

Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm)*

Comment [COMMENT1]: WHEN INSERTING  
 INFORMATION AT THE @ SIGN  
 REMEMBER TO USE INDENT FOR SECOND  
 LINE - NOT TAB. ALSO, IT WILL LOOK  
 LIKE THE TEXT IS GOING WACKO, BUT  
 DON'T WORRY - IT IS FINE.

## PRELIMINARY PLAN

4-02029

Application	General Data
Project Name:  RODENHAUSER PROPERTY  Location:  South of MD Rt 50, west of Church Road and east of Mitchellville Road.  Applicant/Address:  Lonergan, Ed Lonergan Homes 16912 Queen Anne Bridge Road Bowie, MD 20716	Date Accepted 04/10/02
	Planning Board Action Limit 09/27/02
	Tax Map & Grid 054/E-03
	Plan Acreage 16.38
	Zone R-E
	Lots 14
	Parcel 1
	Planning Area 74A
	Council District 06
	Municipality BOWIE
	200-Scale Base Map 205NE13

Purpose of Application			Notice Dates	
RESIDENTIAL SUBDIVISION			Adjoining Property Owners (CB-15-1998)	N/A
			Previous Parties of Record (CB-13-1994)	N/A
			Sign(s) Posted on Site	06/26/02
			Variance(s): Adjoining Property Owners	N/A
Staff Recommendation			Staff Reviewer: Whitney Chellis	
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 Subdivision Plan 4-02029  
Rodenhauser Property, Lots 1 - 14 and Parcel A

OVERVIEW

The proposed subdivision consists of approximately 16.38 acres and is zoned R-E. The property is known as Parcel 14, on Tax Map 54, in Grid E-3, never having been the subject of a record plat. The applicant is proposing to subdivide Parcel 14 into 14 lots and one parcel. All of the proposed lots exceed the 40,000-square-foot minimum lot size required for conventional development in the R-E Zone. Proposed Lot 3 and 12 are flag lots. The minimum lot size in the case of a flag lot is exclusive of the flag stem as discussed further in Finding 12 of this report. Parcel A is proposed to be conveyed to a homeowners association and will contain the required stormwater management facility for the development.

The property has an unusual triangular configuration with a 350-foot ■ail• extending to the east off of the rear of Lot 12, along the east property line. The applicant has proposed three short cul-de-sacs off of the primary entrance drive in a ■T• configuration. The internal street is an extension of Denmark Place, a public right-of-way from the Woodmore Highlands Subdivision to the south. Because of the unusual configuration of the property and that three cul-de-sacs are proposed to serve only 14 lots, the building envelopes on these lots are staggered to a great degree. The resulting variation in the setbacks has caused house siting with undesirable views from one dwelling unit to another. The front of one dwelling is often oriented to the rear of another. These dwelling unit orientations and the mitigation of these views should be evaluated carefully as discussed further in Finding 12 of this report.

The City of Bowie currently has the proposed subdivision under review. The city has indicated that they have entered into negotiation with the applicant for the future annexation of this development. Currently the only access to the site is through the City of Bowie, via city streets. The development, unless annexed, would be disjointed from the county in regards to public services such as trash removal, snow removal and street maintenance. If annexed, the City of Bowie would assume responsibility for the public services mentioned above.

SETTING

The subject property is located north of Denmark Place approximately 35 feet from its intersection with Dew Ridge Court. The subject property abuts Denmark Place, a stub street, extending from the Woodmore Highlands Subdivision to the south, which is located within the City of Bowie. The applicant proposes to extend Denmark Place into the property to serve as access.

The subject property is zoned R-E. To the north and northeast is vacant R-E zoned land. To the south is land in the R-E Zone known as the Woodmore Highlands Subdivision, currently under construction and located within the City of Bowie. To the west is R-E zoned land which is vacant. The A-44 master plan transportation facility is adjoining to the west, located nearby but not abutting the subject property.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental●This site is subject to the provisions of the Woodland Conservation Ordinance because the site is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A Forest Stand Delineation (FSD) was submitted as part of the application and has been found to meet the requirements of the Woodland Conservation Ordinance.

The revised Type I Tree Conservation Plan (TCPI/14/02), stamped as received by the Environmental Planning Section on June 24, 2002, was reviewed and found to meet the requirements of the Woodland Conservation Ordinance. The minimum woodland requirement for the site is 4.10 acres of the Net Tract. Additionally, 1.70 acres are required due to the removal of woodlands, for the total of 5.80 acres. The plan shows the requirement being met with 4.77 acres of on-site preservation, 0.21 acres of reforestation, 0.29 acres of afforestation, and 0.53 acres of off-site mitigation, for a total of 5.80 acres as required.

