



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

## Preliminary Plan 4-06151

Application	General Data	
<b>Project Name:</b> Forest Oak Property  <b>Location:</b> The south side of Walker Mill Road approximately 800 feet east of the intersection with Addison Road and Walker Mill Road  <b>Applicant/Address:</b> District Properties 6500 Chillum Place, N.W. Washington, D.C. 20012  <b>Property Owner:</b> District Properties 6500 Chillum Place, N.W. Washington, D.C. 20012	Staff Report Date:	09/02/09
	Date Accepted:	03/27/09
	Planning Board Action Limit:	09/14/09
	Plan Acreage:	2.5586
	Zone:	R-T
	Gross Floor Area:	N/A
	Lots:	12
	Parcels:	6
	Planning Area:	75A
	Tier:	Developed
	Council District:	07
	Election District	06
	Municipality:	N/A
	200-Scale Base Map:	202SE06

Purpose of Application	Notice Dates	
Residential townhomes	Informational Mailing	12/16/08
	Acceptance Mailing:	03/24/08
	Sign Posting Deadline:	08/11/09

Staff Recommendation		Staff Reviewer: Ray Dubicki	
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 4-06151  
Forest Oaks  
Lots 1-12 and Parcels 1-6

OVERVIEW

The subject property is located on Tax Map 73, Grid D4 and is known as Parcel 370. The property is 2.558 acres and located in the Residential-Townhouse (R-T) Zone. The applicant proposes to divide the property into twelve lots for townhomes and six parcels. Five of the six parcels will be conveyed to a homeowners association, with the sixth parcel conveyed to Prince George's County for the possible relocation of Walker Mill Road.

The applicant worked closely with subdivision and urban design staff to adjust the alignment of Forest Oak Court and to position the proposed townhouses. The proposed arrangement reflects the neighboring Towns at Walker Mill community as much as possible given the dimensions of this parcel. Impact to the single family homes neighboring the southwest side of the property was reduced by maintaining trees and establishing the woodland conservation area along that property boundary. The applicant shifted the position of the townhouse lots to provide the residents with access to the rear of their lots via homeowner association (HOA) land. While this minimally reduced the amount of space that could be devoted to woodland conservation that could otherwise be provided along the boundary with the single-family homes, it is necessary in order to allow the townhouse residents to paint fences and move freely around the back of their property.

The applicant also worked with the Department of Public Works and Transportation (DPW&T) to accommodate the possible relocation of Walker Mill Road. The current 1985 and 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B* (SMA) proposes to completely relocate Walker Mill Road as an arterial grade roadway on the southeast side of the property. The Existing Walker Mill Road would remain for local traffic. Parcels within the Towns at Walker Mill were set aside for this purpose. The applicant's property adjoins these, and proposed Parcel 6 will continue the route for this proposed right-of-way (ROW). All buildings and stormwater facilities have been removed from this parcel.

Current DPW&T designs for this section of Walker Mill Road propose to bifurcate traffic, with westbound traffic on existing Walker Mill Road and eastbound traffic on the new section of right-of-way. While this proposal has not been adopted as part of the Prince George's County Master Plan of Transportation or the 1985 and 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B* (SMA), the amount of dedication required for such a design would not exceed that required under the currently adopted and approved master plan SMA for Suitland-District Heights and vicinity. The land proffered by the applicant for

conveyance to Prince George's County - identified as Parcel 6 on the preliminary plan - is sufficient for either design of relocated Walker Mill Road.

## SETTING

The property is located on the south side of Walker Mill Road approximately 800 feet east of the intersection of Addison Road and Walker Mill Road. Neighboring properties are zoned R-T. To the east are townhomes that are part of the Towns at Walker Mill. To the west are single family residences and parking for Walker Mill Baptist Church. Across Walker Mill Road, the property is zoned R-18 and C-O. These properties are used as a day care center and multi-family housing.

## 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-T	R-T
Use(s)	Vacant	Townhomes
Acreage	2.558	2.558
Lots	0	12
Outlots	0	0
Parcels	1	6
Dwelling Units:		
Townhouses	0	12
Public Safety Mitigation Fee		

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Review Committee (SRC) meeting held on April 17, 2009.

2. **Environmental**—The applicant submitted Type I Tree Conservation Plan, TCPI/006/09 and Natural Resource Inventory NRI/030/07 for this site. The proposal is for the development of 12 lots and six parcels in the R-T Zone.

