



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

Preliminary Plan 4-05103

Application	General Data
Project Name: DISTEL PROPERTY Location: Located approximately 2,000 feet west of Suitland Road at the end of Lori Street, Karen Street, and Maria Avenue Applicant/Address: Gudeman, Steve 1211 Maiden Choice Lane Baltimore, MD. 21229	Date Accepted: 11/7/05
	Planning Board Action Limit: 01/31/06
	Plan Acreage: 8.13
	Zone: R-80
	Lots: 18
	Outlot: 1
	Planning Area: 76A
	Tier: Developed
	Council District: 09
	Municipality: N/A
200-Scale Base Map: 206SE06	

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: 09/21/05 (CB-58-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 12/27/05

Staff Recommendation		Staff Reviewer: Ivy R. Thompson	
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 4-05103
Distel Property, Lots 1-18.

OVERVIEW

The subject property is located on Tax Map 83, in Grid B-3 and is composed of two parcels, Parcels 136 and 137. It consists of approximately 8.13 acres of land in the R-80 Zone and has an irregular shape. Five streets stub either completely (Donna, Karen, Lori and Offut) or partially (Frank) into the property. The applicant is proposing to subdivide the parcel into 18 lots. The 18 lots will be situated around three cul-de-sac endings to Donna (five lots), Karen (seven lots), and Lori (six lots). A stormwater management pond will be located at the end of Offut Drive. No development is contemplated with access from Frank Street. The original application proposed 22 lots, but four lots were removed at the request of staff so that additional woodland preservation could be achieved.

SETTING

The subject property is located at the stub end of Donna Street, Karen Street, Lori Street, and Offut Drive off of Maria Avenue in Suitland. The neighborhood consists mainly of single-family houses, but a WMATA rail yard facility is located directly adjacent to the property and the neighborhood on the west side. The property is undeveloped and has approximately 7.92 acres of woodlands.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	PROPOSED
Zone	R-80	R-80
Use(s)	Vacant	Residential (single family)
Acreage	8.13	8.13
Lots	0	18
Parcels	2	0
Dwelling Units:		
Detached	0	18
Public Safety Mitigation Fee		Yes

2. **Environmental**— The Environmental Planning Section has reviewed the above referenced preliminary plan of subdivision stamped as received on December 29, 2005. The Environmental Planning Section recommends approval of Preliminary Plan 4-05103 and TCPI/45/05 subject to three recommended conditions in this memorandum. This memo supercedes all previous memoranda from this section.

Background

The Environmental Planning Section previously reviewed the subject application as a Pre-Preliminary Plan of Subdivision (P-05018).

Site Description

The subject property is located approximately 2,000 feet west of Suitland Road at the end of Karen Street and Maria Avenue. The site is characterized with terrain sloping toward the western portion of the parcel into a stream and drains into unnamed tributaries of the Henson Creek watershed of the Potomac River Basin. A review of the available information indicates that streams, nontidal wetlands, wetland buffer, 100-year floodplain, severe slopes, or areas of steep slopes with highly erodible soils occur on this property. There are no transportation-related noise impacts associated with the site. The soils found to occur according to the Prince George's County Soil Survey include Sassafras series, Gravel Pit/ Man made, and Bibb. These soil series generally exhibit slight to moderate limitation to development due to perched water table, impeded and poor drainage, flood hazard, steep slope and high erosion potential. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, rare, threatened, or endangered species are not found to occur in the vicinity of this property. No designated scenic or historic road is located along the frontage of this property. This property is located in the Henson Creek watershed of the Potomac River Basin and in the Developed Tier as reflected in the adopted General Plan.

Environmental Review

The preliminary plan application has a signed natural resources inventory (NRI/68/05) dated August 25, 2005, that was included with the application package. The preliminary plan and TCPI show all the required information correctly; however, the NRI states that the site area is 8.13 acres and the TCPI and preliminary plan state the acreage is 8.53.

