



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

Preliminary Plan 4-03137

Application	General Data
Project Name: THRIFT MANOR Location: West side of Thrift Road, 500 feet east of Windbrook Drive. Applicant/Address: Thrift, LLC. P.O. Box 1841 Beltsville, MD.	Date Accepted: 12/30/03
	Planning Board Action Limit: 05/22/04
	Plan Acreage: 54.28
	Zone: R-E
	Lots: 35
	Election District: 05
	Planning Area: 81B
	Tier: Developing
	Council District: 09
	Municipality: N/A
	200-Scale Base Map: 216SE04

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003)
	Sign(s) Posted on Site: 04/07/04

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 Plan of Subdivision 4-03137
Thrift Manor, Lots 1-35, Parcel A and Outlot A

OVERVIEW

The subject property is located on Tax Map 133 in Grid C-4 and is known as Parcels 31 and 32. These parcels are acreage parcels never having been the subject of a record plat of subdivision. The property is approximately 54.28 acres and zoned R-E. There are no known structures on the property.

The applicant is proposing to subdivide the property into 35 lots for the construction of single-family dwelling units in conformance with the standards for conventional development in the R-E Zone. All of the lots proposed meet and exceed the minimum lot size of 40,000 square feet. The proposed lots range in size from 40,073 square feet to 2.8 acres.

The applicant proposes two well-spaced access points extending west from Thrift Road. Access to the proposed lots will via the proposed internal public streets. No lots are proposed with direct access to Thrift Road. The applicant has proposed low impact development with the 60-foot-wide public streets being constructed as open section roadways.

The applicant has proposed the conveyance of 5.31 acres (Parcel A) to M-NCPPC for the fulfillment of the requirements of the mandatory dedication of parkland, as discussed further in Finding 4 of this report. The applicant has also proposed the creation of Outlot A, a 3,595-square-foot parcel of land that is proposed to contain an existing access to Parcel 69. Parcel 69 is surrounding on three sides by the proposed development and has frontage on Thrift Road to the southeast.

Abutting Parcel 69 is currently improved with an existing single-family dwelling unit with its existing vehicular access crossing the subject property, Parcel 31, to Thrift Road. The applicant has demonstrated efforts in contacting the property owner of Parcel 69 and has drafted deed of covenant for the land that the driveway crosses serving Parcel 69. To date the applicant has been unable to contact that property owner to discuss the property owner's (Parcel 69) right-of-access across Parcel 31. The applicant has proposed to convey that area of land encumbered by the access to the property owner of Parcel 69. If at the time of final plat the property owner of Parcel 69 refuses the conveyance of Outlot A, that area of land will be incorporated into Lot 5. The final plat will acknowledge the existence of the access location.

SETTING

The property is located on the west side of Thrift Road, 500 feet east of Windbrook Drive. The property to the north is zoned R-E and generally undeveloped and rural in character. To the east and southeast are R-A-zoned lands generally undeveloped and rural in character. To the west is vacant land owned by M-NCPPC, zoned R-O-S, and one parcel abutting, improved with the William H. Townshend House, Historic Resource 81B-7.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	PROPOSED
Zone	R-E	R-E
Use(s)	Vacant	Residential
Acreage	54.28	54.28
Lots	0	35
Outlots	0	1
Parcels	2	1
Dwelling Units:		
Detached	0	35

2. **Environmental**—This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size and it has more than 10,000 square feet of woodland. A Forest Stand Delineation (FSD) showing 26 sample areas, 7 forest stands and 2 specimen trees has been reviewed and was found to meet the requirements of the Woodland Conservation Ordinance.

A Type I Tree Conservation Plan, TCPI/35/03, has been submitted with this application. The plan proposes clearing 25.96 acres of the existing 46.49 acres of upland woodland and clearing 0.37 acre of the existing 5.08 acres of woodland within the 100-year floodplain. The woodland conservation requirement for this proposal has been correctly calculated as 19.16 acres. The plan proposes to meet this requirement by providing 20.08 acres of on-site preservation. An additional 0.45 acre of woodland is proposed to be retained on-site; however, most of these areas cannot be used to meet any requirement because the woodlands are in existing easements.

