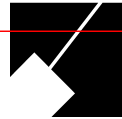


Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530



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.

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

## PRELIMINARY PLAN

**4-02093**

Application	General Data
Project Name:  <b>MARYLAND SCIENCE &amp; TECHNOLOGY CENTER</b>  Location:  The subject property is located in the northeast quadrant of the intersection of MD 3 and US 50 in the City of Bowie  Applicant/Address:  Benítez, Ramon MIE Properties, Inc. 5720 Executive Drive Baltimore, MD 21228	Date Accepted 10/22/02
	Planning Board Action Limit 01/14/03
	Tax Map & Grid 047/E-01
	Plan Acreage 114.10
	Zone E-I-A
	Lots 0
	Parcels 3
	Planning Area 71B
	Council District 04
	Municipality City of Bowie
	200-Scale Base Map 207NE15

Purpose of Application			Notice Dates	
Commercial subdivision, construction of stormwater management facilities.			Adjoining Property Owners (CB-15-1998)	N/A
			Previous Parties of Record (CB-13-1994)	N/A
			Sign(s) Posted on Site	12/26/02
			Variance(s): Adjoining Property Owners	N/A
Staff Recommendation			Staff Reviewer: CHELLIS, WHITNEY	
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 4-02093  
University of Maryland Science and Technology Center, Parcels A, B and C

OVERVIEW

The subject property is located on Tax Map 47 and 48, in Grid E-3 and A-4, respectively, and is known as Parcels 4, 5 and 32. The subject property is approximately 114.10 acres of land and is zoned E-I-A. This preliminary plan has been filed for a portion of the overall University of Maryland Science and Technology Center. The entire center is approximately 466.43 acres of land and subject to Basic Plan A-9401, approved on January 12, 1982, and Comprehensive Design Plan CDP-8601, approved on July 7, 1986.

The Comprehensive Design Plan, CDP-8601, has identified 7 "pods" of development. The Planning Board approved Preliminary Plan 4-98076 on September 28, 2000, for pods 1 through 5, and pod 6A. That preliminary plan was approximately 153.2 acres and was found to be in conformance with the approved basic plan and comprehensive design plan. Pod 7 has not been the subject of a preliminary plan of subdivision. Also included in the basic plan is what is now known as Parcel 6, containing the Patuxent River and 100-year floodplain, and is to be conveyed to the M-NCPPC Department of Parks and Recreation.

The subject preliminary plan covers all of pod 5 and pod 6, saving pod 6A that was approved as part of Preliminary Plan 4-98076. The proposed preliminary plan has been submitted for the purpose of constructing two permanent stormwater management ponds that will support existing and future development for a large portion of the overall development.

Specific design and evaluation of grading or development of the proposed stormwater management facilities within the limits of this preliminary plan will be subject to the review and approval of a specific design plan prior to the issuance of permits. In addition, any development beyond the proposed stormwater management facilities may be subject to a new preliminary plan of subdivision and a revision to the required specific design plan. The scope of the review of this preliminary plan was limited to the conceptual review of two stormwater management facilities. More specific review will be required through the specific design plan stage prior to the issuance of any permits.

SETTING

The subject property is located in the northeast quadrant of the intersection of MD 3 and US 50 in the City of Bowie. It is generally surrounded by vacant land planned for development in accordance with approved Comprehensive Design Plan CDP-8601 for the University of Maryland Science and Technology Center. Abutting to the northeast is Parcel 6, an acreage parcel of land located within the 100-year floodplain. Parcel 6 is to be dedicated to the Parks Department as part of the Patuxent River Park.

## 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	E-I-A	E-I-A
Use(s)	Vacant	Stormwater Management
Acreage	114.10	114.10
Lots	0	0
Parcels	3	3

2. **Conformance with the Basic Plan and Comprehensive Design Plan**—Basic Plan A-9401 for the subject property was approved on January 12, 1982. Comprehensive Design Plan CDP-8601 was subsequently approved on July 7, 1986. The proposed preliminary plan presents a lotting pattern and provides for an internal road network generally similar to that approved by the basic plan and the CDP. The limited development proposed under the subject preliminary plan for the construction of two stormwater management ponds does not impede the orderly development of those plans. Staff finds that the proposed preliminary plan is in conformance with the approved basic plan and CDP in general.
3. **Environmental**—The Environmental Planning Section has reviewed the above revised preliminary plan stamped as received by the Countywide Planning Division on December 12, 2002. The Environmental Planning Section recommends approval of TCPI/44/98-01 subject to conditions.