The forest stand on-site is described in the forest stand delineation text as follows:

Stand F-1

This 6.24-acre stand is predominately mixed oaks with sweetgum and black cherry over an understory of oaks, sweetgum, and cherry. Other species scattered throughout the stand are yellow poplar and beech. The poplar and beech are more common on moist, well-drained slopes and the gum and cherry on moist, slow draining levels. However, gum and cherry are found throughout the stand. Dominant and co-dominant trees are 20 inches in diameter at breast height (DBH) to 30 inches DBH. Wooded plants from 3 feet to 20 feet in height include the three dominant/ predominant hardwoods and honeysuckle, poison ivy, greenbrier, and Virginia creeper. Total basal area (BA) ranges from 90 to 120. Herbs are not common, accounting for only about 20 percent to 40 percent of the forest floor area and are predominately ferns. Exotic/invasive honeysuckle covers an estimated 10 percent to 20 percent of the forest floor. There are an average of 20 dead standing trees greater than 6 inch DBH per acre in this stand.

Stand F-2

This stand is 1.68 acres of primarily early successional stage (“pioneer”) species of hardwoods. The hardwoods are predominantly black cherry, locust, and sweetgum. Other species include elm, black walnut, and a few red maple. Virginia pine are scattered throughout this stand. Dominant and co-dominant trees of all species are in the 12-inch to 20-inch DBH class. Common woody plants in the 3-foot to 20-foot height zone include cherry, locust, sweet gum, multiflora rose, honeysuckle, Virginia creeper, poison ivy, and briars. BA ranges from 70 to 80. Herbs are rare. Exotic/invasive plants are honeysuckle and multiflora rose, and cover an estimated 80 percent to 100 percent of the forest floor.

The Countywide Green infrastructure Plan shows that the site contains a Regulated Area to the west, a substantial portion of Evaluation Area to the east of the Regulated Area, and Gap Areas to the north and south of the Evaluation Area. Because of its inclusion in the Green Infrastructure Plan Network and because the FSD confirms the presence of high quality woodlands, the woodland conservation method for this site should include a substantial portion of on-site woodland preservation, along and adjacent to the Regulated Area shown on the NRI.

To date the NRI has not been revised as required. The revised tree conservation plan shows a substantial portion of the site preserved adjacent to the Regulated Area and the woodland conservation threshold is being met on-site. Prior to signature approval of the preliminary plan, the natural resources inventory or the other plans in the application shall be revised to reflect the correct acreage of the site.

This property is subject to the provisions of the Prince George’s County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. A Type I tree conservation plan was submitted with the original application, which has since been revised to meet the woodland conservation threshold on-site. There are a few technical revisions that remain.

The Woodland Conservation Threshold for the site is 1.61 acres. The plan now shows the threshold acreage being provided as preservation on-site (a total of 1.71 acres is shown to be preserved on-site). The total requirement for the site, as currently designed, is 3.06 acres. The remainder of the woodland conservation requirement is shown to be provided off-site.

Lots 1–3 show woodland preserved that is not counted toward meeting the requirements, which is appropriate because the lots are less than 20,000 square feet in size. The woodlands on lots this small must also be counted as cleared so that the future property owners will not be burdened with submitting a tree conservation plan, should they want to make full use of the small lot area.

The conceptual house footprints continue to be shown as very small, some as small as 1,750 square feet. Because of the small lot sizes and the associated building restriction lines, the house footprints cannot be enlarged. Also, because all of the woodland conservation has been removed from the lots, this is no longer a woodland conservation issue. It should be noted, however, that grading cannot extend past the lot lines where woodland conservation is provided. Prior to signature approval of the preliminary plan, the tree conservation plan should be revised to count the woodlands on lots less than 20,000 square feet as cleared. The revised plan shall be signed and dated by the qualified professional who prepared the plan.

Recommended Condition: Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/46/05). The following notes shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/46/05), 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 Ordinance. This property is subject to the notification provisions of CB-60-2005."

A stormwater management concept approval letter (CSD#27550-2005-00) dated October 3, 2005, was submitted with the subject application, but the associated plan was not. The TCPI plan shows the stormwater management pond and outfall on-site. A copy of the stormwater management concept plan is needed to ensure conformance with the limits of disturbance on the TCPI. Prior to signature approval of the preliminary plan, a copy of the approved stormwater management concept plan should be submitted.

The Subdivision Ordinance requires the preservation of the expanded stream buffer in a natural state (Section 24-130(b)(6) and (7)) unless the Planning Board approves a variation request. The preliminary plan as submitted shows the Regulated Area (a stream and its expanded buffer). The conceptual grading plan as submitted shows an impact to the expanded buffer in the form of a stormwater management outfall. A variation request was submitted dated on December 22, 2005.