The proposed woodland conservation areas on Lots 6 through 16 coincide with the expanded stream buffer and should not be further reduced. Woodlands within the scenic easement on Lots 1, 5-6, 24-28 and 35, described below, should also remain unchanged. Individual adjustments to other woodland conservation areas will be addressed with the Type II Tree Conservation Plan to allow for useable yard areas. At least 40 feet of unencumbered rear yard is needed to provide room for construction of the homes, to ensure the long-term protection of the preserved woodland, and to allow for future changes in house types that may impact the clearing and grading around each house.

The *Prince George's County Soils Survey* indicates that the principal soils on the site are in the Aura, Bibb, Galestown and Iuka series. Aura soils are highly erodible and require special attention to erosion/sediment control on slopes in excess of 15 percent. Bibb soils are associated with floodplains. Galestown soils pose no special problems for development and are well suited for infiltration. Iuka soils may have a high water table and impeded drainage. No further action is needed as it relates to this Preliminary Plan of Subdivision review. However, the Prince George's County Department of Environmental Resources may require a soils report during the permit process review.

Thrift Road is designated in the Subregion V Master Plan as a scenic road. The length of the property is wooded with man-made features restricted to a few telephone poles. The plan provides

two well-spaced entrances to the site and a 40-foot-wide landscape buffer adjacent to the 10-foot public utility easement parallel to the land to be dedicated for Thrift Road. Additionally, all proposed lots will front on streets internal to the subdivision, and none will have direct access to Thrift Road. These features serve to help retain the scenic character of Thrift Road. The 40-foot landscape buffer along Thrift Road should be shown on the final plats as a scenic easement.

This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. The stream, minimum 50-foot stream buffers, all areas with severe slopes, and all areas with steep slopes containing highly erodible soils are shown on the revised Preliminary Plan and the Type I Tree Conservation Plan. The expanded stream buffer as defined in Section 24-130 of the Subdivision Regulations is correctly shown.

Impacts to these buffers are restricted unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. Even if approved by the Planning Board, the applicant will need to obtain federal and state permits prior to the issuance of any grading permit. Each variation is described individually below. However, for purposes of discussion relating to Section 24-113(a) of the Subdivision Regulations, the impacts were discussed collectively.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;**
- (2) The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**
- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation;**
- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if strict letter of these regulations is carried out;**

Staff notes that the existing sanitary sewer main is entirely within the expanded stream buffer and that the topography of the site controls stormwater drainage patterns. Four variation requests, dated December 17, 2003, in conformance with Section 24-113 of the Subdivision Regulations, have been submitted.

Impacts #1 and #2 are associated with stormwater management outfalls. Because of the topography of the site, the outfalls must be placed within the expanded stream buffer. The impacts will affect 3,285 square feet and 4,530 square feet of expanded stream buffer, respectively. The Prince George's County Department of Environmental Resources will reevaluate the details of construction during the review of the technical Stormwater Design Plan to determine if impacts can be further reduced.

Impacts #3 and #4 are to an expanded stream buffer for the construction of sanitary sewer connections to serve the proposed development. These will disturb 7,925 square feet and 4,570 square feet, respectively. The alignment of the sewer is constrained by the topography of the site. The required connections are to the existing sewer main that is wholly within the expanded stream buffer. The Washington Suburban Sanitary Commission will reevaluate the details of construction during the review of the construction permits to further reduce impacts.

(1) The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;

The installation of sanitary sewer lines and stormwater management facilities is required by other regulations to provide for public safety, health and welfare. All designs of these types of facilities are reviewed by the appropriate agency to ensure compliance with the regulations. These regulations require that the designs are not injurious to other property.

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

The only available sanitary sewer main to serve development of this property is wholly located within an expanded stream buffer. Many other properties can connect to existing sanitary sewer without requiring a variance; however, that option is not available for this particular site. The specific topography of the site requires the use of two sanitary sewer connections to adequately serve the proposed development.

The direction of stormwater flow is determined by the particular topography of the site. Because of the size of the property and the extent of allowable development, runoff will be generated from roads and roof surfaces. The kinds of stormwater management required for quantity and quality control are the subject of other ordinances. Stormwater outfalls cannot be placed at the tops of steep slopes because erosion will occur. The specific topography of the site and drainage patterns require the use of two outfalls shown.