The Environmental Planning Section, in conjunction with Preliminary Plan 4-88030, which was approved on August 15, 1988, previously reviewed this site. That preliminary plan covered the property and was approved prior to the adoption of the Woodland Conservation Ordinance; therefore, a tree conservation plan was not approved with the preliminary plan. Preliminary Plan 4-98076 was approved on February 25, 1999, superseding 4-88030, and covered only that portion of the property generally west of Curie Drive. TCPI/44/98 was approved with that preliminary plan and also only covered the portion of the site covered by 4-98076 that is west of Curie Drive.

On October 29, 2000, to resolve a violation of the Woodland Conservation Ordinance that occurred east of Curie Drive, TCPII/36/99 was approved for the entire site. Because of the nature of the violation, a TCPII was necessary. A Type II TCP does not address the Subdivision Ordinance requirements for the delineation and preservation of sensitive environmental features such as the Patuxent River Primary Management Area (PMA). Large expanses of PMA exist on the site that have not been previously delineated and designated for preservation as required by the Subdivision Ordinance. The applicant submitted the previous TCPII in conjunction with this preliminary plan instead of a required TCPI. The applicant may utilize TCPII/36/99, but the plan must be relabeled as a Type I, and additional information should be provided.

The current application is for two stormwater management ponds. Because this site is within the City of Bowie, stormwater management approval is under the jurisdiction of the City of Bowie. A review of the available information indicates that streams, wetlands, 100-year floodplain, and severe and steep slopes are found to occur on this property. Although US 50 and US 301 have been identified as transportation-related noise generators, there are no adverse impacts to the uses proposed in this application. The predominant soils found to occur, according to the Prince George's County Soil

Survey, include Adelphia, Collington, Ochlockonee and Shrewsbury. The Adelphia and Shrewsbury soils have limitations with respect to high water tables and impeded drainage. According to available information, Marlboro clay is not found to occur in the vicinity of this property.

The sewer and water service categories are S-3 and W-3. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this property. This property is located in the Patuxent River watershed, directly adjacent to the Patuxent River, and in the Developing Tier.

The subject parcels are part of a larger development scheme that was approved as part of CDP-8601. The preliminary plan currently under review is for the purpose of constructing two stormwater management ponds. This concept is in general conformance with the previously approved CDP; however, the location and design of the proposed ponds will be reviewed in more detail during the review of the required specific design plan.

The approved CDP contains a plan entitled "Reserved Open Space." The area labeled "Reserved Open Space" has been shown on previous plans that were subject to the review and approval of the Planning Board. The current application does not show the location of the open space, as previously approved on the CDP. The preliminary plan and the tree conservation plan should be revised to show the full extent of the "Reserved Open Space" as shown on the approved CDP.

There are four conditions of the approved CDP-8601 that apply to the review of this preliminary plan:

Condition 11 states: **"The stormwater management concept should be amended to indicate that on-site infiltration of the first one inch of runoff will be provided wherever soil conditions permit."** This condition should be carried forward to this plan and be included in the stormwater concept plan for the subject property. The plan as submitted does not address this condition of approval.

Prior to signature approval of the preliminary plan, written evidence should be provided from a professional engineer regarding how the stormwater management concept plans have addressed the requirement for infiltration.

Condition 12 states: **"All Phase III (SDP) submittals shall demonstrate that stormwater management facilities required in accordance with the overall concept plan will be constructed concurrent with development."** The subject preliminary plan is solely for the construction of stormwater management plans. No additional information is required at this time regarding this condition.

Condition 13 states: **"The stormwater management concept shall consider the use of wet stormwater management facilities in the area east of the access road in Pods 5 and 7. Such facilities are considered highly desirable for water quality protection and establishment of wild-life habitats."** The concept plans submitted with the application, stamped as received by the Development Review Division on December 3, 2002, dated as approved by the City of Bowie on October 2, 2002, do not indicate the type of ponds proposed, e.g., dry ponds, extended detention, or wet

ponds. If they are proposed to be wet ponds, the proposed water surface elevations should be added.

