "C."

Comment: In memo dated January 10, 2005, the applicant states the following:

"The detailed site plan includes a 15-foot access easement across HOA Parcel B from Road 'C' to Lot 2 of the Stiles Addition Subdivision. The terms of this easement are outlined in the attached letter of understanding (Eshelman to Cook, 11/12/04)."

Staff has not determined why the letter was written to Cook when the adjacent property owners are Michael and Joan Bell.

8. The proposal is subject to the requirements of Section 4.1 (Residential Requirements), Section 4.6 (Buffering Residential Development From Streets) and Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual*. The proposed landscaping complies with the requirements of the *Landscape Manual*.

Referral Comments

9. The Permits Review Section (Linkins to Lareuse, March 23, 2005) has requested minor changes relating to setbacks, entrance feature signage, and recreational facilities. Conditions of approval have been added as appropriate to address the issues.
10. The Transportation Planning Section (Masog to Lareuse, March 14, 2005) has stated that Condition 8 regarding sight distance has been addressed by the plans.
11. The Department of Environmental Resources (Nicol to Lareuse, dated March 16, 2005) has stated that the proposed site plan is consistent with the approved stormwater management concept #33343-2003.
12. The Department of Parks and Recreation (Asan to Lareuse, dated March 2, 2005) had no comment on the proposal.

13. The Historic Preservation Section (Bienenfeld to Lareuse, March 15, 2005) has stated that the applicant for the subject property should complete a Phase I archeology investigation. The proposed development is near the site of the residence of J.A. Turner, as shown on the 1861 Martenet map, and slaves may be buried on this property. The Phase I investigation should include probes to test the possible unmarked graves. The Phase I archeological investigation 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 20-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report. Staff has included a condition of approval in the recommendation section of this report.
14. The Environmental Planning Section (Shirley to Lareuse, dated April 26, 2005) has stated that The Environmental Planning Section has reviewed DSP-04008 and TCPII/62/05 for the above referenced property. The Environmental Planning Section recommends approval of DSP-04008 and TCPII/62/05, subject to conditions.

The Environmental Planning Section has previously reviewed Preliminary Plan of Subdivision 4-03103 and the Type I Tree Conservation Plan, TCPI/67/03, for the subject property. The Planning Board approved Preliminary Plan 4-03103 on January 8, 2004, subject to eight conditions. The Board's action is found in Planning Board Resolution No. 04-02. Detailed Site Plan DSP-04008 is for a cluster subdivision.

The site is located on the east side of Bond Mill Road and the south side of Brooklyn Bridge Road. The property is zoned R-R and contains 20.75 acres. Based on 2000 air photos, the site is mostly wooded; there are areas of 100-year floodplain, a stream, nontidal wetlands, steep and severe slopes, and a total of six soil types. The soil types include Aura and Croom Gravelly loams, Chillium Silt Loam, Cordourus Silt Loam, and three types of Manor Loam. All of these soil types are characteristic of high to moderate erodibility. Based on available information, Marlboro clays are not located on this site. The site is in the Walker Mill watershed of the Patuxent River basin. According to the Maryland Department of Natural Resources, Natural Heritage Program staff, there are no rare, threatened or endangered species in vicinity of this site. There are no significant noise generators or scenic or historic roads in vicinity of the site. The property is in the Subregion I master plan area and the Developing Tier of the 2002 General Plan.

The approval of the preliminary plan of subdivision included eight conditions, two of which dealt with environmental issues that were to be addressed during subsequent plan reviews. The two environmental conditions to be addressed during the review of the detailed site plan are provided below.

3. Development of the site shall be in conformance with the approved Stormwater Management Concept Plan, Concept 33343-2003-00, or any revisions thereto.