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

The installation of sanitary sewer lines and stormwater management facilities is required by other regulations. The proposed impacts are not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction.

(4) Because of the peculiar 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 regulation is carried out.

The location of the existing sewer main provides no alternative for the connections of the sanitary sewer lines that are required to serve the development. Denial of the variation for infrastructure requirements would deny the applicant the use of this property.

The need for stormwater management is proportionate to the area of impervious surfaces proposed. The proposed development will utilize best management practices to minimize stormwater run-off near the sources by providing on-site infiltration facilities. The two-stormwater outfalls are the minimum required for reasonable development of the property and must be located within the expanded stream buffer because of the topography of the property.

Based on the preceding findings staff supports the variation requests.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003.

3. **Community Planning**—The property is located within the limits of the 1993 Subregion V Master Plan, Planning Area 81B in the Tippet Community. The recommended land use for the property is Suburban Estate/Low-Density Planned Neighborhood Development at up to 1.5 dwelling units per acre. The preliminary plan proposed 1.08 dwelling units per acre and conforms to the requirements of the zone.

The 2002 General Plan locates the property in the Developing Tier. The vision for a portion of the Developing Tier is to maintain a pattern of low-to-moderate density suburban residential communities. The proposed preliminary plan is consistent with the recommendations of the master plan and the General Plan.

The William H. Townshend House, Historic Resource 81B-7, is located on Parcel 39, abutting to west of the subdivision. The historic house is located on the westernmost portion of Parcel 39 facing Windbrook Drive. Development of this property will not impact the historic resource and may provide additional protection with the dedication of Parcel A to M-NCPPC, providing a buffer between Parcel 39 and the development on this site.

4. **Department of Parks and Recreation (DPR)**—DPR staff has reviewed the planned subdivision and noted its proximity to existing and planned parks in the area. Hillantrae Community Park is located approximately 3,000 feet southwest of the subject site, is currently under construction and nearing completion. It is expected to be complete by this summer and will contain a picnic pavilion, parking lot, multiuse field, softball field, trails, a picnic area, and a multiage playground. Windbrook South Neighborhood Park is located approximately 700 feet west of the site and has been authorized in the CIP but not yet funded. Design is underway and will include a circular walking trail with fitness stations around an open playfield, ½ basketball court, school age and preschool play areas, and a picnic shelter.

In accordance with Section 24-134 of the Prince George's County Subdivision Regulations, the Park Planning and Development Division recommends the conveyance to M-NCPPC of 5.3 ± acres of parkland, Parcel A.

5. **Trails**—The Adopted and Approved Subregion V Master Plan designates Thrift Road as a master plan pedestrian bikeway. The type of facility implemented depends on whether Thrift Road is required to be an open or closed section road by DPW&T. If Thrift Road is improved to a closed section roadway, an eight-foot-wide, hard-surface trail is recommended along the subject site's entire road frontage. However, if the road is maintained with an open section, wide asphalt shoulders are recommended with the placement of "Share the Road with a Bike" signage.
6. **Transportation**—Due to the limited trip generation of the site, the transportation staff determined that a traffic study detailing weekday analyses was not needed from the applicant; however, traffic counts were requested and used in combination with another study for Piscataway Heights, 4-03126. In response, the applicant submitted traffic counts at the nearest intersection, dated February 2004. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the "Guidelines for the Analysis of the Traffic Impact of Development Proposals."

