



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

Preliminary Plan 4-07097

Application	General Data
<p>Project Name: COLLINGBROOK - II</p> <p>Location: Located at the recorded, but unconstructed terminus of Diplomat Avenue, south of US 50, and approximately 200 feet west of the Pope's Creek Railroad and the Collington Branch Stream Valley Park.</p> <p>Applicant/Address: Carlos Davalos 11508 Connecticut Avenue Silver Spring, Maryland 20902</p> <p>Property Owners: Luis J. Albisu 3033 Sylvan Drive Fall Church, Virginia 22042</p> <p>William & Sue Hawkins 15609 Passaic Lane Bowie, Maryland 20715</p>	Date Accepted: 12/13/07
	Planning Board Action Limit: 5/15/08
	Plan Acreage: 11.18
	Zone: R-E
	Gross Floor Area: N/A
	Lots: 7
	Outparcels: 1
	Planning Area: 74B
	Tier: Developing
	Council District: 04
	Election District: 07
	Municipality: N/A
	200-Scale Base Map: 206NE13

Purpose of Application	Notice Dates
The subdivision of two acreage parcels into seven lots for the development of detached single-family dwellings.	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003) 11/16/07
	Sign(s) Posted on Site and Notice of Hearing Mailed: 4/8/08 (On & Off-Site Signs)

Staff Recommendation		Staff Reviewer: John Ferrante	
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, 4-07097
Collingbrook II, Lots 1-7 and Outparcel 1

OVERVIEW

The subject property is located on Tax Map 54, Grid E-2, and consists of two acreage parcels totaling 11.18 acres within the R-E Zone. The property is currently unimproved, and is known as Parcel 19, (9.93 acres), and Parcel 71, (1.25 acres). The applicant is now proposing to subdivide the property into seven lots and one outparcel in accordance with the conventional standards of the R-E Zone. A previous application, Preliminary Plan 4-06113, was withdrawn by the applicant because of unresolved environmental concerns.

Access to the subject property will be provided through the abutting Collingbrook Subdivision, which was recorded in Land Records on May 31, 2006, as REP 213 @ 8 (Plat 9). At the time the abutting Collingbrook Subdivision was subdivided through Preliminary Plan 4-02063, Diplomat Avenue, an urban secondary residential roadway having a right-of-way width of 60-feet, was terminated along the subject property's western property line with no end treatment provided for turn-around capability. During the preliminary plan review process for the abutting Collingbrook Subdivision, staff had recognized that the adjacent, undeveloped acreage parcels had no direct access to a public street. Therefore, Diplomat Avenue was stubbed along the common property line in anticipation of future development occurring within the subject property. The applicant now proposes to extend Diplomat Avenue into the limits of the subject property, and construct a cul-de-sac along the end of the roadway to provide turn-around capability for emergency vehicles, school buses and snow plows. Each of the seven lots, and the outparcel, will have direct vehicular access to Diplomat Avenue.

This application proposes the creation of an outparcel along the northwest portion of the property, consisting of 10,969 square feet. Currently, the abutting acreage parcel to the north, (Parcel 33, Margaret E. Ventura Property), has no direct access to a public street. The abutting parcel does have street frontage along US 50, and abuts the Pope's Creek Branch Railroad (Parcel 22) to the east. However, the State Highway Administration (SHA) will not allow any direct vehicular access to US 50, and the railroad tracks would prevent any future access points from the east. Therefore, the abutting parcel does not appear to have any logical access point to a public street, except through the subject property. The preliminary plan submitted proposes the conveyance of the outparcel to the abutting property owner of Parcel 33, Margaret E. Ventura. The outparcel, as currently designed, would allow the abutting property owner the future ability to construct a 50-foot-wide, public street to serve the 14.59-acre parcel. However, the land area within the outparcel would have to be included in a future preliminary plan application, along with land contained in Parcel 33, in order to allow any further development to occur on the abutting parcel to the north other than one single-family dwelling. Because the outparcel will only have 52 feet of street frontage along Diplomat Avenue to contain a possible 50-foot-wide, public right-of-way, grading easements may need to be obtained in the future from the abutting property owners on either side of the outparcel, in order to implement the construction of the roadway. The plan submitted has incorrectly labeled the 10,969-square-foot land area as an "outparcel." Because the outparcel is below the 40,000-square-foot minimum net lot area as required in the R-E Zone, this land area should be designated as an "outlot." An outlot as defined by Section 24-101(b)(9) of the Subdivision Regulations, is a piece or parcel of land that remains with a subdivision but which does not meet the minimum requirements of the Zoning Ordinance for a buildable lot and is, therefore, not usable as a legal building site.