The northern half of the site drains into Lower Beaverdam Creek, within the Anacostia watershed and the southern portion drains into Southwest Branch, within the Patuxent River watershed. The predominant soil type found to occur on this property according to the *Prince George's County Soil Survey* is in the Beltsville series. According to the NRI, there are no streams, nontidal wetlands, floodplain, steep slopes, and severe slopes on the site. Existing Walker Mill Road is currently not classified. The master planned Walker Mill Road is shown to be relocated on the south side of the site and is classified as arterial. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, 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 adjacent to this property. The site is not within the designated network of the *Approved Countywide Green Infrastructure Plan*. This property is located in the Developed Tier as delineated on the 2002 *Prince Georges County Approved General Plan*.

The subject site is located in the 1985 and 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B*. The only environmental concern addressed in this sector plan that is applicable to the subject site is noise intrusion.

Page 77 of the plan states:

‘No residential development to be permitted to occur within significant noise intrusion zones, unless the site design includes adequate noise control measures. Developers to be required to prepare noise studies and provide representative noise measurements of sites proposed for development within the significant noise intrusion zone.’

The future relocation of Walker Mill Road is located on the south side of the subject site and is classified as a master planned arterial road, which is regulated for noise impacts. According to the Environmental Planning Section’s noise model, the unmitigated 65 dBA Ldn noise contour is located approximately 155 feet from the centerline of future Walker Mill Road. A review of the proposed residential lots shows that none of the lots will be within the noise corridor. No noise mitigation is required.

The site is not within the designated network of the Countywide Green Infrastructure Plan.

The site has a signed Natural Resource Inventory (NRI/059/08) that was included in the preliminary plan submittal. The site contains two stands of woodland totaling 2.55 acres. Both stands are dominated by tulip poplar. This stand has moderate priority retention due to the lack of environmental features and abundant presence of invasive species.

The site is subject to the Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the gross tract area of the property is greater than 40,000 square feet, and there are more than 10,000 square feet of existing woodland. A Type I Tree Conservation Plan (TCPI/006/09) has been submitted and reviewed.

The woodland conservation threshold for this site is 0.51 acres and the total requirement based on the proposed clearing is 1.15 acres. This requirement is proposed to be met with 0.38 acres of on-site preservation. It is not clear how the remaining requirement of 0.77 acres will be met because the worksheet is incomplete and shows a shortage. Because the remaining requirement is less than one acre, it should be met with fee-in-lieu.

Other revisions are required. The limit of disturbance (LOD) is not shown on the tree conservation plan (TCP). This is required on any tree conservation plan. Remove the symbol for “woodland cleared” from the plan and legend so that it is more readable. Note six should be revised to add the preliminary plan number to the note.

According to the *Prince George’s County Soil Survey*, the soil found to occur on the site is in the Beltsville series. No further action is needed as it relates to this preliminary plan review.

A Stormwater Management Concept Approval Letter CSD 45961-2005-00, approved by the Prince George’s County Department of Public Works and Transportation (DPW&T), was submitted with this application; however this approval letter expired on May 16, 2009. The TCP shows a proposed stormwater management facility. Copies of the approved concept letter and plan must be submitted prior to signature approval.

3. **Community Planning**— The property in this application is located 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. This application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier. This application

supports the *Prince George's County Approved General Plan* goal to strengthen existing neighborhoods by creating infill development, reflecting existing medium density housing patterns, and connecting the sidewalk network to improve walkability.

This application conforms to the land use recommendations of the 1985 and 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B (SMA)*. This sectional map amendment changed the property from the R-55 Zone to the R-T Zone. The twelve townhouses proposed for this property are permitted by right in the R-T Zone.

The 1985 approved master plan and the 1986 adopted sectional map Amendment for Suitland-District Heights and vicinity recommends the reconstruction of Walker Mill Road to arterial standards from Silver Hill Road extended through the relocation east of Addison Road to its existing alignment, along the existing alignment to Ritchie Road, and on a relocated alignment to the planned interchange at the I-95 Capital Beltway. This property reflects the recommended width of existing Walker Mill Road and provides ample dedication for the relocation of Walker Mill Road.