The plan shows an area of reforestation where a bioretention area is proposed. The stocking levels of the planting in this area must meet the minimum standards of the Woodland Conservation Ordinance in order to be counted toward meeting the requirements.

The site contains over 60 specimen trees, which is the most significant existing environmental feature on site. A review of the information available indicates that the site is about 75 percent wooded, and is characterized with terrain sloping to the south and west, and drains into unnamed tributaries of the Collington Branch in the Patuxent River watershed. The predominant soil type found to occur on this property according to the Prince George's County Soil Survey is Monmouth. This soil series generally exhibits moderate limitations to development due to steep slopes.

No Marlboro clay has been identified on this site. There are no streams or floodplains on the site. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources - Natural Heritage Program. There are no historic or scenic roads affected by the proposal. The sewer and water service categories are S-3 and W-3 according to the Prince George's County Water and Sewer Categories Map.

2. Community Planning●The subject property is located within the limits of the *Bowie Collington Mitchellville & Vicinity Master Plan* (1991), in Planning Area 71A/Community VI. The 2000 *Interim General Plan* locates this property within the Developing Tier. The master plan land use recommendation for this property is suburban-estate. There are no master plan transportation or public facilities planned for the property. The *Bowie-Collington-Mitchellville & Vicinity Sectional Map Amendment* (1991) retained the property in the R-A Zone.

The proposed subdivision is consistent with the master plan recommendation for suburban-estate development. There are no master plan issues raised by the development of this subdivision.

3. Parks and Recreation●In accordance with Section 24-134(a)(3) of the Subdivision Regulations, Lots 3 and 12 are exempt from the requirement of mandatory dedication of parkland because these lots are greater than one 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 because the remaining lots in the subdivision are unsuitable for dedication due to size and location.

4. Trails There are no master plan trail issues associated with this application.
5. Transportation The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 16.38 acres of land in the R-E Zone. The property is located south of US 50 and east of Church Road, at the end of Denmark Place. The applicant proposes to develop the site as a residential subdivision with 14 single-family detached residences.

No traffic study was requested or received of the applicant. The transportation staff determined that weekday traffic counts were needed at the unsignalized intersections of Church Road/Mount Oak Road and Church Road/Woodmore Road. In response, the applicant submitted traffic counts taken in May 2002 at these locations. 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*.

The two critical intersections are a pair of closely offset T• intersections. A number of subdivisions in the area have been required to make improvements to realign the intersections to create a single four-way intersection and to provide signalization. Approximately 13 years ago, the Planning Board approved the use of a pro rata share to allow nearby developments to pay money toward the needed improvements.

The traffic generated by the proposed plan would impact the intersections of Church Road/Mount Oak Road and Church Road/Woodmore Road. Neither intersection is signalized. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined an upper limit of 50.0 seconds of delay in any movement as the lowest acceptable operating condition on the transportation system. The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Church Road/Mount Oak Road	38.1*	266.4*	--	--
Church Road/Woodmore Road	574.6*	327.3*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations.				

Seven nearby developments were included in background traffic, comprising over 3,000 residences and over 300,000 square feet of commercial space. These developments included Oak Creek Club, Woodmore at Oak Creek, Ashleigh, the Franklin Property, Kings Isle Estates, Woodmore South, and Fairwood. No annual rate of through traffic growth was used because of the great quantity of background development assumed; this amount of development should more than account for six-year growth along Church Road and the crossing facilities.

There are projects in the county's Capital Improvement Program to improve both Woodmore Road and Mount Oak Road; neither project has funding for construction within the next six years, however, so these projects cannot be considered to be a part of background traffic for purposes of making adequacy findings. The following background traffic conditions were determined:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Church Road/Mount Oak Road	730.0*	+999*	--	--
Church Road/Woodmore Road	+999*	+999*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations.				

The application is a plan for a residential subdivision consisting of 14 single-family detached residences. The proposed development would generate 10 AM (2 in, 8 out) and 13 PM (9 in, 4 out) peak-hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The site was analyzed using the following trip distribution:

Woodmore Road from the west: 60 percent  
Church Road from the south: 10 percent  
Mount Oak Road from the east: 25 percent

Church Road from the north: 5 percent

With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Church Road/Mount Oak Road	776.7*	+999*	--	--
Church Road/Woodmore Road	+999*	+999*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations.				