Any future roadway within the outlot would impact sensitive environmental features, including the primary management area (PMA), a stream buffer, a wetland, and the associated wetland buffer. Because this land area will be designated as an outlot, any future development would require the approval of a new preliminary plan of subdivision in order to remove the outlot designation. At that time, the impacts to the sensitive environmental features within the outlot can be evaluated by staff to determine if the need for a sole access point to serve the abutting property is adequate justification to support the impacts that would be required to construct a public street.

The acreage parcel abutting the subject property to the east, (Parcel 17, Consolidated Home Building Corporation) also has no direct access to a public street and is currently “landlocked.” Due to the sensitive environmental features and steep slopes which separate Parcel 17 from the subject property, providing this parcel with direct access to a public street does not appear viable at this time. However, the outlot, which is being created as a part of this preliminary plan application to provide abutting Parcel 33 with direct access to a public street, may also be able to provide Parcel 17 with direct access to a public street in the future, if a preliminary plan application can be approved for Parcel 33 and a public roadway system implemented on this parcel. While staff does not have any topographic information, or the locations of any environmental features on the two abutting parcels, Parcel 17 and Parcel 33 do share a common property line that is approximately 345 feet long, which could accommodate a street connection. In reviewing aerial photos taken in the year 2005, it appears that any future street connection between Parcels 33 and 17 would eliminate a majority of the severe environmental impacts that would be required if street connections were proposed from the subject property directly to Parcel 17.

US 50 is an existing freeway and traffic-generated noise impacts are anticipated. A Phase I Noise Study was not submitted with the preliminary plan. A recent review of the noise contour using the Environmental Planning Section Noise Model, based on the 2006 ADT from the SHA, shows that the projected 65 dBA Ldn noise contour is located 953 feet from the centerline of US 50. The Environmental Planning Section has stated that the noise contour line shown on the submitted preliminary plan and TCPI is not correct, and that the contour line extends farther onto the site than what is reflected on the plans. Because some of the locations of the proposed dwellings may have noise levels which exceed Maryland state standards, a condition has been recommended in this report to require the submission of a Phase I noise study prior to signature approval of the preliminary plan. A condition requiring the certification by a professional engineer, that the building shells of the structures within the prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA Ldn or less is also recommended.

The submitted plan shows one proposed impact to the PMA for the installation of a storm drain outfall located along the eastern portion of proposed Lot 7. A Letter of Justification was submitted by the applicant that describes the area of impact as 1,600 square feet. The Environmental Planning Section is supporting this impact because it is necessary for the development of the property. The installation of the storm drain outfall is being required by other county agencies in order to meet the stormwater management requirements.

SETTING

The property is located at the recorded, but unconstructed terminus of Diplomat Avenue, south of US 50, and approximately 200 feet west of Pope’s Creek Railroad and the Collington Branch Stream Valley Park. To the south and west are single-family detached dwellings within the Collingbrook Subdivision (REP 213 @ 7 & 8) that are located within the R-E Zone. To the north and east are unimproved acreage parcels that are located within the R-E Zone.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	PROPOSED
Zone	R-E	R-E
Use(s)	Undeveloped	Single-Family Detached
Acreage	11.18	11.18
Lots	0	7
Outparcels	0	1
Parcels	2	0
Dwelling Units:		
Detached	0	7
Public Safety Mitigation Fee		No

2. **Environmental**—The Environmental Planning Section has reviewed Preliminary Plan of Subdivision, 4-07097, and Type I Tree Conservation Plan, TCPI/13/07, for Collingbrook II, stamped as received on December 14, 2007. The Environmental Planning Section recommends approval of 4-07097 and TCPI/13/07 subject to the conditions.