A copy of the stormwater management concept approval letter has been submitted. A copy of the stormwater management concept plan was submitted at the time of final review of Preliminary Plan 4-03103. The concept approval letter contains conditions of approval that require the development design to incorporate grass swales, rooftop disconnect, infiltration basins, and infiltration drywells. Landscape plans are required to buffer infiltration basins. TCPI/67/03 shows the proposed locations of drywells on each lot. The TCPII does not show the locations of any proposed drywells on any of the lots. The TCPII and its related woodland conservation treatment areas must be reviewed in relation to the proposed locations of drywells, and all the drywells must be shown on the TCPII.

See the Environmental Review section of this memorandum for more information as to the required revisions to the TCPII.

Recommended Condition: Development of the subject property shall be in conformance with the limits of disturbance shown on the approved TCPII. All stormwater management controls must be designed to be within the area shown to be disturbed.

7. A Detailed Site Plan shall be approved prior to the approval of the final plat.

Submittal of the subject DSP included a Type II Tree Conservation Plan, TCPII/62/05, to address this condition. The TCPII has been reviewed and requires revisions. See detailed comments in the environmental review section of this memorandum.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each sheet shall be used to describe what revisions were made, when and by whom.

- a. A revised detailed forest stand delineation (FSD) was submitted with Preliminary Plan 4-03103 on December 15, 2003, and was found to generally address the requirements of the Woodland Conservation Ordinance.

Discussion: No further information regarding the Detailed FSD is required.

- b. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the site has a previously approved Tree Conservation Plan, TCPI/67/03. The approval of Preliminary Plan 4-03103 did not include a standard condition stipulating the development of this subdivision shall be in conformance with the approved Type I tree conservation plan.

The current TCPII as submitted has been reviewed and requires revisions. The site contains 13.78 acres of existing woodland, of which 1.89 acres are within the 100-year floodplain. The site has a woodland conservation threshold (WCT) of 20 percent, or 3.80 acres. The site has a woodland conservation requirement of 6.05 acres based on 8.83 acres of proposed clearing. The TCPII proposes to meet the woodland conservation requirement through the preservation of 3.98 acres of existing on-site woodland, 0.16 acre of on-site reforestation, and 1.91 acres of off-site mitigation on another property. The current worksheet shows a discrepancy in the floodplain acreage totaling a one-hundredth of an acre difference in two references. Revise the worksheet to reflect the accurate amount of existing floodplain associated with the site to the closest one-hundredth of an acre.

Several aspects regarding existing site features need clarification on the plan. There are a total of four specimen trees located at the site, and the plan includes a specimen tree table that is incorrectly labeled on the plan. Two specimen trees are proposed to remain on the site at post development. The specimen tree table does not contain a column with information regarding the current condition of each specimen tree. The TCPI shows the site has areas of steep and severe slopes (steep slopes 15-25 percent in grade with highly erodible soils and severe slopes at greater than 25 percent in grade, respectively); however, the current TCPII does not show the locations of either of these features.

Thirteen aspects regarding woodland conservation information on a TCPII is either missing from the plan or need further revision for purposes of clarity. Standard TCPII Note 5 addressing proposed off-site mitigation is not on the plan. Optional TCPII Note 6 is partially provided on the plan. The first sentence of this note is not shown; it refers to the proposed phasing of development and the installation of tree protection devices (TPDs) based on the proposed phases of the development. Optional Note 7 is partially complete because the second sentence of this note is missing. This sentence specifies that required signage associated with woodland conservation areas “shall remain in place.” Note 9 is missing the phrase at the end of the sentence. This phrase refers to “and M-NCPPC Environmental Planning Section.” Note 10 is incomplete because it must identify the business name of the person(s) responsible for the proposed reforestation, including his/her business address and daytime telephone number.

Change the “Tree Save” label in the legend and the corresponding symbol on the plan to “woodland not counted toward requirements.” Change the “Select Clear” label in the legend and the corresponding symbol on the plan to “woodland counted as cleared.”