Prior to signature approval of the preliminary plan, the stormwater management concept plan should be revised to indicate the type of facility proposed, e.g., dry ponds, extended detention, or wet ponds. If the ponds cannot be designed as wet ponds, the engineer should provide written justification stating why the ponds cannot be designed as permanent wet ponds. If the ponds are designed as wet ponds, the permanent water surface elevation should be added to the plans.

Condition 14 states: **“Floodplain studies for streams draining watersheds “B” and “C” shall be submitted to and approved by the Department of Public Works and Transportation prior to the approval of any Preliminary Plan within these watersheds.”** Watershed B is part of the northern portion of the subject application. A floodplain study has not been provided with the information submitted. The Department of Environmental Resources is the current approval agency for floodplain studies. The floodplain elevations shown on the plan are FEMA floodplain elevations, which may or may not reflect actual conditions.

In a recent meeting, the applicant displayed a letter from DER regarding the limits of the floodplain. Staff requested that this letter be submitted as part of the application for review. The letter has not been submitted to date and staff is unaware of its contents other than to say that DER may have regarded the FEMA floodplain limit to be acceptable as a conceptual location of the floodplain limits for planning purposes. In order to design the project, and clearly define the limits of the floodplain, a floodplain study is needed. The approved limits of the floodplain, based on a floodplain study, are needed to determine if the ponds are in fact designed outside the floodplain, for the designation of the Patuxent River Primary Management Area, and for the determination of the required woodland conservation on the site.

Prior to signature approval of the preliminary plan, a floodplain study, approved by the Department of Environmental Resources, should be submitted for the portion of the subject application that is in watershed B, as shown on the CDP. An approved floodplain study should be submitted for the elevation of the 100-year floodplain associated with the Patuxent River.

A forest stand delineation (FSD) was submitted with the previously approved TCPII. A memo dated November 6, 2002, from the Environmental Planning Section stated:

“A forest stand delineation is required with the submission of any plan for review. A simplified FSD was submitted with the previously approved TCPII. This plan does not meet the submission requirements for a preliminary plan and does not show the full extent of woodland as it exists today. A detailed FSD is needed, not only for the evaluation of the tree conservation plan, but also for the delineation of the PMA and the determination of the location of priority woodlands. The FSD is required to show all of the existing site features. Most importantly on this site, the FSD must show the location of all streams, wetlands, 100-year floodplain and existing tree lines. This information has not been clearly documented on any other plan to date.”

The tree conservation plan currently under review also does not show the existing site features correctly; however, staff has conducted extensive site visits and is familiar enough with the property to proceed with the review of the case. If there are future comprehensive revisions to the CDP, or the overall preliminary plan for this portion of the site, or if the land development does not take place in

the next five years, the FSD will be required to be corrected. No further information is required with regard to the FSD at this time.

The site is located directly adjacent to the Patuxent River. As required by the Patuxent River Policy Plan, staff requested during previous reviews that the preliminary plan and tree conservation plan be revised to show the Patuxent River Primary Management Area (PMA) that includes, at a minimum, the 100-year floodplain, streams, stream buffers, wetlands, wetland buffers, steep slopes on highly erodible soils, and severe slopes. The tree conservation plan was revised, but not all features are shown and information regarding the validity of certain information has not been provided.

A revised preliminary plan was submitted that shows a "PMA buffer." The revised plan is at a scale of 1 inch=200 feet, does not include all the features that compose the PMA on the subject property, and is signed and sealed by the engineer with a date prior to the revision, making the plan invalid. The preliminary plan must be revised to show all the individual features of the PMA, to show the PMA to include all required features, to include all the features in the legend, and be reproduced at a scale where all the features are legible, preferably at the same scale as the TCP (1 inch=50 feet). In addition, the plan states in note 7 of the general notes that no disturbances to the on-site Waters of the U.S. are proposed. This note needs to be deleted because impacts are proposed for the outfall of stormwater management pond #2.