Background

The Environmental Planning Section has previously reviewed plans associated with this site for a Natural Resources Inventory (NRI/43/06), Preliminary Plan of Subdivision 4-06113, and Type I Tree Conservation Plan TCPI/13/07. Preliminary Plan 4-06113 was ultimately withdrawn prior to the scheduled Planning Board hearing.

Site Description

The site will be accessed through the abutting Collingbrook (4-02063) Subdivision. Regulated environmental features are associated with the site, which include a stream, wetlands, 100-year floodplain, and steep slopes on highly erodible soils. Based on aerial photos taken in the year of 2005, the site is 100 percent wooded. Two soil series are found to occur at the site according to the *Prince George's County Soil Survey*. These include: Mixed alluvial land and Monmouth fine sandy loam soils. The Monmouth soil has a K factor of 0.43, which makes this a highly erodible soil. The Mixed alluvial land soils are hydric and are located within the Patuxent River Primary Management Area. Two noise generators are in the vicinity of the site US 50 and the Pope's Creek Rail Road. There are no designated scenic or historic roads located in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, rare and threatened species are not found to occur in the vicinity of this property. Woodlands at this location are part of the Forest Interior Dwelling Bird Species' (FIDS) habitat. According to the *Approved Countywide Green Infrastructure Plan*, two network features consisting of Regulated Areas and Evaluation Areas, are located on the site. The site is within the Collington Branch watershed of the Patuxent River basin, the Bowie and Vicinity Planning Area, and located within the Developing Tier as reflected in the adopted General Plan.

Master Plan Conformance

The site is within the Bowie and Vicinity Planning Area. The Environmental Infrastructure chapter of the current plan contains one policy and two strategies to reduce light pollution. Policy 5 and the two strategies read as follows:

Policy 5

Reduce light pollution and intrusion into residential, rural and environmentally sensitive areas.

Strategies

1. Require the use of full cut-off optic light fixtures for all proposed uses.

2. Discourage the use of streetlights and entrance lighting except where warranted by safety concerns.”

It is not clear how Policy 5 and Strategies 2 and 3 from the Environmental Infrastructure chapter of the Bowie and Vicinity Master Plan will be implemented at this location. However, street lighting on the proposed property should be designed to meet the recommendations stated within the master plan.

Countywide Green Infrastructure Plan Conformance

The site has a Regulated Area and an Evaluation Area within the green infrastructure network. Of these two features, most of the site is within a designated Evaluation Area.

Most of the Regulated Area on the site is preserved through woodland conservation with the exception of one impact to the PMA for a storm drain outfall. Additional woodland preservation on the proposed lots within the Evaluation Area preserves most of the on-site forest. The plan proposes to meet all the requirements for woodland conservation on-site.

Environmental Review

A staff signed Natural Resources Inventory (NRI/043/06-01) was included within the preliminary plan submittal. The preliminary plan and TCPI accurately show the information as depicted on the signed NRI.

A Forest Stand Delineation (FSD) was conducted in March 2006. Two forest stands (Stands A and B) were identified. Stand A totals 10.93 acres and is a stand of midsuccession hardwoods with yellow poplar, beech, and red oaks as the dominant species. Stand B totals 0.25 acre and is a stand of bottomland hardwoods with red maple, sweet gum and ash as the dominant species. Two specimen trees are located on the site within Stand A. Only one of these trees will be preserved because the other tree is located within the limits of the proposed entrance road. Both stands have a 90 percent canopy closure. Stand A has a good priority retention rating and Stand B has a high priority retention rating. No further information regarding the NRI is necessary.