Typically when the transportation staff observes that an unsignalized intersection fails, the staff requests that a traffic signal warrant study be completed for the intersection. After that study has been reviewed and the responsible operating agency determines that a signal is warranted, the applicant is required to bond and install the signal.

Given that the Planning Board has, for several past developments, approved the payment of a pro rata share for signalization and realignment of the two critical intersections, staff believes that the same condition is applicable to the subject case. With signalization and realignment, the resulting critical intersection would operate at level-of-service (LOS) D, with a critical lane volume of 1,337 in the AM peak hour, and LOS D with a CLV of 1,414 in the PM peak hour. Therefore, the pro rata improvements will provide adequacy at this location.

At the time of the review of the Franklin Property preliminary plan (4-88266) and at the direction of the Planning Board, staff did develop a cost estimate for the above mentioned improvement, along with a formula for determining pro rata contributions from developments that would affect the intersection. The following formula was developed by staff and used as the basis for the Planning Board approval of the Franklin Property and other preliminary plan applications subsequent to that approval:

Pro rata = number of PM peak hour trips(vph)/1,276 x \$2,000,000  
where,  
\$2,000,000=total estimated cost of the realignment plus the installation of a traffic signal.  
1,276=PM base volume (vph) within the study area from the Franklin Property traffic study.

The parameters for the analysis of the subject site are identical to those used for the Kings Isle Estates subdivision. As the pro rata is based on proportional impacts, the subject property's pro rata share would be identical to that earlier subdivision, at an amount of \$18,652 or \$1,332.29/lot.

Once again, these improvements identified were previously included as conditions of approval in the following Planning Board cases:

Resolution #		Preliminary Plan #	
Property	Franklin Property	89-158	4-88266
	Ashleigh Cluster	92-17	4-91117
	92-37	4-91122	Hopkins
	Grovehurst	92-51	4-92002
	Kings Isle Estates	97-199	4-97020

The site's access is a very circuitous route over three streets within the City of Bowie. This is of some concern, and staff has visited the site and has determined that the streets which will access the subject property are of sufficient right-of-way and pavement width to serve existing traffic and 14 additional residential lots. In particular, Denmark Place and Dunwood Crossing Drive, with the development of the subject property, would serve no more than 400 average daily automobile trips. That is a reasonable daily traffic volume for streets of that type.

Stubbing into the adjacent property to the west and north to gain more direct access for the subject property could have the unwanted effect of introducing excessive traffic onto Denmark Place and Dunwood Crossing Drive, with no assurance that a more direct connection might ever occur. For that reason, staff has decided to no longer pursue stubbing options from the subject property.

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 condition.

6. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001) and concluded the following:

#### Finding

Impact on Affected Public School Clusters

Affected School Clusters #	Dwelling Units	Pupil Yield Factor	Subdivision Enrollment	Actual Enrollment	Completion Enrollment	Wait Enrollment	Cumulative Enrollment	Total Enrollment	State-Rated Capacity	Percent Capacity	Funded School
Elementary School Cluster 3	14 sfd	0.24	3.36	5864	339	128	0	6334.36	5054	125.33%	Bowie, Whitehall
Middle School Cluster 2	14 sfd	0.06	0.84	4397	201	189	6.19	4794.03	3648	131.42%	East Central
High School Cluster 2	14 sfd	0.12	1.68	12045	412	377	12.36	12848.04	10811	118.84%	Frederick Douglass addn.

Source: Prince George's County Planning Department, M-NCPPC, January 2002

The affected elementary, middle, and high school cluster percent capacities are greater than 105 percent. Bowie and Whitehall are the funded schools in the affected elementary school cluster. East Central is the funded school in the affected middle school cluster. The Frederick Douglass addition is the funded school in the affected high school cluster. Therefore, this subdivision can be approved with a three-year waiting period.

Based on this information, staff finds that the subdivision may be approved subject to conditions, in accordance with Section 24-122.02 of the Subdivision Regulations.

7. Fire and Rescue•The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities and concluded the following:
- a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 9.66 minutes, which is beyond the 5.25-minute response time guideline.
  - b. The existing ambulance service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 9.66 minutes, which is beyond the 6.25-minute response time guideline.
  - c. The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive has a service response time of 9.66 minutes, which is beyond the 7.25-minute response time guideline.

