



PRELIMINARY PLAT

4-00064

Application	General Data	
Project Name: TRANSNATIONAL LAW & BUSINESS UNIVERSITY Location: West side of Frank Tippet Road, approximately 1,000 feet south of the intersection of Rosaryville Road. Applicant/Address: TLBU Foundation 3338 Fort Meade Road Laurel, MD. 20724	Date Accepted	11/14/00
	Planning Board Action Limit	N/A
	Tax Map & Grid	117/E-2
	Plan Acreage	342.50
	Zone	R-S
	Outparcel	1
	Parcel	1
	Planning Area	82
	Council District	09
	Municipality	N/A
	200-Scale Base Map	212SE09

Purpose of Application	Notice Dates
Reconsideration of Conditions 9, 10, 11 and 18 of PGCPB 01-79.	Adjoining Property Owners (CB-15-1998)
	Previous Parties of Record (CB-13-1994)
	Sign(s) Posted on Site 03/21/01
	Variance(s): Adjoining Property Owners

Staff Recommendation			Staff Reviewer	DEL BALZO
APPROVAL	APPROVAL WITH CON- DITIONS	DISAPPROVAL	DISCUSSION	

July 29, 2009

MEMORANDUM

TO: The Prince George's County Planning Board

FROM: Joe Del Balzo, Subdivision Section

SUBJECT: Preliminary Plan 4-00064
Transnational Law and Business University

The referenced preliminary plan was approved by the Planning Board on April 12, 2001. Resolution PGCPB 0-79 was adopted by the Planning Board on May 17, 2001. A request for reconsideration was filed by Norman Rivera, attorney for the applicant, and the Planning Board granted reconsideration the reconsideration request on June 21, 2001. The reconsideration was limited to the following conditions:

9. **Prior to occupancy of dormitory and faculty housing, the applicant, his heirs, successors, and/or assigns shall pay a pro rata share per student of the cost of the road improvements identified below:**
 - a. **Widen the eastbound approach of MD 223 at Rosaryville Road to include three lanes, two through lanes and one right-turn lane. The right-turn lane shall be at least 600 feet long.**
 - b. **Widen westbound Rosaryville Road at MD 223 to provide for two through lanes and two left-turn lanes. Each of the left-turn lanes shall be approximately 875 feet long. The south leg of MD 223 shall be widened to receive the dual lanes.**
 - c. **Widen southbound MD 223 at the Rosaryville Road intersection to include dual left-turn lanes of a minimum 725 feet long.**
 - d. **Widen Rosaryville Road to a four-lane cross section from Gambier Drive to MD 223.**

The pro rata share shall be payable to Prince George's County, with evidence of the payment provided to the Planning Department with the building permit application. The pro rata share for the university shall be calculated as follows: (i) for the improvements on MD 223 at Rosaryville Road, the amount of \$98.79/student x (Engineering News Record Highway Construction Cost Index at time of building permit application)/(Engineering News Record Highway Construction Cost Index for 1990); and (ii) for the widening of Rosaryville Road, the amount of \$323.84/student x (Engineering News Record Highway Construction Cost Index at time of building

permit application)/(Engineering News Record Highway Construction Cost Index for 1990).

The pro rata share for the hotel/conference center shall be calculated as follows: (i) for the improvements on MD 223 at Rosaryville Road, the amount of \$608.20/hotel room x (Engineering News Record Highway Construction Cost Index at time of building permit application)/(Engineering News Record Highway Construction Cost Index for 1990); and (ii) for the widening of Rosaryville Road, the amount of \$1,993.73/hotel room x (Engineering News Record Highway Construction Cost Index at time of building permit application)/(Engineering News Record Highway Construction Cost Index for 1990).

10. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction with DPW&T, and (c) have a timetable for construction with DPW&T:

a. Intersection of Frank Tippet Road and Rosaryville Road:

- (1) Construct an exclusive left-turn lane, assuming available right-of-way along the Frank Tippet Road approach to the intersection, with the existing approach lane functioning as a left/right/through lane. The applicant shall also provide a second receiving lane along northbound Rosaryville Road, assuming available right-of-way beyond the intersection, with adequate transition and taper. The applicant shall be responsible for the necessary traffic signal, signage, and pavement marking modifications.

11. Total development within the subject property shall be limited to a 140 student university, with all students living on campus. Any development other than that identified herein or enrollment beyond 140 students shall require an additional Preliminary Plat of Subdivision with a new determination of the adequacy of transportation facilities.
18. At least one additional outparcel shall be created prior to signature approval of the preliminary plat. This outparcel shall encompass the proposed hotel and conference center. Development of the hotel/conference center shall require the approval of a new Preliminary Plat of Subdivision with a new determination of adequate transportation facilities.

The original proposal included a loop road that served a hotel/conference center. A result of Conditions 11 and 18 was that the hotel/conference center was put off until a new preliminary plan was approved. The loop road was no longer necessary. The applicant had filed a variation request to allow the loop road to disturb wetlands and buffers. This variation was no longer needed when the hotel/conference center was delayed until further approvals.

The applicant requests that the conditions for the funding of road improvements and the condition requiring a new preliminary plan for the hotel conference center be altered. Also, Condition 11 limited student population to 140 students. The applicant requests that the original proposal of 900 students and a hotel/conference center be approved. The hotel/conference center includes the loop road which serves it and the variation would be required.

The Transportation Planning Section has reviewed several alternatives to the funding issue, and in light of other cases in the area, has revised its recommendation. The Transportation Planning Section offers the following comments.

REVISED TRANSPORTATION FINDINGS

The applicant originally received Planning Board approval for the construction of a professional university for 140 students. The applicant proposes to return to the original proposal to construct a university consisting of two professional schools with 450 students each (for a total of 900 students) and a 250-room hotel and conference center.

The applicant prepared a traffic impact study dated November 2000 and prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)*. The traffic study was been referred to the Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) for their comments, and both agencies' comments were provided when the application was originally reviewed.

The Planning Board recently reconsidered elements of the approval of Woodyard Estates (approved as preliminary plan of subdivision 4-88269), in particular, the payment formula regarding contributions to transportation improvements in the area. The significant changes in that approval have been added to the staff's recommendation concerning this case.

Summary of Traffic Impacts

The application is a preliminary plan of subdivision for a subdivision consisting of one parcel which will contain a university and an affiliated conference center with hotel. The transportation staff used counts provided by the applicant to review conditions at the following intersections:

- US 301/Frank Tippet Road (signalized)
- Frank Tippet Road/Rosaryville Road (signalized)
- MD 223 Rosaryville Road (signalized)
- Frank Tippet Road/site entrance (future, unsignalized)

The existing and background conditions at the intersections within the study area for this application are as provided in transportation's original referral.

The applicant proposes two professional schools with 450 students apiece (total of 900 students) and a 250-room hotel/conference center. The question of site trip generation was discussed at length during staff's original review and during the public hearing. In the course of the hearing, the applicant proffered to have approval for only 140 students in the professional schools, with no conference center. Since that time, the applicant has shown a desire to return to the original proposal, and the Planning Board has granted the reconsideration to allow the original proposal to be discussed again. In requesting the original proposal, the applicant has indicated a willingness to accept staff's original trip generation analysis. This analysis was discussed at length in staff's original referral and is summarized as follows:

Use	Source of Information	New Trips (AM & PM - In/Out)	
University - 900 students	discussion in earlier memorandum	76/14	42/78
Hotel/Conference Center - 250 rooms	<i>Guidelines</i>	88/75	112/88
Site - Total Trips	--	164/89	154/166

The site was analyzed using an appropriate site trip distribution, and total traffic conditions are as summarized in the original referral.