Review of Variation Request

This request is for an impact to an expanded buffer for a storm drain outfall. The area of this impact is 14,374 square feet (0.33 acre). This impact area is located on the west side of the proposed development within the expanded steam buffer. Staff supports this request because it is necessary to meet requirements of the County Code.

The following is an analysis of the variation requested. The text in bold represents the text for the Subdivision Ordinance.

(1) The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;

The variation requested is for an impact to the expanded stream buffer. A stream abuts the subject property to the west into which it drains. The approval of this impact will not create conditions detrimental to the public safety, health, or welfare, or injurious to other property; and will provide the necessary utilities and structures to protect public safety, health and welfare.

(2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;

The conditions of the property are unique with respect to the placement of the associated expanded stream and the expanded buffer and the required placement of the necessary stormdrain outfall. The stream abuts the subject property to the west and is the appropriate avenue for stormwater discharge.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation;

No other variances, departures, or waivers are required with respect to stormwater discharge. All appropriate federal and state permits must be obtained before the construction can proceed. Because there are state permitting processes to review the proposed impacts to nontidal wetlands, wetland buffers and Waters of the U.S., the construction proposed does not constitute a violation.

(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

Due to the configuration of this site, the location of the stream and the 100-year floodplain, and the fact that no other reasonable options are possible which would further reduce or eliminate the number and extent of the proposed impact while allowing for the development of the property under its existing zoning, staff recommends approval of the variation.

Staff recommends approval of the submitted variation request. The impact is for a storm drain outfall that is necessary for the proposed development.

At time of final plat, a conservation easement should be described by bearings and distances. The conservation easement should contain the expanded stream buffer, except for the single area of impact approved, and should be reviewed by the Environmental Planning Section prior to approval of the final plat.

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

The Department of Environmental Resources (DER), Development Services Division, has determined that the 2001 Water and Sewer Plan designates this property in Water and Sewer Category 3. Water and sewer lines abut the property. Water and sewer line extensions are required to serve the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission before recordation of a final plat. Water extension(s) between lots may be required for adequate water service. Ejector pumps may be required for basement service on Lori Drive.

3. Community Planning—This application is not inconsistent with the 2002 Approved General Plan Development Pattern policies for the Developed Tier.

This application conforms to the land use recommendations of the 2000 approved master plan and sectional map amendment for the Heights and vicinity, Planning Area 76A.

2002 General Plan: The property is located in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

The 2000 approved master plan and sectional map amendment for the Heights and vicinity, Planning Area 76A/Silver Hill-Morningside retained the Residential Suburban (3.6–5.7 dwelling units/acre) land use.

PLANNING COMMENTS

The Residential Neighborhoods (pp. 69-74) and Environmental Resources (pp. 107-121) sections of the 2000 approved master plan and sectional map amendment for the Heights and vicinity, Planning Area 76A list the following guidelines, which are applicable to this development to protect the physical environment and enhance the character, quality and livability of the planning area by preserving natural and scenic assets as an integral part of the development process:

- “6. Developers should incorporate natural amenities (stream, floodplain, wooded areas) into the environmental pattern of residential areas to serve as open space and to define and link together the living areas.
- “7. Developers are strongly encouraged to capitalize on natural assets through the retention and protection of trees, streams, and other ecological features.
- “8. Woodlands associated with floodplains, wetlands, stream corridors and steep slopes shall be given priority for preservation.
- “9. To the extent practicable, large contiguous tracts of woodland should be conserved in both upland and bottomland (lowland) situations in order to reduce forest fragmentation, maximize woodland interiors, and reduce the edge/area ratio.”

The Environmental Planning Section staff should determine whether the submitted plan fulfills the requirements of the above guidelines.

Slopes may be unsuitable for development due to the problems with erosion, sedimentation and instability. Careful assessment of soil and slope characteristics is necessary prior to development of areas with steep and severe slopes.

According to page 127 of the master plan: “Sidewalks should be constructed where they are lacking to provide continuous and safe pedestrian circulation.”

The Urban Design (pp. 94-105) section of the master plan provides concepts and design guidelines for proposed elements of residential neighborhoods in order to guide development and redevelopment that will be appropriate for the planning area in terms of style, character, composition, scale and proportion and density. These elements will be addressed during the detailed site plan review process.