This property is also located in the Preliminary Subregion 4 Master Plan and Proposed Sectional Map Amendment area. The plan is scheduled for public hearing on September 9, 2009. Adoption and approval of the Subregion 4 Master Plan are scheduled for December 2009. This application conforms to recommendations proposed in the preliminary master plan.

4. **Department of Parks and Recreation (DPR)**—In accordance with Section 24-135 of the Prince Georges County Subdivision Regulations, M-NCPPC Planning Department recommends that the Prince George's County Planning Board require the payment of a fee-in-lieu of mandatory dedication of parkland because the land available for dedication is unsuitable due to its size and location.
5. **Trails**—The proposal was reviewed for conformance with the *Adopted and Approved Countywide Trails Plan*. There are no master plan trails issues identified in either the Adopted and Approved Suitland District Heights master plan or the 1985 *Adopted and Approved Equestrian Addendum* to the *Adopted and Approved Countywide Trails Plan* that impact the subject application.

Sidewalks exist along the frontage of the subject property and along Walker Mill Road to the east and west of the subject site. The Preliminary Countywide Master Plan of Transportation recommends that Walker Mill Road be developed with a side path. The existing sidewalk on the north side of Walker Mill Road is wide enough to be designated as a side path. The sidewalk along the south side of Walker Mill Road along the frontage of the subject property should be maintained or reconstructed to meet DPW&T standards, and it should be a wide sidewalk. The sidewalk networks should be continued with a standard sidewalk around the proposed Forest Oak Court.

6. **Transportation**—The subject property is located on the south side of Walker Mill Road, east of the intersection of Addison Road and Walker Mill Road. It was determined that a traffic study was not warranted by the size of the proposed development. A traffic count was requested of the applicant, and the needed count for the critical intersection of Addison Road and Walker Mill Road was obtained. The findings and recommendations outlined below are based upon a review and analysis of these materials and analyses consistent with the "Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)."

## **Growth Policy–Service Level Standards**

The subject property is located within the Developed Tier, as defined in the 2002 *Prince George's County Approved General Plan*. 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 Regulations, is permitted at signalized intersections subject to meeting the geographical criteria in the *Guidelines*.

**Unsignalized intersections:** *The Highway Capacity Manual* (Transportation Research Board) 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.

The traffic generated by the proposed preliminary plan would impact the existing intersection of Addison Road and Walker Mill Road. This is a signalized intersection. A traffic count was taken at the critical intersection in June 2008. The findings are based on the submitted traffic count, adjusted seasonally in accordance with the *Guidelines*.

The application is for 12 residential lots. Residential townhouses are planned for the 12 lots. The proposed development would generate a total of 8 AM (2 in, 6 out) and 10 PM (7 in, 3 out) peak-hour-vehicle trips as determined using the *Guidelines*.

At the signalized intersection of Addison Road and Walker Mill Road the following conditions exist during the AM peak hour: CLV 995, CLV 1,025, and CLV 1,025 under existing, background, and total traffic conditions. During the PM peak hour the following conditions exist: CLV 1,303, CLV 1,368, and CLV 1,370 under existing, background, and total traffic conditions. The existing traffic count was increased by four percent during the AM peak hour and five percent during the PM peak in accordance with the *Guidelines*. Background conditions reflect a compounded growth rate of five percent for one year for all traffic movements. With the addition of the proposed development, or total traffic conditions, the critical intersection operates acceptably, based on the *Guidelines*.

Access to the residential lots will be from Walker Mill Road via Forest Oak Court. This is shown correctly as a private urban secondary residential road consistent with a 50-foot ROW including 26 feet of pavement. Walker Mill Road is designated as A-35 in the 1985 and 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B*. The master plan recommends that Walker Mill Road be realigned to the south of the subject property. The arterial roadway is planned to be realigned from Addison Road to a point near Shady Glen Road with 120 feet of right-of-way.

A letter dated July 28, 2009, from the Prince George's County Department of Public Works and Transportation (DPW&T) to Fern Piret, Planning Director, is attached to this staff report. It contains DPW&T's recommendations for this section of Walker Mill Road. DPW&T requests dedication of 30 feet of right-of-way along existing Walker Mill Road. This is shown correctly on

the submitted preliminary plan. DPW&T also requests dedication along the planned southern alignment of Walker Mill Road. As mentioned above A-35 (Walker Mill Road) currently has a recommended right-of-way width of 120 feet. The preliminary plan was revised by the applicant to provide a 60-foot-wide parcel to accommodate the southern alignment reflected on the current master plan. DPW&T also requested frontage improvements on existing Walker Mill Road; the scope of such improvements shall be determined by DPW&T under their authority under Subtitle 23 at the time of dedication.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's Subdivision Regulations if the application is approved with conditions.

7. **Schools**—Review of this preliminary plan for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003 concluded the following:

**Impact on Affected Public School Clusters**

<b>Affected School Clusters #</b>	<b>Elementary School Cluster 7</b>	<b>Middle School Cluster 3</b>	<b>High School Cluster 4</b>
Dwelling Units	12 DU	12 DU	12 DU
Pupil Yield Factor	.16	.13	.14
Subdivision Enrollment	1.9	1.5	1.7
Actual Enrollment	198	606	2,555
Total Enrollment	199.9	607.5	2,556.7
State Rated Capacity	480	816	2,635
Percent Capacity	41.6%	74.4%	97.0%

*Source: Prince George's County Planning Department, M-NCPPC, April 2009*

County Council Bill CB-31-2003 established 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 an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority (WMATA); or \$12,000 per dwelling for all other buildings. CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$8,177 and \$14,019 to be paid at the time of issuance of each building permit.

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

8. **Fire and Rescue**—The Special Projects Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01 (d) and Section 24-122.01 (e) (1) (B) thru (E) of the Subdivision Regulations.

This preliminary plan is within the required seven minute response time for the first due fire station, Silver Hill, Company 29, using the *Seven Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

Pursuant to County Council Resolution CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01 (e) (1) (A) and (B) of the Subdivision Regulations regarding sworn fire and rescue personnel staffing levels.

The Fire/EMS Chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in County Council Bill CB-56-2005.

9. **Police Facilities**—The subject property is located in Police District III, Palmer Park. The response time standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on March 27, 2009.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 03/27/09	03/08-02/09	8 minutes	10 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met May 29, 2009. The Police Chief has reported that the Police Department has adequate equipment to meet the standards stated in CB-56-2005.

Pursuant to CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A, B) of the Subdivision Regulations regarding sworn police personnel staffing levels.

10. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for Forest Oak Property and has no comments to offer.
11. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A stormwater management concept plan has been submitted but not yet approved. The applicant previously filed Stormwater Management Concept Plan 45961-2005-00, which expired on May 16, 2009. Revision 01 to this concept plan is currently being reviewed by DPW&T. Discussions with DPW&T staff suggest that the application will require revisions, including the expansion of the stormwater management pond.

Prior to signature approval of the preliminary plan, that applicant should submit a copy of the concept approval letter and indicate the approval date on the preliminary plan. Development must be in accordance with that approved plan to ensure that development of this site does not result in on-site or downstream flooding. The expansion of the stormwater management pond or other revisions required by DPW&T may result in changes to the approved preliminary plan, including the loss of lots. Significant changes to the preliminary plan may require the applicant to be required to file a new preliminary plan of subdivision.

12. **Cemeteries**—There are no cemeteries located on the site.



13. **Historic**—Phase I archeological survey is not recommended on the subject above-referenced 2.56-acre property located at 6821 Walker Mill Road in District Heights, Maryland. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. However, the applicant should be aware that there are two previously identified archeological sites, 18PR838 (a 20<sup>th</sup> century farmstead) and 18PR839 (a 20<sup>th</sup> century outbuilding), located within a one-mile radius of the subject property. There are no County historic sites or historic resources located within a one-mile radius of the subject property.
14. **Water and Sewer Categories**—Section 24-122.01(b)(1) states that ‘the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.’

The 2008 *Water and Sewer Plan*, as adopted by County Council Resolution CR-91-2008, reflects this property in Water and Sewer Category 3, Community System, and the development will therefore be served by public systems.

15. **Urban Design Section**—The site is subject to Section 4.1 (Residential Requirements), 4.6 (Buffering Residential Development from Streets), and 4.7 (Buffering Incompatible Uses) of the *Prince George’s County Landscape Manual*. According to the plans, adequate land area has been provided to allow for the required bufferyards in accordance with Sections 4.6 and 4.7. The site’s conformance with the *Prince George’s County Landscape Manual* will be reviewed at time of detailed site plan.

Prior to approval of a final plat, a detailed site plan will be required pursuant to Section 27-433(k)(1) of the Zoning Ordinance. The proposed townhouse development is in general conformance with the regulations as stated in Section 27-443, in terms of general layout, lot size, street pattern and lotting pattern. However, those regulations require additional information such as architectural elevations that are only available at time of detailed site plan. The application’s conformance with the design regulations will be thoroughly reviewed at time of detailed site plan.

The preliminary plan does not indicate to whom each parcel will be dedicated. This information should be provided on the plans pursuant to Section 27-433(i)(1) of the Zoning Ordinance.

The preliminary plan divides the property outside of the lots into six parcels. Five of these parcels are proposed for conveyance to the homeowners association. Traditionally, homeowners association property is consolidated into the minimum number of parcels as dictated by the layout of the development, topography, separation by public streets, or other distinction of discrete parcels. In this development, none of these circumstances exist since the Forest Oak Court is a private street and contiguous with the other homeowners association parcels. Therefore, the homeowners association parcels, identified as Parcels 1–5, should be consolidated to a single Parcel A. Parcel 6 should be identified as Parcel B. The plan should identify to whom each of these parcels will be conveyed pursuant to Section 27-433(i)(1) of the Zoning Ordinance.

The plan shows three standard parking spaces designated for the physically handicapped at the end of the proposed cul-de-sac. A minimum one space, preferably van-accessible, should be designated for the handicapped parking and should be striped properly according to the dimension requirements of the Americans with Disabilities Act (ADA). The parking will be further reviewed at time of detailed site plan. Additional parking spaces for visitors may be

required.

## RECOMMENDATION

Staff recommends APPROVAL of Preliminary Plan of Subdivision 4-06151 subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
  - a. Consolidate Parcels 1–5 as Parcel A and Parcel 6 as Parcel B.
  - b. Identify recipients of conveyance for Parcels A & B.
  - c. Remove layout of proposed buildings and Forest Oak Court.
  - d. Show ten-foot public utility easement (PUE) on both sides of Forest Oak Court and Walker Mill frontage per Section 24-128(b)(12) of the Subdivision Regulations.
2. In conjunction with the detailed site plan, a Type II tree conservation plan shall be approved.
3. Prior to approval of the final plat, the applicant, the applicant's heirs, successors and/or assignees shall have a detailed site plan approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance.
4. Development of this site shall be in conformance with the Stormwater Management Concept Plan 45961-2005-01 and any subsequent revisions.
5. Prior to signature approval of the preliminary plan, copies of the stormwater management concept approval letter and plan shall be submitted. The concept shall be correctly reflected on the plan.
6. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:
  - a. Show the remaining requirement of woodland conservation to be met with fee-in-lieu.
  - b. Show the limit of disturbance (LOD) on the plan and provide a symbol in the legend.
  - c. Revise Note six to show the preliminary plan number in the note.
  - d. After all revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions made.
7. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/006/09). The following note shall be placed on the Final Plat of Subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/006/09) 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. 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, Prince Georges County Planning Department.”
8. The detailed site plan reflect a standard sidewalk, along both sides of Forest Oak Court, unless

modified by Planning Board at that time.

9. Permit plans shall demonstrate the installation of a wide sidewalk, a minimum of eight feet in width, along the subject site's entire frontage of existing Walker Mill Road to serve as a side path, unless modified by DPW&T.
10. The applicant and the applicant's heirs, successors and/or assignees shall convey Parcel 6 to Prince George's County at the time of final plat of subdivision. The area of the parcel shall be reviewed by the Transportation Planning staff and DPW&T during review of the detailed site plan.
11. Prior to the approval of building permits the applicant and the applicant's heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.
12. Prior to the approval of building permits, the applicant and the applicant's heirs, successors and/or assignees shall convey to the homeowners association (HOA) 1.70± acres of open-space land (Parcels 1-5/Parcel A). Land to be conveyed shall be subject to the following:
  - a. Conveyance shall take place prior to the issuance of building permits.
  - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
  - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
  - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
  - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved permit plan or shall require the written consent of the Development Review Division (DRD). This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement and storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
  - f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division (DRD) prior to the issuance of grading or building permits.
  - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by the Development Review (DRD).
  - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.

13. Prior to approval of the Final Plat of subdivision the applicant and the applicant's heirs, successors and/or assignees shall pay a fee-in-lieu of parkland dedication.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCPI/006/09