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

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed above, the Fire Department recommends that all residential structures be fully sprinklered in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws.

The Growth Policy and Public Facilities Planning Section has concluded that the entire development is beyond the recommended response times from existing facilities which provide ambulance and paramedic service. The development will not be adequately served by ambulance and paramedic services. This finding was based on using the existing road system and the existing stations.

The planned Bowie EMS facility will be the first new station to provide ambulance and paramedic services to this development. The Bowie EMS facility is shown in the *Approved Capital Improvements Program, 2003-2008*, item #LK510650, with a total cost of \$2.6 million, which is programmed to be completed in 2006.

In order to mitigate the ambulance and paramedic service response time deficiencies, the applicant should provide a fair share contribution towards the planned Bowie EMS facility.



The contribution is based upon the fair share fee and an inflation factor from the approval date of this preliminary plan to the building permit application.

The fee amount is based upon the construction cost of the station (\$2,600,000) and the purchase of one paramedic unit (\$129,000) and one ambulance unit (\$129,000), divided by the total amount of residential and employee population (26,998) within the entire service area in the year 2006. The service area includes those areas that will be served by the planned Bowie EMS facility.

The fee should be paid prior to the issuance of building permits. The fair share fee is \$106 per resident or employee. This development proposal is projected to generate 43 residents (3.10 per dwelling unit at 14 dwelling units), which results in a total fee of \$4,300.00 or \$328.00 per dwelling unit as follows:

$\$2,600,000 + \$129,000 + \$129,000 = \$2,858,000$  total project cost  
 $\$2,858,000 / 26,998 = \$106.00$  total cost per person  
 $14 \text{ dwellings} / 3.10 \text{ household size} = 43.4$  total number of residents  
 $43.4 \times \$106 = \$4600.00$  total cost to the development  
 $\$4600 / 14 = \$328.00$  per dwelling

8. Police Facilities The proposed development is within the service area for District II- Bowie police station. In accordance with Section 24-122.1(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Rodenhauser property development. This police facility will adequately serve the population generated by the proposed subdivision.
9. Health Department The Health Department has no comments relating to the proposed subdivision.
10. Stormwater Management The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan been submitted but not yet approved. The approval of a stormwater management plan is necessary prior to signature approval of the preliminary plan to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with the approved plan.
11. Flag Lot The proposal includes two flag lots, proposed Lot 3 and Lot 12. Flag lots are permitted pursuant to Section 24-138.01 of the Subdivision Regulations. The proposed flag lots satisfy the design standards found in Section 24-138.01(d) as follows:
  - a. **A maximum of two tiers are permitted.** The applicant is proposing only one tier for each flag lot.
  - b. **The flag stem has a minimum width of 25 feet for the entire length of the stem.** The applicant is proposing a 25-foot-wide flag stem for each lot.
  - c. **The net lot area, exclusive of the stem, must meet the minimum lot size standard.** Based on the scale drawing, the net lot area of Lot 3 is approximately

43,922.5 square feet and the net lot area of Lot 12 is approximately 84,372 square feet, both exceeding the minimum 40,000-square-foot net lot area required for conventional development in the R-E Zone. However, the preliminary plan does not distinguish the area of the stem from the net lot area. Prior to the signature approval of the preliminary plan, it should be revised to show the correct net lot area for proposed Lot 3 and 12.

Section 24-138.01(d)(6) of the Subdivision Regulations requires that the preliminary plan of subdivision demonstrate compliance to the *Landscape Manual* where a rear yard is oriented towards a driveway that accessed other lots, or towards a front or side yard of another lot. The applicant has not provided a proposed landscape plan to demonstrate conformance. Prior to signature approval of the preliminary plan, it should be revised to reflect the required bufferyards in accordance with the *Landscape Manual*.

However, if the Planning Board requires the approval of a Limited Detailed Site Plan (LDSP) as discussed in Finding 13 of this report, to evaluate house siting and buffering for Lots 1-5 and 10-14, it will not be necessary for the preliminary plan to be revised to demonstrate conformance to Section 24-138.01 of the Subdivision Regulations. Buffering and house siting for Lot 3 and 12 would be evaluated through the LDSP process.

12. Limited Detailed Site Plan The applicant has proposed three cul-de-sacs off of the primary entrance drive in a T configuration. Because of the unusual configuration of the property and the frontage resulting from the use of three cul-de-sacs, the house orientations result in undesirable views from the fronts and sides of several of the dwelling units to the rear and side of dwellings on abutting or adjoining lots.