Not all of the proposed woodland conservation treatment areas are clearly shown on the plan with corresponding hatching or shading symbols in the legend. For example, on proposed Lot 23 on Sheet 3 [and on the east side of proposed Lot 28 on Sheet 5] there are tree save areas (woodland retained but not part of the requirements). These woodland conservation areas do not have a corresponding symbol in the legend for these proposed treatments. There are several areas of proposed woodland conservation treatments for tree preservation shown on the plan with a solid dark shaded symbol; however, the legend shows these areas with a graphic symbol that is not completely solid/shaded. The symbol in the legend for proposed on-site reforestation is shown as a series of diagonal lines; however, on the plan this woodland conservation treatment area symbol is shown with crosshatched lines. On Sheets 3 and 5 of the TCPII, there are proposed “selective clearing” areas on Lots 1-3 and 5 and Lot 24, respectively; however, there is no corresponding symbol in the legend or on the plan for this woodland conservation treatment. Three proposed woodland conservation treatment areas are not identified on the plan to the closest one-hundredth of an acre. See the proposed “selective clearing” on Lots 1-3 of Sheet 3 and on Lot 24 of Sheet 5, respectively, and the tree save area (woodland retained but not part of the requirements) on proposed Lot 23 of Sheet 3. Because there are several types of proposed woodland conservation treatment areas on the current TCPII, for purposes of clarity provide a table for each of the types of treatment areas to include an itemizing of these areas with corresponding lettered and numbered locators (for example, S-1, P-1 and the selective clearing areas) and totals. On Parcel B of Sheet 4 there is an existing sewer line shown in a proposed woodland conservation area (S-1). The easement area associated with this utility is incorrectly shown on the plan as counting toward the site’s woodland conservation requirements. Also on Sheet 4 there is a proposed sewer line easement between Lot 7 and Parcel B that continues to the east side of proposed Lot 28 on Sheet 5. This easement area is not labeled for the intended utility. In addition, the approved TCPI shows the proposed locations of drywells in the rear yards of each lot. The TCPII does not show the proposed locations of any drywells. This is in conflict with the site’s concept plan approval letter with conditions that stipulate the use of dry wells are part of the site’s overall stormwater management controls.

The plan does not have a sign detail for woodland preservation. Several locations of proposed woodland conservation protection signage need to be revised. On Sheet 3, where selective clearing is proposed on Lots 1-3, the tree protection signage is shown on the outer edge of this woodland treatment area. These signs should be relocated to the new outer edge along the proposed woodland conservation area at the common property line of Parcel A and these lots. Also on Sheet 3 along the rear property lines of Lots 5, 10 and 11, provide one additional tree

protection sign on each lot to meet the required spacing of this signage in relation to proposed woodland conservation areas. On Sheet 4, in relation to two proposed woodland conservation areas (at 0.35 and 2.01 acres, respectively), and two sewer line easements, provide additional tree protection signage around these two woodland conservation treatment areas at the required spacing.

There are several proposed features on the plan that are not clearly labeled, are missing from the plan, or are in need of clarification. The proposed limits of disturbance symbol in the legend is too generic and indistinguishable from other symbols on the plan. Add the acronym LOD as part of the symbol to make it a distinguishable symbol on the plan. Also, the LOD on the current plan has areas of gaps in it or where the LOD is not located and it should be shown. There appears to be a proposed retaining wall on Lots 9 and 10 of Sheet 3; however, the legend does not contain a corresponding symbol and this feature is not identified as such on the plan. The retaining wall is located in front of a woodland conservation treatment area, and depending on the height of the retaining wall, it may be higher than the proposed woodland conservation signage for proposed areas behind the wall. If this is the situation, the woodland conservation signage may not be visible. The plan contains a combined detail for tree protection/sediment control devices; however, there is no separate symbol in the legend for sediment control devices.

Because there are areas of woodland conservation treatments for selective clearing on the current plan, additional information must be shown as to the circumstances of the clearing (the purpose of the clearing, i.e., the removal of invasive species such as bamboo or other nonnative species). For example, the plan must stipulate how the trees/areas designated for selective clearing will be marked in the field prior to the clearing. Also, there must be information on the plan that details the tools and equipment to be used for the selective clearing and what the selective clearing will remove (species and the total number of trees, etc.). The plan should address which trees will remain following completion of selective clearing. Indicate on the plan the tree protection devices in relation to areas of existing woodland that will be used following the selective clearing.