More specifically, there are wetlands adjacent to the Patuxent River and 100-year floodplain that have not been included within the PMA. The preliminary plan and TCPI must be revised to show all areas of wetlands adjacent to the Patuxent River and 100-year floodplain as part of the PMA. In addition, DER-approved floodplain elevations must also be submitted to verify that the floodplain elevations shown are correct.

A signed copy of the Jurisdictional Determination made by the Corps of Engineers has been added to the official file by staff. This plan is being used to determine the extent of wetlands and associated PMA on the subject property.

Prior to signature approval of the TCPI, the plan should be revised to include areas of wetlands adjacent to the Patuxent River, 100-year floodplain, and all areas of steep and severe slopes within the PMA. The PMA line shall be drawn to encompass these features and all features should be added to the legend. The preliminary plan should be revised to remove note #7 and should be submitted at a scale of 1 inch=50 feet.

Prior to signature approval of the preliminary plan, DER-approved floodplain elevations should be submitted to verify that the floodplain elevations shown on the plan are correct, or, if the elevations shown are not correct, the preliminary plan and TCP should be revised in accordance with the DER-approved floodplain elevations.

Prior to submittal of a revised preliminary plan, the plan should have all revision boxes filled in and the plans signed, sealed and dated by a professional engineer or equivalent as required.

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

At time of final plat, a conservation easement should be described by bearings and distances. The conservation easement should contain all of the PMA, except for impacts specifically approved by the Planning Board. The following note should 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.”

The plan as submitted shows one area of impact to the PMA—a proposed outfall for stormwater management pond #2. In a memo dated November 6, 2002, the applicant was informed of the requirement for a letter of justification: “If impacts are proposed to the PMA, a letter of justification shall be submitted 30 days prior to any Planning Board hearing outlining each impact and how the proposed design has resulted in the preservation of the PMA to the fullest extent possible. Each proposed impact must also be shown on an 8 ½- by 11-inch map and must contain a quantification of all impacts proposed.” To date, this information has not been submitted. Staff has received a copy of a letter dated December 2, 2002, that is entitled “Request for a Waiver to Impact to PMA” [sic]. This letter does not contain the required information including the map of the area proposed or the quantification on the impacts.

At this time, the full extent of the PMA is unknown, as described above. It appears that the only necessary impact for the development proposed is for the outfall for pond #2. Staff can recommend that the Planning Board find the PMA has been preserved to the fullest extent possible, as required by the Subdivision Ordinance. The PMA will be preserved to its full extent, including the area of the outfall for stormwater management pond #2 within the limits of disturbance as shown on the concept plan signed by the City of Bowie on October 2, 2002.

This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area, contains more than 10,000 square feet of woodland, more than 5,000 square feet of clearing is proposed, and the site is subject to a previously approved tree conservation plan.

The Subdivision Ordinance and the Woodland Conservation Ordinance both require the submission of a Type I tree conservation plan with a preliminary plan. A Type I TCP has never been prepared or submitted for the portion of the property that is the subject of the current application. The previously approved TCPI only includes that land area generally to the west of Curie Drive.

The previously approved Type II tree conservation plan can be used to meet the requirements for this portion of the property if it is relabeled as a Type I tree conservation plan and if it is revised to show all the existing information correctly and meets the requirements of the Woodland Conservation Ordinance. Because it was previously prepared solely for the purpose of resolving a violation for the clearing of woodland on the site without a permit, it does not contain the information required during the review of a preliminary plan. This information includes the delineation and preservation of the Patuxent River Primary Management Area per the Subdivision Ordinance and all the required information on a Type I tree conservation plan.

The TCP currently submitted for review does not show all proposed clearing for the site at build-out, and only shows the clearing for the two proposed stormwater management ponds. Prior to development for any future facilities, a major revision to the Type I TCP may be required to be evaluated by the Planning Board. At the time of SDP review, a Type II TCP shall be submitted that shows the de-

tailed clearing and grading for each building or facility and meets the requirements for a Type II TCP. The Type II TCP must be in conformance with the Type I TCP, as required by the Woodland Conservation Ordinance.