The site contains regulated features associated with the Patuxent River basin, which include a stream, wetlands, 100-year floodplain, and steep and severe slopes. The Patuxent River Primary Management Area is to be preserved to the fullest extent possible as required in Section 24-130(b)(5) of the Subdivision Ordinance. Generally, impacts are only recommended for essential development features. Essential development includes such features as public utility lines (including sewer and stormwater outfalls), road crossings, etc., which are mandated for public health and safety. Non-essential activities are those, such as grading for lots, stormwater management ponds and parking areas which do not relate directly to public health, safety or welfare.

PMA Impacts

The submitted plan shows one proposed impact to the PMA for a storm drain outfall located along the eastern portion of proposed Lot 7. A Letter of Justification, stamped as received on December 14, 2007, describes the area of impact as 1,600 square feet. The Environmental Planning Section supports this impact because it is necessary to meet the stormwater management requirements.

The site is subject to the Woodland Conservation and Tree Preservation Ordinance because there

are more than 10,000 square feet of existing woodlands on-site and the overall gross tract area exceeds 40,000 square feet. A Type I Tree Conservation Plan has been submitted and was found to meet the requirements of the Ordinance.

The site has a woodland conservation threshold (WCT) of 25 percent, or 2.59 acres, and a woodland conservation requirement of 3.92 acres. The current TCPI shows this requirement to be met entirely with 5.04 acres of on-site preservation. Preservation is proposed within, and adjacent to, the on-site PMA and on the proposed lots. The proposed subdivision, as designed, provides a minimum of 40 feet of useable rear yard for each proposed lot.

US 50 is an existing freeway and traffic-generated noise impacts are anticipated. A Phase I Noise Study was not submitted with the preliminary plan. The NRI shows the unmitigated 65 dBA Ldn noise contour in relation to US 50. Note no.10 on the NRI states the following:

“US 50 has a projected 65 dBA Ldn noise corridor 982 feet from the centerline of US 50 based on the Environmental Planning Section Noise Model using the 2004 ADT from the SHA. That projected noise corridor encompasses the majority of this property.”

The noise contour show on the TCPI is incorrect because it is not at the distance specified on the NRI. The contour is shown just north of the subject site, which is approximately 500 feet from the centerline of US 50. In reviewing the calculated noise contour, while utilizing the measuring tool in P.G. Atlas, the location of the contour is at 982 feet, which extends farther onto the site than what is shown on the plan. Additionally, a recent review of the noise contour with the Environmental Planning Section Noise Model, based on the 2006 ADT from the SHA, shows that the projected 65 dBA Ldn noise contour is at 953 feet from the centerline of US 50.

The Environmental Planning Section Noise Model is based on the assumption that the site topography is flat. In this case, it does not consider the existing slopes on the site, nor the proximity of the site from the roadway, which would serve to mitigate traffic related noise that would impact the proposed houses. A Phase I noise study, that considers the existing conditions of the site, should be submitted.

The Pope’s Creek Railroad is approximately 200 feet to the east of the site. This is an active, low-speed, freight rail line with approximately four to six trains per day. Noise impacts from the trains are not anticipated because the frequency of the trains is episodic. Therefore, noise from the railroad use is not sustained over an extended period of time and would not reach 65 dBA Ldn.

The site has an approved stormwater management concept plan and letter that were submitted with the application. The required bio-retention controls indicated within the concept approval letter are shown on the plan for each proposed lot. The concept is correctly shown on the TCPI. No further action with regard to stormwater management is required.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and the site will therefore be served by public systems.

3. **Community Planning**—The property is located in Planning Area 74B within the Bowie Community, and is within the limits of the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B*. The master plan recommends a low-density residential land use for the subject property. This application proposes a low-density residential land use that is consistent with the land use recommendation within the 2006 approved Bowie & Vicinity Master Plan.