One area of proposed reforestation (0.16 acre) is shown on the plan on Sheet 3. Detailed information about the reforestation includes site preparation, tree protection, and maintenance to the reforestation area. However, the plan does not contain specific details about the reforestation, such as a plant schedule, and the contractor's name and business address. A note on the reforestation plan states the contractor's name will be provided prior to the issuance of any permits. These two aspects of the reforestation must be shown on the TCPII prior to its approval. The reforestation plan information incorrectly refers to the Oak Creek Club community. In addition, the reforestation area does not show the proposed location of a tree protection/reforestation fence detail on the plan in relation to the reforestation area with a corresponding symbol in the legend.

After all these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

Recommended Condition: Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/67/03). The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to the restrictions shown on the approved Type I Tree Conservation Plan (TCPI/67/03), or as modified by the Type II Tree Conservation Plan, and precludes any disturbances 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.”

Recommended Condition: Prior to certificate approval of DSP-04008, TCPII/62/05 shall be revised as stated in Condition 3 of the recommendation section of this report.

- c. The site has Patuxent River primary management areas (PMA) associated with it. Two impacts to the PMA were approved in Preliminary Plan 4-03103 for the extension of and connections for sanitary sewer lines. These disturbances were necessary in order to provide for the sewer service for the community. The current TCPII shows the preservation of the PMA and appears to be generally consistent with the approved limits of disturbance on the TCPI with the exception of where there are gaps in the limits of disturbance as discussed earlier in the environmental review section of this memo. A third PMA impact is now proposed on the current TCPII for another sanitary sewer line connection. No information about the third PMA impact was included in the DSP submittal. There has been a redesign of the site’s lot layout shown on the TCPII when compared to the TCPI. The current design has one main cul-de-sac street stemming from Bond Mill Road and an internal cul-de-sac stemming off of it. A third cul-de-sac street is located off of Brooklyn Bridge Drive. The design at the preliminary plan review had three separate cul-de-sacs, two of which stemmed off of Bond Mill Road and the third as was originally proposed. The redesign may have necessitated the third sewer line connection for purposes of adequate gravity flow. In addition, the approval of Preliminary Plan 4-03103 did not include a standard condition regarding the PMA to be shown as preserved in a conservation easement on the final plat.

Recommended Condition: At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River primary management areas, except for the three areas of impact, and shall be reviewed by the Environmental Planning Section prior to certificate approval. 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 permitted.”

- d. The PMA includes areas identified as Waters of the U.S. The impacts to the PMA are to portions of the Waters of the U.S. Impacts to these areas are regulated by state and federal jurisdictions, prior to the issuance of county permits. Therefore, prior to the issuance of any county permits, the applicant shall demonstrate that the necessary state or federal permits for these impacts have been obtained.

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

15. The Community Planning Division (Bond to Lareuse, dated April 15, 2005) has stated that the plan is consistent with the general plan and the 1990 master plan for Subregion I.

16. The Urban Design Section finds the road and lot layout to be improved from the original design of the preliminary plan because the combining of the two entrances on Bond Mill Road into one creates a more cohesive neighborhood. The relationship to adjoining properties is also improved because of a bufferyard incorporated into the edge of the project adjacent to the Stiles subdivision to the east. However, the staff recommends the incorporation of additional landscaping along the same edge to improve the buffering of the entrance drive that serves four lots. Additional landscaping is recommended around the stormwater management ponds, also located along the eastern property line.