4. **Community Planning**—The subject property is located within the limits of the 1991 *Bowie-Collington-Mitchellville & Vicinity Master Plan*, in Planning Area 71. The approved comprehensive design plan and basic plan approved for this property have established the development potential for this site consistent with the land use recommendation of the master plan and General Plan. The proposed development is consistent with the approved comprehensive design plan and basic plan.
5. **Parks and Recreation**—The of Department of Parks and Recreation (DPR) have reviewed the preliminary plan of subdivision for conformance to Comprehensive Design Plan CDP-8601. Condition 16 applies to the review of the preliminary plan and states the following:

Within 90 days of the filing of the first building permit application for Stage II, the applicant, its successors or assigns, shall convey by donation approximately 96 acres of the 100-year floodplain adjoining the Patuxent River to M-NCPPC for incorporation into the Patuxent River Park system.

The proposed subdivision includes a small portion of the 100-year floodplain abutting the east property line of Parcel A, adjacent to the proposed area identified for parkland dedication in the approved CDP. The applicant should adjust the parcel boundary between the subject property and Parcel 6 to the east prior to the approval of the final plat of subdivision to provide for the conveyance of the entire floodplain to M-NCPPC, ensuring the conveyance of approximately 96 acres as required by Condition 16 of CDP-8601. The parcel to be donated to M-NCPPC should be clearly designated on the plan. A note should be added stating that 96 acres of the 100-year floodplain area along the Patuxent River shall be donated to M-NCPPC.

The master plan recommends hiker/biker equestrian trail construction along the Patuxent River. CDP-8601 discussed construction of the hiker/biker and equestrian trail in the 100-year floodplain buffer area. Considering the fact that dedicated parkland may include only portions of the floodplain, a public access easement would be required for construction of the trail within the buffer if located on Parcel A.

If the east property line of Parcel A is not adjusted adequately to accommodate the construction of the trail entirely on Park property, the trail may be constructed within the buffer. This determination will be made at the specific design plan stage prior to final plat when additional information will be available to evaluate if the trail can be built in the floodplain or if it must be built in the buffer. If determined necessary by DPR for the construction and maintenance of the paved hiker/biker trail, the public trail easement location should be established at the SDP stage and reflected on the final plat.

It is the preference of the Department of Parks and Recreation to construct the trail entirely on park property; however, more detailed grading plans and site evaluation is necessary to appropriately site the trail. A more detailed analysis will occur through the review of the SDP.

6. **Trails**—The *Adopted and Approved Bowie-Collington-Mitchellville and Vicinity Master Plan* recommends a hiker/equestrian trail along or near the Patuxent River from US 50 north to the M-NCPPC parkland on Lea Drive. This trail will ultimately provide recreational opportunities for resi-



dents of Bowie and employees of the Maryland Science and Technology Center, as well as providing access to scenic areas along the Patuxent River.

Because the land along the Patuxent is going to be conveyed to the Department of Parks and Recreation, and due to concerns about placing the trail and/or trail easement in a buildable location, staff recommends that the trail location be determined at the time of review of the specific design plan (SDP). Due to problems associated with constructing trails in floodplain and wetland areas, it may be necessary to locate the trail outside of the floodplain on what is proposed as Parcel A, as addressed further in Finding # 5 of this report. The trail should be field located by the trails coordinator, the Department of Parks and Recreation, and the applicant at the time of review of the SDP.

The applicant should note that it may be necessary to adjust the boundary between Parcel A and Parcel 6 to safely accommodate the master plan trail facility and to provide 96 acres of land to be conveyed to M-NCPPC.

7. **Transportation**—The applicant proposes the construction of two stormwater management ponds under this application. Given the fact that this proposed development is limited to the construction of two stormwater management ponds, there will be no trip generation associated with this development. The proposed construction and subsequent operation of the two ponds will, therefore, have no adverse impact on the surrounding transportation network.

It should be mentioned, however, that there are undeveloped pods, parcels and blocks on the subject property that can, and are likely, to be developed at a future date. At such time in the future when any further development with trip generating potential is pursued, an analysis of each development proposal will be required to determine the potential traffic impact. A new preliminary plan of subdivision will be required to evaluate the adequacy of the transportation facilities.

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 conditions.

8. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of 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 CR-38-2002) and concluded that the proposed subdivision is exempt from the APF test for schools because it is a commercial use.
9. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
  - a. The existing fire engine service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road has a service travel time of 6.28 minutes, which is beyond the 3.25-minute travel time guideline.
  - b. The existing ambulance service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road has a service travel time of 6.28 minutes, which is beyond the 4.25-minute travel time guideline.