The Prince George's County Planning Board, in the *Guidelines*, has defined level of service D (LOS D) as the lowest acceptable operating condition for signalized intersections on the transportation system. Under total future traffic as developed using the *Guidelines*, adding the impact of the proposed development, the intersection of Frank Tippet Road and Rosaryville Road was found to be operating worse than LOS D in the AM peak hour. In response to the inadequacy, the traffic study recommends the addition of an exclusive left-turn lane to the Frank Tippet Road approach to the intersection. With this improvement, along with the needed additional receiving lane along northbound Rosaryville Road and the required signal, signage, and marking modifications, this intersection will operate at LOS C with a CLV of 1,222 in the AM peak hour and at LOS B with a CLV of 1,072 in the PM peak hour. Due to the limited impact of students at a predominantly residential campus on the critical movements at this intersection, however, the transportation staff has determined that staging of this improvement with construction of the conference center and its related lodging facilities would be appropriate.

Several subdivisions in the area of the subject property have conditions to contribute to the improvement of intersections in the area. In the course of the Planning Board's reconsideration of Woodyard Estates, that applicant submitted a traffic study which reviewed traffic conditions at critical intersections in the area. These requirements were reviewed by planning staff and the operating agencies. They included cost estimates, and these estimates were used with existing resolutions and collections to date to revise the pro-rata share procedure in the area.

The MD 223 and Rosaryville Road was deemed to be critical for the subject property. The improvements required for a finding of adequacy at this location would include the construction of an additional lane in accordance with SHA standards of approximately 400 feet minimum for the southbound approach at the MD 223 and Rosaryville Road intersection, with this improvement providing an exclusive right-turn lane and dual southbound through lanes through the intersection. With these improvements and the buildout as proposed at TLBU, the MD 223/Rosaryville Road intersection would operate at Level-of-Service (LOS) D, with a critical lane volume (CLV) of 1,312, in the AM peak hour, and at LOS D with a CLV of 1,396 in the PM peak hour. As presented, the cost for improving the MD 223/Rosaryville Road intersection is \$425,000 in current dollars.

In its approval of the Harman Property Cluster, the Planning Board established a pro rata share for the construction of these improvements. The methodology for determining the pro rata share is based on the subject development's use of available AM and PM peak hour capacity in consideration of all funds which are currently committed to other developments. The analysis done recently for Woodyard Estates and which was approved by the Planning Board is presented below:

MD 223 and Rosaryville Road Intersection

Development	Contributing Trips (AM & PM Combined)	Percent Share	Pro-Rata Share	Prev. Allocation with Inflation
Total			\$425,000.00	
Less Graystone At Marlborough			\$33,472.00	
Less Rosary Woods			\$31,130.00	
Less The Woodyard (76 units built of 143 recorded)			\$50,215.00	
New Total for Allocation	431	100.00%	\$310,183.00	
Woodyard Estates	108	25.06%	\$77,725.67	
TLBU (900 students)	138	32.02%	\$99,316.13	
The Woodyard (67 units)	75	17.40%	\$53,976.16	\$63,120.00
The Woodyard (L-A-C)	86	19.95%	\$61,892.66	\$48,555.00
Holloway Estates	24	5.57%	\$17,272.37	\$13,296.00

Notes: Holloway Estates has condition to pay a maximum of \$9,728. Woodyard L-A-C has condition to pay maximum of \$35,525. Woodyard residential is currently paying \$689.27 per unit for a total of \$46,181. The minimum between inflated committed cost and the fair share is highlighted. The Woodyard Estates and TLBU payments will be adjusted accordingly.

The italicized notes to this table suggest that most costs at this location are already committed. These committed costs are adjusted for inflation, with the minimum between the inflated committed and the revised pro rata share to be used in determining final allocations for TLBU and Woodyard Estates. As a result, the costs are determined as follows:

New Total for Allocation	\$310,183
Committed through Prior Resolutions (minimum of inflated committed and fair share)	\$115,827
Remaining Split for Woodyard Estates (108/246 = 43.9024%)	\$ 85,326
Remaining Split for TLBU (138/246 = 56.0976%)	\$109,030, or \$121.15 per student

In consideration that Woodyard Estates and the student component of TLBU would pay \$790.06 per trip to improve the MD 223/Rosaryville Road intersection, staff notes that the conference center component would contribute 236 trips to the intersection and should pay the same per-trip cost, or a total of \$186,455 for the conference center (\$745.82 per hotel room). When the recommendations for the Woodyard Estates reconsideration were developed, it was not clear at that time that TLBU would pursue approval of the conference center. All costs presented reflect a recent analysis with 2001 costs.

In consideration of these findings and the findings provided in the transportation staff's previous referral, a reconsideration of the plan raises no new off-site transportation issues. Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-

124 of the Prince George's County Code if the application is approved with the following revised conditions:

9. Prior to the issuance of building permits, the applicant, his heirs, successors, and/or assigns shall pay a pro rata share of the cost of the road improvements identified below:
 - a. Construct an additional lane in accordance with SHA standards of approximately 400 feet minimum for the southbound approach at the MD 223 and Rosaryville Road intersection. This will provide an exclusive right-turn lane and dual southbound through lanes through the intersection.

The pro rata share shall be payable to Prince George's County, with evidence of the payment provided to the Planning Department with the building permit application. The pro rata share for the university shall be calculated as follows: For the improvements at MD 223/Rosaryville Road, the amount of \$121.15/student x (Engineering News Record Highway Construction Cost Index at time of building permit application)/(Engineering News Record Highway Construction Cost Index for 1990).

The pro rata share for the hotel/conference center shall be calculated as follows: For the improvements at MD 223/Rosaryville Road, the amount of \$745.82/hotel room x (Engineering News Record Highway Construction Cost Index at time of building permit application)/(Engineering News Record Highway Construction Cost Index for 1990).

10. Prior to the issuance of any building permits for the conference center or its related facilities, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction with DPW&T, and (c) have a timetable for construction with DPW&T:
 - a. Intersection of Frank Tippet Road and Rosaryville Road:
 - (1) Construct an exclusive left-turn lane along the Frank Tippet Road approach to the intersection, with the existing approach lane functioning as a left/right/through lane. The applicant shall also provide a second receiving lane along northbound Rosaryville Road beyond the intersection, with adequate transition and taper. The applicant shall be responsible for the necessary traffic signal, signage, and pavement marking modifications.
11. Total development within the subject property shall be limited to a 900-student university, with a majority of students living on campus, or equivalent development which is permitted within the R-S zone which generates no more than 253 AM and 320 PM peak hour vehicle trips. Any development other than that identified herein above shall require an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.

VARIATION REQUEST

Staff does not support the variation request. The following discussion appears in the original staff report:

The loop road design impacts floodplain, wetlands, and wetland buffers. The petition does not indicate an engineering necessity for the alignment which would clearly distinguish inconvenience from hardship. Without a justification that states why the design is necessary and that the impacts are unavoidable, the Environmental Planning Section is unable to support the variation request for this impact.

Since the reconsideration request was granted, staff met with the applicant to discuss the necessity of the loop road. The applicant has narrowed the loop road in the area of the wetlands to minimize the impacts, but staff continues to believe that the impacts are completely avoidable, given some minor design changes. The order of preference is always avoidance first and minimization if avoidance is not possible. In this case, avoidance is possible, so no hardship would befall the applicant if the variation is denied. The campus could still be constructed with the hotel/conference center. However, access to the hotel/conference center would be different.

Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of variation requests. The Planning Board may approve variations upon making the following findings:

- A. That the granting of the variation will not be detrimental to the public safety, health, or welfare or injurious to other property.**
- B. The conditions of which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties.**
- C. The variation does not constitute a violation of any other applicable law, ordinance, or regulation.**
- D. 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.**

A modest redesign of the entrance feature would allow the road to be relocated to avoid the wetlands and buffer. Because this is the case, no hardship would befall the applicant if the variation is denied. The campus could still be constructed with the hotel/conference center. However, access to the hotel/conference center would be different. No matter the width of the right-of-way, the impact to the wetlands is avoidable; therefore, the variation should be denied.