Another concern of the staff is the lack of recreational facilities on the site. The preliminary plan found that a fee-in-lieu was appropriate to fulfill the requirements of Subtitle 24 for mandatory land dedication. The staff believes that the incorporation of a tot-lot into the development is appropriate. The applicant has mentioned the idea of providing access via sidewalks within the public right-of-way to a nearby public park; however, at the time the staff report was written, insufficient information had been submitted to judge the feasibility and adequacy of this alternative. Therefore, based on previous Planning Board policy of providing at least one activity for children within a development of this size, the staff recommends the addition of a tot-lot, in accordance with the Parks and Recreation Facilities Guidelines, and trails as necessary to provide access to the majority of the units to the facility. The incorporation of a tot-lot into the project should be such that it is centrally located. The loss of a lot to incorporate the tot-lot may be difficult to avoid, considering the current layout of the site plan.

The staff also recommends conditions relating to the architectural elevations. To ensure the high quality of the development the staff recommends that a minimum of 60 percent of the units should have brick fronts. Also the plans should be revised to clearly indicate the wrapping of brick around projections that occur on the front elevation. Any future revisions to the plans should not include a model that reduces the minimum finished living area below 2,600 square feet

17. With the proposed conditions, Detailed Site Plan DSP-02053 represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
18. The plan is consistent with the approved conceptual site plan

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 SP-04008 and TCPII/62/05 subject to the following conditions:

1. Development of the subject property shall be in conformance with the limits of disturbance shown on the approved TCPII. All stormwater management controls shall be designed to be within the area shown to be disturbed.
2. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/67/03). The following note shall be placed on the final plat of subdivision:

“Development is subject to the restrictions shown on the approved Type I Tree Conservation Plan (TCPI/67/03), or as modified by the Type II Tree Conservation Plan, and precludes any disturbances 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.”

3. Prior to certificate approval of DSP-04008, TCPII/62/05 shall be revised as follows:
 - a. Reflect the accurate amount of existing floodplain associated with the site to the closest one-hundredth of an acre in the worksheet.
 - b. Relabel the “Individual Tree Preservation and Stress Reduction Measures” table to read “Specimen Tree” table.
 - c. Provide a separate column to the Specimen Tree table regarding the current condition of each tree.
 - d. Show the locations of areas of steep and severe slopes (steep slopes 15-25 percent in grade with highly erodible soils and severe slopes at greater than 25 percent in grade).
 - e. Provide Standard TCPII Note 5 to address the proposed off-site mitigation.
 - f. Provide the first sentence of optional TCPII Note 6 regarding the installation of tree protection devices (TPDs) based on the proposed phases of the development.
 - g. Provide the second sentence of optional Note 7 that specifies “required signage associated with woodland conservation areas shall remain in place.”
 - h. In TCPII Note 9, provide the phrase at the end of the sentence that refers to “and M-NCPPC Environmental Planning Section.”
 - i. In TCPII Note 10, identify the name of the contractor responsible for the proposed reforestation, including his/her business address and daytime telephone number.
 - j. Change in the legend and the corresponding symbol on the plan the “Tree Save” label to “Woodland not counted toward requirements” and the “Select Clear” label to “Woodland counted as cleared.”
 - k. Provide a corresponding symbol in the legend for proposed woodland conservation treatments on Lot 23 of Sheet 3 and on Lot 28 of Sheet 5.
 - l. Provide separate and corresponding symbols for woodland conservation treatment areas that currently have conflicting symbols in the legend and on the plan.
 - m. Provide a separate symbol in the legend and on the plan for the areas of selective clearing.
 - n. Identify all of the proposed woodland conservation treatment areas to the closest one-hundredth of an acre.
 - o. Provide a table for the types of woodland conservation treatment areas and identify each area with a letter and number locator.