- c. The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive has a service travel time of 5.85 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard has a service travel time of 11.09 minutes, which is beyond the 4.25-minute travel time guideline.

The above findings are in conformance with the 1990 *Adopted and Approved Public Safety Master Plan* 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, the Fire Department recommends that a fire suppression system be installed in all commercial structures in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

- 10. **Police Facilities**—The proposed development is within the service area for District II-Bowie. In accordance with Section 24-122.1(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Maryland Science and Technology Center development. This police facility will adequately serve the population generated by the proposed subdivision
- 11. **Health Department**—The Health Department has no comment.
- 12. **Stormwater Management**—The property is within the City of Bowie, therefore, the city has jurisdiction over stormwater management. To ensure that development of this site does not result in on-site or downstream flooding, development of this site must be in accordance with the approved stormwater management plan.
- 13. **Specific Design Plan**—In order to ensure the orderly development of this property as proposed, staff recommends that a specific design plan (SDP), required in the Comprehensive Design Zone, be approved prior to the issuance of any permit for grading, clearing or construction of any facility or structure. Review of the SDP should address the grading and construction of the proposed stormwater management facilities on pods 5 and 6. The review should evaluate but not be limited to the views of the ponds, landscaping and planting, and overall design.

The approximate location of the master plan hiker/equestrian trail should be evaluated and established at the time of review of the SDP. Through the review of the SDP, more detailed grading plans can be provided that can assist in determining the most appropriate location of the trail easement as discussed in Findings 5 and 6 of this report. An adjustment to the boundary of proposed Parcel A and existing Parcel 6 may be necessary to accommodate the required 96 acres of dedication to the Department of Parks and Recreation, as well as providing for the master plan trail facility.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

- 1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
  - a. To clearly relate the proposed Parcels A, B and C to the CDP “pods.”

- b. To label Parcel 6 to the east and provide reference to Condition 16 of the approved CDP for the conveyance of Parcel 6 to M-NCPPC.
  - c. To revise the ownership table to provide clearly the acreage of each of the parcels.
  - d. To provide information regarding the approval of the stormwater management concept plan by the City of Bowie.
  - e. To indicate that Parcel 6 to the east is not part of the subject application.
  - f. To remove the delineated 30-foot public use easement and provide a note that the required master plan trail easement shall be field located at the time of approval of the required SDP in the vicinity of the 100-year floodplain.
  - g. To provide a note that the proposed preliminary plan is for the sole purpose of constructing two stormwater management ponds and to indicate a floating symbol at the appropriate location on the plan of each pond.
  - h. To provide a note that reiterates the language contained in the open space easement agreement allowing certain disturbances to the easement.
  - i. To provide a note that the eastern property line of proposed Parcel A may be altered at the time of review of the SDP and reflected on the final plat of subdivision to ensure the conveyance to 96 acres to M-NCPPC as required by Condition 16 of CDP-8601.
  - j. To remove General Note 7.
- 2. Prior to the issuance of permits and in conjunction with a specific design plan, a Type II tree conservation plan shall be approved.
  - 3. A public trail easement, to allow for the construction and maintenance of the paved hiker/biker trail, shall be required if it is determined that the trail is to be located on Parcel A at the time of review of the SDP. The trail easement shall be shown on the final plat of subdivision.
  - 4. The proposed development shall be limited to the construction of two stormwater management ponds, which will result in the generation of zero AM and PM trips. Any development causing a transportation impact greater than that identified above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
  - 5. Development of this site shall be in conformance with the approved stormwater management concept plan. The approval number and date shall be added to the preliminary plan prior to signature approval.
  - 6. Prior to signature approval, the preliminary plan and the tree conservation plan shall be revised to show the full extent of the "Reserved Open Space" as shown on the approved CDP.
  - 7. Prior to signature approval of the preliminary plan, written evidence shall be provided from a professional engineer regarding how the stormwater management concept plans have addressed the requirement for infiltration, as required by Condition 11 of CDP-8601.

8. Prior to signature approval of the preliminary plan, the stormwater management concept plan shall be revised to indicate the type of facility proposed, e.g., dry ponds, extended detention, or wet ponds. If the ponds cannot be designed as wet ponds, the engineer shall provide written justification stating why the ponds cannot be designed as permanent wet ponds, per condition 13 of the CDP approval. If the ponds are designed as wet ponds, the permanent water surface elevation shall be added to the plans.
9. Prior to signature approval of the preliminary plan, a floodplain study, approved by the Department of Environmental Resources, shall be submitted for the portion of the subject application that is in watershed B, as shown on the CDP, and required by Condition 14, and an approved floodplain study shall be submitted for the elevation of the 100-year floodplain associated with the Patuxent River.
10. Prior to signature approval of the TCPI, the plan shall be revised to include areas of wetlands adjacent to the Patuxent River and 100-year floodplain and all areas of steep and severe slopes within the PMA. The PMA line shall be drawn to encompass these features and all features shall be added to the legend and shall be submitted at a scale of 1 inch=50 feet. The applicant shall submit a preliminary plan at a scale of 1 inch=50 feet to be evaluated for consistency with the TCPI.
11. Prior to signature approval of the preliminary plan, DER-approved floodplain elevations shall be submitted to verify that the floodplain elevations shown on the plan are correct, or, if the elevations shown are not correct, the preliminary plan and TCP shall be revised in accordance with the DER-approved floodplain elevations.
12. Prior to submittal of a revised preliminary plan, the plan shall have all revision boxes filled in, and the plans shall be signed, sealed and dated by a professional engineer or equivalent as required.
13. Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
14. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Area (PMA), except for impacts specifically approved by the Planning Board. 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.”
15. Prior to signature approval of Tree Conservation Plan TCPII/36/99, the plan shall be revised as follows:
  - a. To read “TCP I”, add the plan number TCPI/44/98-01 to indicate that this is a revision to the previous Type I TCP and is for the subject property, and delete any reference to TCPII/36/99.
  - b. Note in the revision box all revisions made, when and by whom.

- c. Show all of the individual elements of the PMA.
  - d. Show the correct delineation of the PMA to include all elements.
  - e. To show the areas of woodland proposed for clearing, reforestation/afforestation, and preservation and provide the acreage.
  - f. Delete the word “complete” from the label for afforestation and anywhere else on the plan where it is referenced.
  - g. Delete the reference to “selective clearing” and change it to “clearing.”
  - h. Add the required Type I tree conservation notes and place an “X” through the Type II tree conservation notes on sheet 2; the remaining Type II TCP information can remain for the engineer’s convenience.
  - i. Revise the worksheet as necessary to address all revisions.
  - j. Show all the features shown on the plan in a legend.
  - k. Remove the previous approval signature box and insert a new signature box; and have the revised plan signed and dated by the qualified professional that prepared the plan.
16. The Type I/II for the subject property (TCPI/44/98-01) shall serve as the Type I TCP for the subject property and shall be revised with each subsequent preliminary plan application to show future proposed clearing and grading for all structures and facilities.
17. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/44/98-01) or as modified and approved by the Planning Board with future preliminary plan approvals. 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 (I/44/98-01), or as modified and approved by the Planning Board with future preliminary plan approvals, or as modified by an approved Type II tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance.”
18. All commercial structures shall have installed a fire suppression system in accordance with National Fire Protection Association Standard 13D and all applicable Prince George’s County laws.
19. In conformance with the *Adopted and Approved Bowie-Collington-Mitchellville and Vicinity Master Plan*, the location of the master plan trail along or near the Patuxent River should be field located and staked at the time of review of the SDP. The location should be free of environmental constraints and agreeable to the DPR, the applicant, and the trails coordinator. If the trail is located on Parcel A, it shall be located within the 30-foot-wide public use easement to the benefit of DPR.
20. Prior to the issuance of any permit for grading, clearing, or construction of any facility or structure, a specific design plan shall be approved. Review shall include, but not be limited to, the grading and

construction of the proposed stormwater management facilities on pods 5 and 6. The review should evaluate, but not be limited to, the views of the ponds, landscaping and planting, and overall design.

STAFF RECOMMENDS APPROVAL OF TCPI/44/98-01.