RECOMMENDATION

Staff recommends that the original transportation-related conditions be altered, that the condition requiring the creation of outparcels be deleted and replaced with a condition requiring the plan to be revised to relocate the access to the hotel/conference center to avoid impacts to the wetlands and buffer. Other findings and conditions in the original staff report (attached) remain in effect. Staff recommends the following conditions. Amended conditions (9, 10, 11, and 18) are noted with a star (*).

1. At time of final plat, a Conservation Easement shall be described by bearings and distances. The conservation easement shall contain all 100-year floodplain, stream buffers, wetlands and wetland buffers except for approved variation requests and 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 is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

2. Prior to the issuance of any permit which impacts floodplain, streams, stream buffers, wetlands, or wetland buffers, the applicant shall obtain all necessary federal and state permits. Copies of the approved permits shall be filed with the Environmental Planning Section.
3. Prior to the issuance of any grading permit, the applicant shall provide the Environmental Planning Section a finding of no significant impact by the Maryland Department of Natural Resources with regard to the state-endangered herbaceous plant, Few-flowered Tick-trefoil (*Desmodium pauciflorum*).
4. The final plat shall contain the following note:

■Prior to the issuance of building permits for residential units on this site, the applicant shall provide certification by a professional engineer with competency in acoustical analysis that the building shells of residential units within the 65 dBA of the Air Installation Compatible Use Zone (AICUZ) have been designed to attenuate noise levels to 45 dBA(Ldn) or less.●
5. Prior to signature approval of the preliminary plan, the Tree Conservation Plan, TCP I/110/90-01 shall be revised to:
 - a. Revise the Woodland Conservation Worksheet to indicate 0 (zero) acres of Previously Dedicated Land, 263.76 acres for the Net Tract, 52.75 acres for the Woodland Conservation Threshold, ■to be determined● for clearing within the floodplain, 55.12 acres for Woodland Conservation Required, 55.12 acres for Woodland Conservation Provided, and add a note: ■Additional clearing may be required which increases the amount of Woodland Conservation Required. All Woodland Conservation will be met by on-site preservation.●
 - b. Revise the plan to indicate with shading, stippling, or any other graphic method on-site woodland conservation areas totally no less than 55.12 acres.
6. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/36/00). The following note shall be placed on the Final Plat of Subdivision:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/36/00), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation

Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."

7. A Type II Tree Conservation Plan shall be approved with the Detailed Site Plan.
8. At the time of final plat approval, the applicant shall dedicate right-of-way along Frank Tippet Road of 40 feet from the center line of the existing pavement. Improvements within the right-of-way shall be determined by DPW&T, and will include adequate acceleration and deceleration lanes at the site entrance. Additionally, DPW&T may require a left-turn lane into the site along north bound Frank Tippet Road if it is determined that sight distance is limited.
- *9. Prior to the issuance of building permits, the applicant, his heirs, successors, and/or assigns shall pay a pro rata share of the cost of the road improvements identified below:
 - a. Construct an additional lane in accordance with SHA standards of approximately 400 feet minimum for the southbound approach at the MD 223 and Rosaryville Road intersection. This will provide an exclusive right-turn lane and dual southbound through lanes through the intersection.

The pro rata share shall be payable to Prince George's County, with evidence of the payment provided to the Planning Department with the building permit application. The pro rata share for the university shall be calculated as follows: For the improvements at MD 223/Rosaryville Road, the amount of \$121.15/student x (Engineering News Record Highway Construction Cost Index at time of building permit application)/(Engineering News Record Highway Construction Cost Index for 1990).