Growth Policy—Service Level Standards

The subject property is located within the developing tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

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

Analysis of Traffic Impacts

The traffic study for this site examined the site impact at two intersections:

Windbrook Drive/Thrift Road (unsignalized)
MD 223/Windbrook Drive (unsignalized)

The existing conditions at the study intersections are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Vehicle Delay (AM & PM)		Level of Service (AM & PM)	
Windbrook Drive and Thrift Road	12.7	15.3	--	--
MD 223 and Windbrook Drive	30.6	13.8	--	--
<p>*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy. This criterion is applicable to roundabouts as well as standard four-way or three-way intersections.</p>				

The area of background development includes 11 properties in the vicinity of the subject property. Background conditions also assume through traffic growth along MD 223. There are no programmed improvements in the county’s Capital Improvement Program (CIP) or the state’s Consolidation Transportation Program (CTP). Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Vehicle Delay (AM & PM)		Level of Service (AM & PM)	
Windbrook Drive and Thrift Road	21.0	22.3	--	--
MD 223 and Windbrook Drive	69.2	15.3	--	--
<p>*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy. This criterion is applicable to roundabouts as well as standard four-way or three-way intersections.</p>				

The site is proposed for development as a residential subdivision. The site is proposed to be developed with 35 single-family detached residences that would generate 26 (5 in, 21 out) AM peak-hour vehicle trips and 32 (21 in, 11 out) PM peak-hour vehicle trips. The following trip distribution has been utilized for the analysis of the subject application:

MD 223 from the northeast:	55%
MD 223 from the northwest:	5%
Windbrook Road from the south:	25%
Thrift Road from the east:	15%

With the trip distribution and assignment as assumed, the following results are obtained under total traffic:

TOTAL TRAFFIC CONDITIONS				
Intersection	Vehicle Delay (AM & PM)		Level of Service (AM & PM)	
Windbrook Drive and Thrift Road	22.5	23.6	--	--
MD 223 and Windbrook Drive	74.0	16.1	--	--
*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy. This criterion is applicable to roundabouts as well as standard four-way or three-way intersections.				

The traffic analysis identifies an inadequacy at the unsignalized intersection of MD 223/Windbrook Drive. In response to the inadequacy, the applicant recommends that a signal be studied and installed if warranted at this location. This is acceptable, and would resolve the inadequacy noted. A similar condition was placed on the Piscataway Heights subdivision, 4-03126.

The master plan indicates that Thrift Road is a master plan collector facility, and the plan reflects adequate right-of-way dedication of 40 feet from centerline along this roadway.

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 conditions.

7. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following:

Finding

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	35 sfd	35 sfd	35 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	8.40	2.10	4.20
Actual Enrollment	4,096	4,689	8,654
Completion Enrollment	180.48	86.22	158.07
Cumulative Enrollment	0	0	0
Total Enrollment	4,284.88	4,777.32	8,816.27
State Rated Capacity	4,214	5,114	7,752
Percent Capacity	101.68	93.42	113.73

Source: Prince George's County Planning Department, M-NCPPC, December 2003

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

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003, and CR-23-2003.

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of public facilities and concluded the following:
- a. The existing fire engine service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 9.52 minutes, which is beyond the 5.25-minute travel time guideline.
 - b. The existing ambulance service Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 9.52 minutes, which is beyond the 6.25-minute travel time guideline.
 - c. The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 9.52 minutes, which is beyond the 7.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/ EMS Department determines that an alternative method of fire suppression is appropriate. Since this is a matter of existing law, no condition is necessary.

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

The Historic Preservation 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. This finding is based on using the existing road system and existing stations. The staff also found that planned Brandywine Emergency Services Facility, which is shown in the General Plan, will be the first due station that will provide ambulance and paramedic service to this development.

In order to mitigate the ambulance and paramedic response time deficiencies the staff recommends that the applicant participate in providing a fair-share contribution toward the construction of the Brandywine Emergency Services Facility.

The fee amount is based upon the total cost of the facility (\$1,275,000) plus ambulance (\$131,000) and paramedic unit (\$131,000) divided by the total amount of residential and employment population within the service area in 2006. The service areas include those areas that will be served by the planned facility. The fair share fee is \$479 per dwelling unit for paramedic and ambulance service

2006 Service Area Population/Workers 10,024

Station /Ambulance & Paramedic Cost \$1,537,000 / 10,024 = \$153.33

3.13 Planning Area Dwelling Unit Size x \$153.33 = \$479.93 Per Dwelling

No. of Dwellings (35) x \$ 479.92 = \$16,797.52

9. **Police Facilities**—The proposed development is within the service area for Police District IV-Oxon Hill. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
10. **Health Department**—The Health Department notes that there is a significant amount of domestic trash and other debris on the property in the vicinity of proposed Lot 23 and 24 that must be removed and properly discarded.
11. **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 has been submitted but not yet approved. The applicant is proposing to utilize low-impact development techniques for stormwater management. To ensure that development of this site does not result in on-site or downstream flooding, this concept plan must be approved prior to signature approval of the preliminary plan. Development must be in accordance with this approved plan. DER has indicated that an approval is forthcoming.