The proposed tree conservation plan demonstrates that the tree preservation areas are along the perimeter of the site. Often the tree conservation areas can serve to mitigate these views and provide natural buffers for the dwelling units from one another. However, due to the location of these tree stands, no additional buffering is being realized between the dwellings.

In order to minimize these views, staff would recommend that a Limited Detailed Site Plan (LDSP) be required prior to the approval of building permits for Lots 1-5 and 10-14. These lots are the most significantly impacted by the possible undesirable views of the rear and sides of other dwelling units. Staff would suggest that the LDSP evaluate the house siting on these lots and evaluate options for mitigating views. It is not the intent of this discussion and resulting condition to provide a dense screen to entirely block the views of other dwelling units, but to soften the views by providing landscaping in strategic locations while evaluating appropriate house siting. The LDSP could be adequately reviewed and approved at a staff level.

Pursuant to Section 24-138.01 of the Subdivision Regulations, Lots 3 and 12 are subject to the *Landscape Manual*. The required bufferyards are based on the house orientation. Through the review of the LDSP the house orientations will be evaluated and may change from the orientation demonstrated on the preliminary plan. Therefore, the preliminary plan does not provide the location of the bufferyards, but will be demonstrated through the review of the LDSP.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to building permits, the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that Parcel A has been conveyed to the homeowners association.
2. All land to be dedicated to a homeowners association shall be subject to the following conditions:
  - a. All manmade debris shall be removed from the land to be conveyed.
  - b. The conveyed open space shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
  - c. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved preliminary plan, grading plan, or shall require the written consent of the Development Review Division. This shall include, but not be limited to: The location of sediment control measures, tree removal, temporary or permanent stormwater management, utility placement, and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee may be required to warrant restoration, repair or improvements required by the approval process.
3. Prior to the approval of building permits for Lots 1-5 and 10-14, a Limited Detailed Site Plan shall be approved by the Planning Board's designee. The DSP shall evaluate house sitings and buffering of the views of the rear and side of dwelling units from the fronts and side of dwelling units located on adjoining and abutting lots.
4. Development of this subdivision shall be in accordance with an approved Stormwater Management Concept Plan.
5. Prior to signature approval the preliminary plan shall be revised:
  - a. To provide the Stormwater Management Concept approval number and approval date.
  - b. To provide the net lot areas of Lot 3 and 12.
  - c. To provide a note that the dedicated public rights-of-way will be developed using LID techniques and be constructed with open sections.
  - d. To note that off-site stormdrain easements are subject to DER approval.
  - e. To label the 120-foot front building line on Lots 2, 3, 4, 6, 7, 11, 12, and 13.

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 for each lot which is less than one acre in size.
7. No building permits shall be issued for this subdivision until the percent capacity, as adjusted pursuant to the school regulations, at all the affected school clusters is less than or equal to 105 percent or three years have elapsed since the time of the approval of the preliminary plan of subdivision; or pursuant to the terms of an executed school facilities agreement whereby the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council to construct or secure funding for construction of all or part of a school to advance capacity.
8. The applicant, his heirs, successors and/or assignees shall provide a fee to Prince George's County, which shall serve as a fair share contribution towards the construction of the Bowie EMS facility (CIP item-LK510650). The fee shall be paid prior to the issuance of building permits. The fair share fee is \$106 per resident or employee. This development proposal is projected to generate 43 residents, which results in a total fee of \$4,300.00 or \$328.00 per dwelling unit.
9. Prior to the issuance of any building permit, the applicant shall pay to Prince George's County the following share of costs for improvements to Church Road/Mount Oak Road/Woodmore Road realigned intersection as follows:
  - a. A fee calculated as \$1,332.29/residence x (*Engineering News-Record* Highway Construction Cost Index at time of payment)/*Engineering News-Record* Highway Construction Cost Index for November, 1991).
10. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/14/02). The following note shall be placed on the Final Plat of Subdivision:

■Development is subject to restriction shown on the approved Type I Tree Conservation Plan (TCPI/14/02), 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 and Subtitle 25.●
11. Prior to the submission of the Type II Tree Conservation Plan, approval shall be obtained from the Department of Environmental Resources to plant trees in the bioretention area to the stocking levels required to meet the minimum standards of the Woodland Conservation Ordinance.
12. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN.