



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

Preliminary Plan 4-05011

Application	General Data
Project Name: PRINCE GEORGES BUSINESS CENTER Location: Northwest quadrant of the intersection of Sheriff Road and Claybrick Road, between Marblewood Avenue and Cabin Branch Road. Applicant/Address: AMERICAN RESOURCES MANAGEMENT GROUP LTD PTNR P.O. Box 405 Bladensburg, MD 20710-0405 Property Owner: AMERICAN RESOURCES MANAGEMENT GROUP LTD PTNR	Date Accepted: 02/28/07
	Planning Board Action Limit: 07/18/07
	Plan Acreage: 71.5
	Zone: I-1 & I-2
	Lots: 5
	Outparcels: 1
	Outlots: 1
	Planning Area: 72
	Tier: Developed
	Council District: 05
	Election District: 18
	Municipality: N/A
	200-Scale Base Map: 203NE05

Purpose of Application	Notice Dates
5 Industrial Lots, 1 Outlot and 1 Outparcel	Adjoining Property Owners Previous Parties of Record Registered Associations: 12/1/06 (CB-58-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed:

Staff Recommendation		Staff Reviewer: Tom Lockard	
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 4-05011
Prince George's Business Center, Lots 2-6, Outlot A & Outparcel A

OVERVIEW

The subject property is located on Tax Map 59, Grid A-4, and is known as Parcel 32. It is approximately 71.5 acres, and is zoned I-1 and I-2. This preliminary plan proposes the subdivision to create five lots, one outlot and one outparcel. One of the lots (proposed Lot 20) is developed with a 51,000-square-foot warehouse, while the remainder of the site is primarily paved parking area. The outparcel is developed with a stormwater management pond. The applicant proposes a total of 300,000 square feet of light industrial uses. Outlot A is proposed for conveyance to the Chapel Oaks Fire Department, an adjoining use. Proposed Outparcel A includes the rear 44.62 acres of the site and contains several environmentally sensitive areas and stormwater management basins. It, like the remainder of the site, was mined of its clay deposits when this site was the West Brothers Brickyard. The applicant is not proposing additional uses for this outparcel at this time.

The site was previously reviewed in 1991 as a preliminary plan of subdivision (4-91034) and its associated Type I Tree Conservation Plan, TCPI/28/91. The preliminary plan and TCPI were withdrawn without a Planning Board hearing. In 2006, a Special Exception, SE-4502, was submitted for a portion of the subject property (shown as Lot 2) to construct and operate a concrete batching plant, which would be in addition to the proposed light industrial uses. That application is pending. The site is currently being mined and the extent of the woodland shown on the plan is representative of the limits of the approved mining and reclamation plan.

Development of the site is subject to conditions that were approved as part of the 1993 *Approved Master Plan and Sectional Map Amendment for Landover and Vicinity, Planning Area 72* (CR-57-1993). They are:

- “1. The District Council encourages the continued improvement and upgrading of the West Brothers Brickyard Area through the coordinated action of the owners, the community and the County Government.**
- “2. Provide a 100 foot-wide natural tree buffer abutting residentially zoned land and 50 feet adjacent to the remainder of 62nd Avenue.**
- “3. Only one point of access should be allowed to Sheriff Road.**
- “4. A twenty-five (25) foot building restriction line should be established from any roads, including internal roads.**
- “5. A twenty-five (25) foot green area (as described in the Zoning Ordinance) should be established from the curb line of all roads.**

“6. Detailed site plan approval shall be obtained from the District Council for all phases of development.”

SETTING

The property is located in the northwest quadrant of the intersection of Sheriff Road and Claybrick Road, between Marblewood Avenue and Cabin Branch Road. The existing uses on the property consist of two brick warehouses and several contractors’ storage yards. The property has been used in these and other industrial capacities for many years. Adjoining properties are developed with light and heavy-industrial uses in the I-2 Zones, with the exception of the properties to the west along Marblewood Avenue, which are zoned industrially and primarily developed with contractor’s offices and storage with a few single-family residences interspersed throughout. Directly adjoining the site along Sheriff Road to the west is the Chapel Oaks Fire Station.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

Zone Use(s)	EXISTING I-1 & I-2 Warehouses Contractor’s Storage	PROPOSED I-1 & I-2 Light Industrial (300,000 square feet) Concrete Batching Plant
Acreage	71.5	71.5
Lots	0	5
Outlots	0	1
Outparcels	0	1
Parcels	1	0
Public Safety Mitigation Fee		No

2. **Environmental**—The site is predominantly cleared and drains into unnamed tributaries of the Lower Beaverdam Creek Watershed in the Anacostia River basin. The predominant soil types on the site are Bibb, Keyport, Clay Pits and Christiana series. These soil types generally exhibit moderate limitations to development due to perched water table, impeded drainage, flood hazard, seasonally high water table and steep slopes. The site is currently developed with two industrial structures and two office trailers used for office space. According to the Natural Resource Inventory, the site has been cleared for mining with preserved areas along Marblewood Road to the west and the stream system. Based on information obtained from the Maryland Department of Natural Resources Natural Heritage Program, no rare, threatened or endangered species are found to occur in or adjacent to this site. There are floodplains, streams, wetlands and steep slopes located on-site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. The proposed development on proposed lot 2 associated with SE-4502 is a noise generator. The proposed uses on the remaining proposed lots have not been identified. This property is located in the Developed Tier as reflected in the 2002 *Prince George’s County Approved General Plan*.

Landover and Vicinity Master Plan Conformance

The subject property is located within Analysis Area E-3 of the Landover and Vicinity Master Plan. No specific environmental recommendations or design standards require review for conformance. The environmental requirements for woodland preservation, stormwater management, and noise are addressed in the Environmental Review section below.

Countywide Green Infrastructure Plan Conformance

The site contains Regulated Areas, Evaluation Areas, and Network Gap Areas within the designated network of the *Countywide Green Infrastructure Plan*. The site contains a significant Regulated Area along the eastern property line, that has an adjacent Evaluation Area and a small area designated as Network Gap. Most of the Evaluation Area and Network Gap were disturbed as part of the previously approved mining permit. The Regulated Area appears to be undisturbed and will be the focus of preservation efforts with this application.

Natural Resources Inventory

An approved Natural Resources Inventory, NRI/03/07, was submitted with the application. A stream, stream buffer and floodplain occur on the subject property. A floodplain study was conducted on the subject site to determine the existing floodplain elevations of the site. The TCPI and the preliminary plan show all the required information correctly in conformance with the NRI.

Currently, the subject property is shown as cleared based on a previously approved surface mining permit (No. 05-SP-0988) with an expiration date of October 31, 2010. The extent of the woodlands shown on the preliminary plan and TCPI are representative of the limits of the approved mining and reclamation plan. Because the previous mining permit was grandfathered and is not subject to the Woodland Conservation and Tree Preservation Ordinance, the limits of the mining permit have been shown as the existing tree line. The area of woodlands not cleared subject to the permit is subject to the requirements of the Woodland Conservation and Tree Preservation Ordinance.

Environmental Impacts

The site contains significant environmental features that are required to be protected by Section 24-130 of the Subdivision Regulations. All disturbances not essential to the development of the site as a whole are prohibited within stream, floodplain, and wetland buffers. Essential development includes such features as stormwater pond outfalls, public utility lines, road crossings, and so forth, which are mandated for public health and safety.

The plans as currently submitted show no impacts to sensitive environmental areas and no variation request for impacts was submitted.

Staff noted that a master planned trail was being considered for construction within the expanded buffer adjacent to Cabin Branch Road. The recommendation for the stream valley trail was contained in the *Approved Sector Plan and Sectional Map Amendment for the Tuxedo Road /Arbor Street /Cheverly Metro Area* and a study of the Cabin Branch stream valley corridor by the University of Maryland. However, the Department of Parks and Recreation in collaboration with other agencies, decided that the stream valley is not practical and that the proposed location is problematic from a construction perspective due to the terrain and sensitive environmental features.

Woodland Conservation

The property is subject to the provisions of the Woodland Conservation and Tree Preservation Ordinance because the site is greater than 40,000 square feet in area and contains more than 10,000 square feet of woodland. Type I Tree Conservation Plan TCPI/28/91-01 was submitted with the review package and was found to meet the requirements of the Woodland Conservation and Tree Preservation Ordinance.

The woodland conservation threshold (WCT) for this 71.50-acre property is 15 percent of the net tract area or 9.75 acres. The total woodland conservation requirement is 9.89 acres based on the inclusion of the replacement requirement of 0.14 acres. This requirement is proposed to be satisfied by 9.40 acres of on-site preservation and 0.49 acres of reforestation, for the total woodland of 9.89 acres as required. The proposed woodland conservation is in priority areas of the site, adjacent to stream, 100-year floodplain, and within required buffer areas.

Notes on Special Exception Site Plan SE-4502, concurrently under review by the District Council, include the following:

“The subject property, being part of the West Brothers Brickyard, has been specifically addressed by two Council Resolutions, CR-100-1977 and CR-57-1993, which adopted the 1977 Sectional Map Amendment for the Model Neighborhood Area, and the 1994 Sectional Map Amendment for Landover and Vicinity, respectively. Both resolutions contained findings that made specific recommendations for the development of this property.

“These recommendations have been incorporated into this plan, or do not apply, as indicated below:

“2. Provide a 100 foot-wide natural tree buffer abutting residentially zoned land and 50 feet adjacent to the remainder of 62nd Avenue....”

The NRI and the TCPI delineate the area of these required buffers, which are recorded at L. 4824 F. 583. The TCPI submitted shows the preservation of the existing woodlands in these areas, with minor encroachments for the installation of erosion and sediment controls. The areas of encroachment are proposed to be reforested.

Noise

A noise study was previously submitted for a portion of the subject property currently under review as Special Exception SE-4502. The noise study was for the construction and operation of a concrete batching plan. The noise study determined that with the noise mitigation provided, noise levels would be below state standards at the property lines. If and when any additional noise generators are proposed, a new or revised noise study would be required.

The proposed uses on Lots 3–6 and the out parcel are not stated in the application. Without this information it is not possible to determine whether or not a revised noise study is needed. Revise the application to state the proposed uses on all lots and the outparcel.

Soils

According to the Prince George's County Soils Survey the principal soils on the site are Keyport, Christiana and Bibb. These soil types have limitations with respect to high water table, flood hazard, seasonally high water table, and steep slopes, but will not affect the site layout. This site is currently being mined, so these soils have likely already been removed from the site. This information is provided for the applicant's benefit. The Prince George's County Department of the Environment will require a soils report in conformance with CB-94-2004 during the building permit process review.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 and this proposal will, therefore, be served by public systems.

3. **Community Planning**—The subject property is located in Planning Area 72/Seat Pleasant Community, and within the limits of the 1993 *Approved Master Plan and Sectional Map Amendment for Landover and Vicinity (Planning Area 72)*. The master plan recommends a light industrial/office/business park land use for the site. The preliminary plan of subdivision conforms to the land use recommendations of the master plan.

The 2002 *Prince George's County Approved General Plan* designates the subject property in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium- to-high-density neighborhoods. The preliminary plan conforms to the visions for the Developed Tier.

4. **Parks and Recreation**—According to Section 24-134(a) of the Prince George's County Subdivision Regulations, the above-referenced subdivision is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.
5. **Trails**—The Adopted and Approved Landover and Vicinity Master Plan recommends a stream valley trail along Cabin Branch (Master Plan, page 84). This urban stream valley trail will run through residential communities north of MD 214, provide multimodal access to the Cheverly Metro and Addison Road Metro stations, and provide access through an existing industrial area. The master plan reflects the trail along Cabin Branch Drive in the vicinity of the subject site.

The recommendation for the stream valley trail was further refined by the Tuxedo Road/Arbor Street/Cheverly Metro Area Sector Plan and a study of the Cabin Branch stream valley corridor by the University of Maryland. Both the sector plan and the corridor study reinforced the priority of providing a trail along the entire length of the Cabin Branch stream valley. This trail will provide a recreational greenway in an urbanized area and connect residential communities with Metro.

After a site visit to evaluate the stream valley and discussions with the Department of Parks and Recreation, staff has determined that the stream valley is not a practical or desirable location for a trail in the vicinity of the subject site. This is due to close proximity of the parallel road (Cabin Branch Drive), steep slopes immediately adjacent to the creek, and the relatively narrow area of open space available between the road and the creek. As indicated on aerial photographs, an extensive area of steep and severe slopes runs along Cabin Branch through the subject site. Cabin Branch Drive is parallel to Cabin Branch, and in some locations is less than 60 feet from the creek. A stream valley trail would be located well within 100 feet of the existing road in most

portions of the stream valley on the subject site. Due to these factors, staff recommends that the Cabin Branch Trail be located along Cabin Branch Drive in the vicinity of the subject site. Further to the north and to the south along the stream valley, a trail in a more natural, stream valley park setting appears to be feasible.

The portion of the subject property that includes the stream valley is currently being shown as Outparcel A. No development is being proposed within this portion of the subject site. Construction of the trail along Cabin Branch Drive can occur either as part of a county road improvement project or as part of the future development of Outparcel A.

The subject site includes an existing sidewalk along its entire frontage of Sheriff Road. The existing segment of Claybrick Road includes standard sidewalks along both sides. Staff recommends a continuation of this cross section into the subject site.

6. **Transportation**—On April 23, 2007, the applicant’s prepared traffic study was deemed acceptable and was referred to SHA and DPW&T for their review and comments. The findings and recommendations outlined below are based upon a detailed review of the revised traffic study and queuing 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 Developed 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections 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 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 four signalized intersections listed below in addition to the proposed site access intersection with Sheriff Road, which is proposed to be an unsignalized intersection:

MD 704/Sheriff Road
Sheriff Road/Addison Road
Columbia Park Road/Cabin Branch Drive
Sheriff Road/Cabin Branch Drive

The existing conditions at the signalized intersections are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 704/Sheriff Road	1,437	1,369	D	D
Sheriff Road/Addison Road	1,160	821	C	A
Columbia Park Road/Cabin Branch Drive	518	629	A	A
Sheriff Road/Cabin Branch Drive	921	851	A	A

To provide an adequate assessment of traffic volumes associated with approved, but not yet built or completed projects within the study, the traffic study identified three pending developments. The traffic study also applied a 1 percent per year growth rate for three years to the reported existing traffic volumes. There are no additional fully funded and/or programmed improvements for construction within the next six years in the Prince George's County's Capital Improvement Program (CIP) or the Maryland State Highway Administration's Consolidated Transportation Program (CTP) in the area. Background conditions as reported in the traffic study are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 704/Sheriff Road	1,521	1,450	E	D
Sheriff Road/Addison Road	1,279	940	C	A
Columbia Park Road/Cabin Branch Drive	650	707	A	A
Sheriff Road/Cabin Branch Drive	1,005	1,056	B	B

The subject site is proposed to be developed with 300,000 gross square feet of light industrial uses. The site trip generation rates shown in the traffic study are the same as the trip generation rates recommended by the "Guidelines." The site trip generation is 258 AM peak-hour trips (207 in, 51 out) and 258 PM peak-hour trips (51 in, 207 out). Using these figures, the following results are obtained under total traffic:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 704/Sheriff Road	1,575	1,484	E	E
Sheriff Road/Addison Road	1,292	945	C	A
Columbia Park Road/Cabin Branch Drive	721	779	A	A
Sheriff Road/Cabin Branch Drive	11,485	1,273	B	C

Given these analyses, the submitted traffic study concludes that all these intersections within the study area are operating acceptably and they would continue to operate at acceptable levels of

service during both peak hours. But, the proposed site access, or the unsignalized intersection of Claybrick Road with Sheriff Road are projected to have minor street average vehicle delays greater than the required 50 seconds. In such cases staff typically recommends a traffic signal warrant study be prepared.

Plan Comments

Claybrick Road, an existing industrial roadway, is proposed as the only access roadway for the subject property. No direct access is proposed to Sheriff Road, an existing arterial facility with a total right-of-way of 120 feet, or Marblewood Avenue, a designated collector facility with total rights of way of 80 feet. The preliminary plan shows adequate dedication of 60 and 40 feet from centerline for Sheriff Road, and Marblewood Avenue, respectively.

Conclusions

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 conditions consistent with these findings.

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

The above subdivision is exempt from a review for schools because it is an industrial use.

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.

The existing fire engine service at Chapel Oaks Fire Station, Company 38 located at 5444 Sheriff Road has a service travel time of 1.45 minutes, which is within the 3.25-minute travel time guideline.

The existing paramedic service at Landover Hills Fire Station, Company 30 located at Annapolis Road and 68th Avenue has a service travel time of 6.26 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at Tuxedo Cheverly Fire Station, Company 22 located at 5711 Tuxedo Road has a service travel time of 2.27 minutes, which is within the 4.25-minute travel time guideline.

The proposed five industrial lot development will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ladder truck and paramedic service.

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

9. **Police Facilities**—The 2002 *Prince George's County Approved General Plan* addresses the provision of public facilities that will be needed to serve existing and future developments. The plan includes planning guidelines for police and they are:

Station space per capita: 141 square feet per 1,000 county residents.

The police facilities test is performed on a countywide basis in accordance with the policies of the Planning Board. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police and the latest population estimate is 825,520. Using the 141 square feet per 1,000 residents formula, it calculates to 116,398 square feet of space for police. The current amount of space, 267,660 square feet, is above the guideline.

10. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan and had no comments.
11. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. Stormwater Management Concept Plan 14566-2001-01 dated November 3, 2005, has been approved to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
12. **Historic**—A Phase I (Identification) archeological survey is recommended by the Planning Department on the above-referenced property based on the following findings:
- a. Cabin Branch, a tributary of the Anacostia River, is found along the eastern edge of the subject property. Prehistoric archeological sites have been found in similar settings.
 - b. There are no currently known archeological sites within a one-mile radius of the property. However, the subject property lies in close proximity to the Fairmount Heights Historic District (72-9). There are 15 historic sites located within a one-mile vicinity of the subject property. Four of these are listed in the National Register of Historic Places (Mount Hope 69-24-11, St. Matthew's Church and Cemetery 72-8, and two District of Columbia Boundary Markers 72-9-15 and 72-20), six are historic sites (Magruder Spring 69-24-13, James F. Armstrong House 72-9-24, Van Horn-Mitchell House 72-10, Highland Park School 72-21, Bellamy House 69-24-22, and St. Margaret's Church 72-7-1), and five are historic resources (Samuel Hargrove House 72-9-7, Fairmount Heights Old Town and School 72-9-9, Mount Hope Slave Quarter Ruin 69-24-25, William Sidney Pittman House 72-9-18, and Mallery House 72-11).
 - c. A residence belonging to F. Magruder is identified on the 1861 Martenet map (no longer standing), to the east of the subject property. A house belonging to E. Magruder appears near Sheriff Road on the 1878 and 1894 Hopkins maps.
 - d. Some portions of the property appear from aerial photographs to have been impacted by modern construction. However, the western and northern portions of the property do not appear to have been previously developed.
13. **Subdivision**—The subject property is zoned I-1 and I-2. The subject application is not proposing any residential development; however, because different adequate public facility tests exist, and there are considerations for recreational components for residential subdivision; any future

consideration for residential development beyond one single-family dwelling should require the approval of a new preliminary plan of subdivision.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The applicant shall provide a standard sidewalk along both sides of subject site's portion of Claybrick Road extended, unless modified by DPW&T.
2. Development of this site shall be in conformance with Stormwater Management Concept Plan 14566-2001-01 and any subsequent revisions.
3. Prior to signature approval of this preliminary plan, Phase I (Identification) archeological investigations, according to the Planning Board's *Guidelines for Archeological Review* (May 2005), shall be performed on the above-referenced property to determine if any cultural resources are present. The entire 73.58 acres should be surveyed for archeological sites. The applicant should submit a Phase I Research Plan for approval by the staff archeologist prior to commencing Phase I work. A title search should be performed on the property to identify past owners and to determine if any of those owners held slaves. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations is required prior to signature approval.
4. Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of any final plat, the applicant shall provide a plan for:
 - a. Evaluating the resource at the Phase II level, or
 - b. Avoiding and preserving the resource in place.
5. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to approval of any grading permits.
6. The total development within the subject property shall be limited to 10,000 square feet of office space and 300,000 square feet of light industrial space or different uses generating no more than 258 AM peak hour trips (207 in, 51 out) and 258 PM peak hour trips (51 in, 207 out), respectively. Any development on the subject property resulting in a trip generation that exceeds this level shall be subject to the submission of a new preliminary plan of subdivision and a new test for transportation adequacy.
7. **Sheriff Road at Claybrick Road:** Prior to the issuance of any building permits the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a possible traffic signal at this intersection. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as indicated above, as well as existing traffic at the direction of DPW&T. If the signal is deemed warranted by DPW&T at that time, the applicant shall bond the entire cost of signal and agree to install it at a time when directed by DPW&T.
8. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

9. Prior to the issuance of any permits which 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.
10. Development of this subdivision shall be in compliance with approved Type I Tree Conservation Plan TCPI/28/91-01. The following notes shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on approved Type I Tree Conservation Plan TCPI/28/91-01, 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 and Tree Preservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission.”
11. Prior to signature approval of the preliminary plan, the TCPI shall be revised to show the piping from the lots to the pond and the 25-foot landscape buffer around the pond.
12. Prior to signature approval of the preliminary plan, the plan shall be revised to include a statement regarding the proposed uses on Lots 3–6 and the outparcel. If any of these uses are deemed noise generators, a noise study shall be submitted addressing this noise prior to issuance of a building permit for these lots.
13. Any residential development of the subject property, other than one single-family dwelling, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.

STAFF RECOMMENDS APPROVAL OF THE TYPE I TREE CONSERVATION PLAN
TCPI/28/91-01.