The 2002 General Plan locates the subject property within the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low-to-moderate density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit

serviceable. This application proposes a low-to moderate density suburban residential community that it is consistent with the with the 2002 General Plan Development Pattern policies for the Developing Tier.

The 2006 Bowie & Vicinity Sectional Map Amendment retained the subject property within the R-E Zone.

4. **Parks and Recreation**—In accordance with Section 24-134(a) of the Prince Georges County Subdivision Regulations Lots 3,5,6 & 7 of the subject subdivision are exempt from Mandatory Dedication of Parkland requirements because they are over an acre in size.

In accordance with Section 24-134(a) of the Subdivision Regulations the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication for Lots 1, 2 & 4 in the subject subdivision because the land available for dedication is unsuitable due to its size and location.

5. **Trails**—There are no master plan trails issues identified in the adopted and approved Bowie and Vicinity Master Plan that impact the subject property. The road cross section for Diplomat Avenue should be consistent with the cross section previously approved in the abutting subdivision.

There are no master plan trails recommendations.

6. **Transportation**—The application is a preliminary plan of subdivision for a development consisting of seven single-family dwelling units. The seven dwelling units would generate five (1 in, four out) AM and six (4 in, two out) PM peak hour vehicle trips as determined using the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

The traffic generated by the proposed subdivision would impact the unsignalized intersection of Church Road and Dawn Whistle Way.

This intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation *Consolidated* Transportation Program or the Prince George's County Capital Improvement Program:

The subject property is located within the Developing Tier as defined in the *Prince George's County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

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

The table below identifies the intersection on which the proposed development would have the most impact:

EXISTING CONDITION		
Intersection	AM	PM
	LOS/delay	LOS/delay
Church Road and Dawn Whistle Way	B/10.6 seconds	B/11.1seconds

The Transportation Planning Section's research of background developments revealed three (3) developments that could potentially affect the referenced intersection. With the inclusion of trips from these developments, the analysis revealed the following results:

BACKGROUND CONDITION		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
Church Road and Dawn Whistle Way	B/13.6 seconds	B/17.8 seconds

Citing the trip generation rates from the guidelines, the proposed development would generate 5 AM and 6 PM peak-hour vehicle trips. By combining site-generated trips with background traffic, the results are as follows:

TOTAL CONDITION		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
Church Road and Dawn Whistle Way	B/13.6 seconds	B/18.2 seconds

The results of the analysis showed that adequate transportation facilities would continue to exist if this application is approved. The Transportation Planning Section has no issues with the site layout or the on-site circulation.

TRANSPORTATION STAFF CONCLUSIONS

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code.

7. **Schools**—The Historic Preservation and Public Facilities Planning Section have reviewed this preliminary plan for 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.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	7 DU	7 DU	7 DU
Pupil Yield Factor	.24	.06	.12
Subdivision Enrollment	1.68	.42	.84
Actual Enrollment	4,900	6,782	10,542
Completion Enrollment	230.4	117	234
Cumulative Enrollment	1.2	0.3	0.6
Total Enrollment	5,133.28	6,899.72	10,777.44
State Rated Capacity	4,838	6,356	10,254
Percent Capacity	106.10%	108.55%	105.10%

Source: Prince George's County Planning Department, M-NCPPC, January 2007

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 interstate highway 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 \$7,870 and \$13,493 to be 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 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 have reviewed this subdivision plan for fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

Public Facilities staff have determined that this property is within the required 7-minute response time for the first due fire station, Bowie Company No. 39, using the *Seven (7) Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn fire and rescue personnel staffing levels.

The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

9. **Police Facilities**— The subject property is located within Police District II. The standard response time is 10 minutes and 25 minutes for nonpriority calls. The times are based on a rolling

average for the proceeding 12 months. The preliminary plan was accepted for processing by the Planning Department on December 13, 2007.