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 - a. Intersection of Frank Tippet Road and Rosaryville Road:
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- *11. Total development within the subject property shall be limited to a 900-student university, with a majority of students living on campus or equivalent development which is permitted within the R-S Zone which generates no more than 253 AM and 320 PM peak hour vehicle trips. Any development other than that identified herein above shall require an additional

Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.

12. Prior to signature approval, the preliminary plan shall be revised as follows:
 - a. Preliminary plan General Note 12 shall be corrected to indicate that the developing property adjoins Historic Site 82A-17, the Joshua Turner House.
 - b. The preliminary plan shall show the location and correct identification of Historic Site 82A-17, the Joshua Turner House.
 - c. The preliminary plan shall include a 50-foot-wide trail easement along the subject property's portions of both stream valleys to accommodate master plan trails, if they are not located on park property.
 - e. The required 10-foot-wide Public Utility Easement shall be graphically depicted on the preliminary plan along all public and private streets.
 - f. The preliminary plan shall include the stormwater concept plan approval number and date.
13. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assigns shall provide a financial contribution of \$210.00 to the Department of Public Works and Transportation for the placement of a bikeway sign along Frank Tippet Road, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit.
14. Sixty-seven acres of land for Dower House Branch Stream Valley and Piscataway Creek Stream Valley Parks in the 100-year floodplain and shown as part of the Outparcel on staff Exhibit A shall be placed in reservation for park acquisition. Reservation shall be for a period of three years. This reservation shall be subject to the following requirements:
 - a. The reservation period shall continue for three years and commence with the recordation of a Reservation Plat recorded with the Final Plat of Subdivision. The reservation area shall also be shown on the Final Plat. The Reservation Plat shall comply with all requirements for recording plats among the Land Records of Prince George's County.
 - b. At the end of the reservation period, if the reservation has not been renewed or if the land reserved has not been acquired for public use and proceedings for acquisition have not been initiated, the reservation shall expire. Prior to the expiration of the three-year reservation period and with the written consent of all land owners, the Planning Board may renew the reservation for additional periods of time (not less than one year) if agreeable to the land owners.
 - c. During the reservation period, no building or structure, other than validly approved utilities, roads and public infrastructure, shall be erected upon the reserved land unless otherwise approved by the Planning Board. No trees, topsoil, or cover shall be removed or destroyed, no grading shall be done,

and no drainage structures shall be built so as to discharge water upon the reserved land except as provided in Section 24-140(d) of the Subdivision Regulations.

- d. All reserved land shall be maintained by the owner as required by county law. The Planning Board shall be notified immediately upon the sale of any land so reserved.
- e. If, prior to the expiration of the reservation period, the Planning Board determines that the reservation no longer appears necessary, the Planning Board may cancel the reservation with the written consent of the owner.

15. Land to be placed in reservation shall be subject to the following:

- a. The M-NCPPC shall be held harmless for the cost of public improvements associated with land in reservation, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.
- b. The boundaries and acreage of land to be purchased by the M-NCPPC shall be indicated on all development plans and permits which include such property.
- c. The land in reservation shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, The M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
- d. Storm drain outfalls shall be designed to avoid adverse impacts on lands in reservation. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
- e. All waste material of any kind shall be removed from the property to be purchased. The DPR shall inspect the site and verify that it is in acceptable condition for conveyance, prior to purchase.
- f. No stormwater management facilities, or tree conservation or utility easement shall be proposed on lands owned by or to be placed in reservation without prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

16. The reservation of land along Piscataway Creak can be withdrawn if the adjacent Maryland Environmental Services Property on the west is transferred to the M-NCPPC for park use

and it is determined that the Piscataway Creek trail can be built on the west side of the stream.

17. Sole access to this property shall be from Frank Tippet Road. Access to the property from any internal residential street shall be denied pursuant to a note to be placed on the final plat of subdivision.
- *18. Access to the hotel/conference center shall be redesigned to avoid impacts to the wetlands and buffer. An elimination of the loop road may be necessary to accomplish this.