- p. In Parcel B of Sheet 4, correctly show the existing sewer line as outside of the proposed woodland conservation area (S-1) and revise the worksheet so the easement area does not count toward the site's woodland conservation requirements.
- q. On Sheet 4, label the intended utility easement for the proposed sewer line between Lot 7 and Parcel B.
- r. Show the proposed locations of all the drywells consistent with the site's concept stormwater management plan approval letter.
- s. Provide the tree preservation sign detail.
- t. On Sheet 3, in relation to Lots 1-3, relocate the tree protection signage to the new outer edge of the proposed woodland conservation area at the common property line of Parcel A and these lots.
- u. On Sheet 3, along the rear property lines of Lots 5, 10 and 11, provide one additional tree protection sign on each lot at the required spacing.
- v. On Sheet 3, remove the tree protection fencing and signage in relation to Lots 12-14 and 22.
- w. On Sheet 4, in relation to two proposed woodland conservation areas (0.35 and 2.01 acres), provide additional tree protection signage along these edges at the required spacing.
- x. On Sheet 5, in relation to Lots 25-27, relocate the tree protection fencing and signage from these lots to the outer edge of Parcel B.
- y. On Sheet 5, in relation to the proposed tree save area (not part of the site's requirements), remove the tree protection fencing from the edges of this woodland treatment area.
- z. Provide a revised limits-of-disturbance symbol in the legend and on the plan with the acronym LOD as part of the symbol to make it distinguishable.
- aa. Show the LOD so that there are no gaps in it where these are not to be located at the site.
- bb. Provide a symbol in the legend for the proposed retaining wall and an elevation detail for the wall that shows the proposed height of it.
- cc. Show the proposed locations of all sediment control devices as a separate symbol in the legend and on the plan.
- dd. Provide additional information about the proposed selective clearing including the purpose of this activity, how the areas will be marked in the field prior to the clearing, the number of trees to be removed, and the species and how existing woodland along the edges of the clearing areas will be protected and posted.
- ee. Indicate the tools and equipment to be used in the selective clearing process.
- ff. Remove the note in the reforestation plan that states the contractor's name and business information will be provided prior to the issuance of any permits.

- gg. Remove the reference to the Oak Creek Club community in the reforestation plan information.
 - hh. Show the proposed location of the tree protection/reforestation fencing in relation to the reforestation area.
 - ii. After all these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.
4. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River primary management areas, except for the three areas of impact, and shall be reviewed by the Environmental Planning Section prior to certificate approval. 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 permitted.”
5. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
6. Prior to certification of the detailed site plan, the site/grading and landscaping shall be revised to show the following:
- a. The side yard setback shall be revised to indicate 8/17-foot side yard setbacks.
 - b. The landscape plan shall be revised to incorporate additional landscaping along the eastern property line adjacent to the Stiles subdivision to provide additional buffering and additional landscaping around the stormwater management pond.
 - b. The plans shall be revised to incorporate a centrally located tot-lot and trails as necessary to provide access to the majority of the units to the facility, in accordance with the Parks and Recreation Facilities Guidelines. If no other workable alternative can be devised, one lot shall be removed to accommodate the tot-lot.
7. Prior to the issuance of any grading permits, a Phase I archeological investigation shall be completed and evidence of M-NCPPC staff concurrence with the investigations and/or report shall be provided.
- a. If it is determined that archeological resources exist in the project area, the applicant shall provide a plan for:
 - (1) Evaluating the resource at the Phase II level.
 - (2) If necessary, conducting Phase III investigations by avoiding and preserving the resource in place or mitigating through Phase III recovery.

- b. The investigation should follow the standards and guidelines in the Maryland Historical Trust's *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994). Archeological excavations shall be spaced along a regular 20-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report. The report should follow report and editorial standards in *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994), and the *American Antiquity* or *Society for Historical Archaeology* style guide, and cite whether a submittal is a draft report or final report on the cover and inside cover page of the document, along with the relevant development case numbers.
8. Prior to signature approval of the architectural elevations, the plans shall be revised as follows:
- a. A minimum of 60 percent of the units shall have brick fronts.
 - b. The plans shall be revised to clearly indicate the wrapping of brick around projections that occur on the front elevation.
 - c. Any future revisions to the plans shall not include a model that reduces the minimum finished living area below 2,600 square feet