Reporting Cycle	Previous 12 Month Cycle	Priority Calls	Non-priority Calls
Acceptance Date 12/13/07	11/06 - 11/07	10 minutes	15 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for priority calls and 25 minutes for non-priority calls were met on December 17, 2007.

The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

Pursuant to CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police personnel staffing levels.

10. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for Collingbrook II and has no comments to offer.
11. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #847-2007-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan. Water quality measures will be achieved by utilizing low impact development methods and by providing individual bioretention and extended detention areas on various lots within the subdivision.
12. **Historic**—A Phase I archeological survey was completed on the 11.18-acre, Collingbrook-II Subdivision under Preliminary Plan 4-06113 in March 2007. No archeological sites were identified and no further archeological work was recommended on the property. The Historic Preservation Section concurs that no further archeological work is necessary on the Collingbrook II Subdivision. Four copies of the final report entitled, “*Phase I Archeological Survey of the Collingbrook Property, Prince George’s County, Maryland, Preliminary Plan Number 4-06113*”, were received and approved by the Historic Preservation Section. All archeological conditions have been fulfilled.

However, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Provide a general note which demonstrates the entire gross tract area of the property.
 - b. Provide a setback dimension from the front building line to the front street line for Lots 2, 3 & 6.

- c. Provide a separate gross tract area and net lot area for any lots which include 100-year floodplain.
 - d. Provide plat references for all abutting properties.
 - e. Provide the entire lot width at the front street line for Lot 2.
 - f. Verify that the 40-foot-wide gas pipeline easement (L.3598 F.255) that is reflected on the abutting Collingbrook Plat 8 (REP 213@7), does not encumber the subject property.
 - g. Rename Outparcel 1 to Outlot "A".
2. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
 3. Development of this site shall be in conformance with the Stormwater Management Concept Plan, No. 847-2007-00 and any subsequent revisions.
 4. The following note shall be placed on the preliminary plan and all future Tree Conservation Plans:

"All community lighting shall use full cut-off optics and shall be directed downward to reduce glare and light spill-over."
 5. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area, except for the single approved impact to the PMA 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 trees, limbs, branches, or trunks is allowed."
 6. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams, stream buffers or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approved conditions have been complied with, and associated mitigation plans.
 7. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/13/07). The following note shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I 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. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."
 8. Prior to signature approval of the preliminary plan, the TCPI shall be revised to show the projected noise contour based on a Phase I noise study that considers topography and the distance of the houses from the noise generator. The location of the contour shall be detailed on a separate exhibit at 1 inch = 100 feet and show the centerline of US 50, the proposed lot layout, adjacent properties, and the calculated noise contour. The contour shall also be correctly reflected on the TCPI and preliminary plan.
 9. A note shall be placed on the final plat of subdivision that prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits for those lots deemed necessary in Condition 8, stating that building shells of structures within prescribed noise corridors have been designed to reduce

interior noise levels to 45 dBA Ldn or less.

10. Prior to approval of the final plat of subdivision, the applicant, applicant's heirs, successors and or assignees shall pay a fee-in-lieu of parkland dedication for all lots that are less than one acre in size.
11. Prior to final plat, the applicant, applicant's heirs, successors, and or assignees shall submit executed deeds of conveyance by all parties for Outlot A. The applicant, applicant's heirs, successors, and or assignees shall demonstrate due diligence in obtaining the agreement for the conveyance of Outlot A to the abutting property owner of Parcel 33, (Margaret E. Ventura). Should the adjacent land owner choose not to accept the additional land, Outlot A shall be removed from the preliminary plan and TCPI, and the area of land within Outlot A shall be incorporated into the limits of Lot 7.
12. The applicant, applicant's heirs, successors and or assignees shall provide standard sidewalks along both sides of the internal public street unless modified by the Department of Public Works and Transportation (DPW&T) at the time of issuance of street construction permits.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN, TCPI/13/07.