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. Revise the name to Thrift Manor.
 - b. Reflect a front building line of 120 feet in the general notes and on the plan, instead of 150 feet.
 - c. Modify the 50-foot access easement to not overlap on Outlot A and entrance features.
 - d. Relabel Outparcel A to Outlot A.

- e. Provide the Stormwater Management Concept Plan number and approval date.
 - f. Revise General Note 32 that the requirements of mandatory dedication are being fulfilled by the dedication of Parcel A to M-NCPPC.
 - g. Provide a general note that lots shall not have direct access to Thrift Road.
- 2. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
 - 3. Development of this property shall be in conformance with the approved Stormwater Management Concept Plan.
 - 4. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to M-NCPPC Parcel A, 5.31± acres of land. Land to be conveyed shall be subject the following:
 - a. At the time of final plat, an original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.
 - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, 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.
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits that include such property.
 - d. The land to be conveyed 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, 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, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
 - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in an acceptable condition for conveyance prior to dedication.
 - g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of DPR.

- h. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.
 - i. No stormwater management facilities or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
- 5. Prior to signature approval of the Type I Tree Conservation Plan, the following note shall be placed below the worksheet on the TCP:

“The Type II Tree Conservation Plan may allow for the minimal use of an off-site easement for any necessary adjustments to woodland conservation areas not in a conservation easement or scenic easement and where the adjustment provides 40 feet of unencumbered rear yard area.”
- 6. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer, excluding those areas where variation requests have been approved, and be reviewed by the Environmental Planning Section prior to certification. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
- 7. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
- 8. 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 (TCPI/4/04), 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.”
- 9. The 40-foot landscape buffer adjacent to the 10-foot PUE shall be provided along Thrift Road and shown on the final plat(s) of subdivision as a scenic easement and the following note shall be placed on the plats:

“Scenic easements described on this plat are areas where the installation of structures and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted.”
- 10. Development of this property shall be in conformance with an approved Stormwater Management Concept Plan.

11. The applicant shall provide a fee to Prince George's County that shall serve as a fair share contribution toward the construction of the proposed Brandywine Station and acquisition of an ambulance and a paramedic vehicle. The fee shall be paid at time of the issuance of building permits. The fair share fee is \$479 per lot.
12. In conformance with the Adopted and Approved Subregion V Master Plan, the applicant and the applicant's heirs, successors, and/or assignees shall commit to provide one of the following prior to approval of the final plat:
 - a. If Thrift Road is required to be a closed section roadway by DPW&T, construct an eight-foot wide hard-surface trail along the subject property's entire road frontage. The applicant shall provide evidence from DPW&T as to the nature of the roadway.
 - b. If Thrift Road is maintained as an open section roadway, provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this "Share the Road" bikeway signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit. If road frontage improvements are required, wide asphalt shoulders are recommended to safely accommodate bicycle traffic, per the concurrence of DPW&T.
13. At the time of final plat approval, the applicant shall dedicate right-of-way along Thrift Road of 40 feet from centerline, as shown on the submitted plan.
14. MD 223 at Windbrook Drive: Prior to the issuance of any building permits within the subject property, the applicant shall submit an acceptable traffic signal warrant study to SHA and DPW&T for a possible signal at the intersection of MD 223 and Windbrook Drive. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property, and install it at a time when directed by the appropriate permitting agency. The requirement for this study shall be waived upon a future determination by SHA in writing that peak-hour volumes are insufficient to meet minimum signal warrants. Such determination shall not be made more than three months prior to issuance of the initial building permit.

STAFF RECOMMENDS APPROVAL OF THE TREE CONSERVATION PLAN TCPI/4/04 AND A VARIATION TO SECTION 24-130.