- 4. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication because the land available for dedication is unsuitable due to its size and location. The proposed preliminary plan is consistent with the land use recommendations for park issues in the master plan and General Plan.
- 5. **Trails**—There are no master plan trails issues identified in the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity, Planning Area 76A* that impact the subject site. Existing segments of Lori Street, Karen Street and Donna Street include sidewalks

along both sides. Staff recommends the continuation of this cross section onto the subject site with the extension of these streets. The applicant should provide standard sidewalks along both sides of Lori Street, Karen Street, and Donna Street unless modified by the Department of Public Works and Transportation (DPW&T).

6. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 8.13 acres of land in the R-80 Zone. The property is located on the south end of Donna, Karen, and Lori Streets, and is approximately 1,100 feet southwest of the intersection of Suitland Road and John Street. While the initial application proposed a residential subdivision consisting of 22 lots, it was reduced to 18 lots during the review process. The traffic evaluation of 22 lots has not been changed.

Due to the size of the subdivision, staff has not required that a traffic study be done. The staff did request traffic counts in the area for the purpose of making an adequacy finding. Therefore, 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.”

Growth Policy—Service Level Standards: The subject property is in the Developed 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better is required in the Developed 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 traffic controls) if deemed warranted by the appropriate operating agency.

Staff Analysis of Traffic Impacts

The intersections of Suitland Road and the Suitland Parkway ramps (both eastbound and westbound) are determined to be the critical intersections for the subject property. The intersections are the nearest major intersections to the site, and would serve a majority of the site-generated traffic. The applicant provided traffic counts dated December 2005. These counts indicate that the critical intersections operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Suitland Road and Suitland Parkway ramps (EB)	1,079	1,181	B	C
Suitland Road and Suitland Parkway ramps (WB)	1,097	1,236	B	C

There are no funded capital projects at these intersections in either the County Capital Improvement Program or the State Consolidated Transportation Program that would affect the

traffic operations. It is noted that signals have been installed at both ramp junctions but were not operational at the time that the traffic was counted. No approved but unbuilt developments were identified that could have a significant impact on the critical intersections. Growth of one percent per year in through traffic was assumed. Under a background scenario, the critical intersections would operate as follows:

BACKGROUND TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume		Level of Service (LOS, AM & PM)
	(AM & PM)		
Suitland Road and Suitland Parkway ramps (EB)	1,117	1,216	B C
Suitland Road and Suitland Parkway ramps (WB)	1,130	1,285	B C

With the development of 22 single-family detached residences, the site would generate 17 AM (3 in and 14 out) and 20 PM (14 in and 6 out) peak-hour vehicle trips. The site was analyzed with the following trip distribution: 10 percent—east along Suitland Parkway; 50 percent—west along Suitland Parkway; 10 percent—north along Suitland Road; and 30 percent—south along Suitland Road. Given this trip generation and distribution, staff has analyzed the impact of the proposal. With the site added, the critical intersections would operate as follows:

TOTAL TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume		Level of Service (LOS, AM & PM)
	(AM & PM)		
Suitland Road and Suitland Parkway ramps (EB)	1,129	1,219	B C
Suitland Road and Suitland Parkway ramps (WB)	1,142	1,294	B C

The site is not within or adjacent to any master plan transportation facilities.

Transportation Staff Conclusions

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. No transportation-related conditions are required at this time.

- 7. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for impact 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 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	22 sfd	22 sfd	22 sfd

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	5.28	1.32	2.64
Actual Enrollment	36,283	10,786	16,960
Completion Enrollment	268.56	67.50	135.60
Cumulative Enrollment	141.36	35.34	70.68
Total Enrollment	36,698.20	10,890.16	17,168.92
State Rated Capacity	39,607	10,375	14,191
Percent Capacity	92.66%	104.97%	120.98%

Source: Prince George's County Planning Department, M-NCPPC, December 2004

These figures are correct on the day this memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution of approval will be the ones that apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts 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. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,412 and 12,706 to be a paid at the time of issuance of each building permit.

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 & Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(B)(E) of the Zoning Ordinance.

Fire Facilities

The Prince George's County Planning Department has determined that this preliminary plan is within the required 7-minute response time for the first due fire station Morningside, Company 27, using the 7 Minute Travel Times and Fire Station Locations map provided by the Prince George's County Fire/EMS Department.

The Fire Chief has reported that the current staff complement of the Fire/EMS Department is 704 (101.73 percent), which is above the staff standard of 657 or 95 percent of authorized strength of 692 as stated in CB-56-2005.

The Fire Chief has reported by letter, dated 11/01/2005 that the department has adequate equipment to meet the standards stated in CB-56-2005.

9. **Police Facilities**—The Prince George’s County Planning Department has determined that this preliminary plan is located in Police District IV. The standard for emergency calls response is 10 minutes and 25 minutes for non-emergency calls. The times are based on a rolling average for the preceding 12 months beginning with January 2005. The preliminary plan was accepted for processing by the Planning Department on November 7, 2005.

Reporting Cycle	Date	Emergency Calls	Non-emergency
Acceptance Date	01/05/05-10/05/05	11.00	24.00
Cycle 1	01/05/05-11/05/05	11.00	24.00
Cycle 2	01/05/05-12/05/05	11.00	24.00
Cycle 3			

The Police Chief has reported that the current staff complement of the Police Department is 1,302 sworn officers and 43 student officers in the Academy for a total of 1,345 (95 percent) personnel, which is within the standard of 1,278 officers or 90 percent of the authorized strength of 1,420 as stated in CB-56-2005.

The applicant may enter into a mitigation plan with the county and file such plan with the Planning Board. The Planning Board may not approve this preliminary plan until a mitigation plan is submitted and accepted by the county.

10. **Stormwater Management**—A Stormwater Management Concept Plan, # 27550-2005-00, has been approved with conditions to ensure that the Lots are designed for infiltration and/or bio-retention facilities. A Stormwater pond is to be designed for one year extended detention, water quality volume and channel protection volume. Development must be in accordance with this approved plan.
11. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the Distel Property and has no comments.
12. **Historic Preservation**—The Historic Preservation and Public Facilities division has reviewed the subject area and has found that there is no effect on historic resources.
13. **Archeology**—Phase I (Identification) archeological investigations are recommended on the above-referenced property. According to the 1861 Martenet map, the Pumphrey residence (no longer standing) was located just to the south of the property, and the Washington Beall residence was located just north of the property. The Beall family were slaveholders in the county and archeological remains of slave quarters or burials may be present on the property. In addition, the property is just east of a branch of Henson’s Creek. Prehistoric archeological sites have been located in similar 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 probing should be conducted also to search for possible burials. Excavations should be clearly identified on a map to be submitted as part of the report.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/46/05). The following notes shall be placed on the Final Plat of Subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/46/05), 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 Ordinance. This property is subject to the notification provisions of CB-60-2005.”
2. Subject to approved Stormwater Management Concept Approval # 27550-2005-00 and any revisions.
3. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall include all of the expanded buffer, except for the area of the single approved impact for the storm drain outfall, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. 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 tree, limbs, branches or trunks is allowed.”
4. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the US, 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.
5. Prior to the issuance of a grading permit for the development, a Public Safety Mitigation Fee shall be paid in the amount of \$68,040 (\$3,780 x 18 dwelling units). Notwithstanding the number of dwelling units and the total fee payments noted in this condition, the final number of dwelling units shall be as approved by the Planning Board and the total fee payment shall be determined by multiplying the total dwelling unit number by the per unit factor noted above. The per unit factor of \$3,780 is subject to adjustment on an annual basis in accordance with the percentage change in the Consumer Price Index for All Urban Consumers. The actual fee to be paid will depend upon the year the grading permit is issued.
6. 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.

7. The applicant shall provide standard sidewalks along both sides of the extension of Lori Street, Karen Street and Donna Street, inless modified by the Department of Public Works and Transportation.
8. Prior to signature approval of the preliminary plan, the natural resources inventory or the other plans in the applicant shall be revised to reflect the correct acreage of the site.
9. Prior to signature approval of the preliminary plan, the tree conservation plan shall be revised to count the woodlands on lots less than 20,000 square feet as cleared. The revised plan shall be signed and dated by the qualified professional who prepared the plan.
10. Prior to signature approval of the preliminary plan, a copy of the approved stormwater management concept plan shall be submitted.

STAFF RECOMMENDS APPROVAL OF TREE CONSERVATION PLAN TCPI/46/05