

July 30, 2009

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Acting Urban Design Supervisor

FROM: James Jordan, Urban Designer

SUBJECT: Detailed Site Plan, SP-99043  
Tree Conservation Plan, TCP II/139/99  
Nazario Woods Cluster

The Urban Design staff has completed its review of Detailed Site Plan, SP-99043. The following evaluation and findings lead to a recommendation of Approval with conditions for the Detailed Site Plan as described in the Recommendation Section of this report. This report addresses the required findings for the Detailed Site Plan.

EVALUATION

This Detailed Site Plan was reviewed and evaluated for compliance with the following criteria:

1. The requirements of the Zoning Ordinance in the R-R Zone, including the requirements of the Prince George's County *Landscape Manual*.
2. The Approved Preliminary Plat of Subdivision, 4-98012.
3. The Bowie-Collington-Mitchellville and Vicinity Master Plan / SMA (1991).
4. The requirements of the Prince George's County Woodland Conservation Ordinance.
5. Referrals.

FINDINGS

Based upon the analysis and evaluation of the subject Detailed Site Plan SP-99043, the staff recommends the following findings:

1. Location - The subject property is located southwest of the intersection of Fletchertown Road and High Bridge Road, approximately 600 feet west of the intersection of High Bridge Road and Mockingbird Lane. The proposed subdivision is bound to the north by the Fletchertown Road right-of-way, to the east and west by single-family residential lots,

Zoned R-R, and to the south by the Mockingbird Lane right-of-way. The application includes the site plan, landscape plan, and architecture.

2. The Proposed Development - The subject application is for approval of 42 single-family detached lots on 25.98 acres. Open space Parcels H and I, comprising 2.27 acres north of Mockingbird Lane, are designated to be conveyed to MNCPPC and will support a hiker/biker trail.
3. Background - The Bowie-Collington-Mitchellville and Vicinity Master Plan (1991) recommends Low Suburban residential use and also a “conditional park-school site” for the subject property. The Bowie-Collington-Mitchellville and Vicinity Sectional Map Amendment (1991) retained the R-R Zone for the subject property.
4. The Approved Preliminary Plat - The Preliminary Plat, 4-98012, was approved by the Planning Board on July 9, 1998 with 16 conditions (PGCPB No. 98-200(C)). The overall lotting pattern, circulation pattern and access points shown on the site plan are in general conformance with the approved Preliminary Plat 4-98012. Three (3) of the conditions of approval required specific action be taken or additional information be supplied at the time of Detailed Site Plan. Below are the specific conditions warranting discussion pertaining to conformance to the approved Preliminary Plat:

**4. A Type II Tree Conservation Plan shall be approved at time of Detailed Site Plan. Two areas of special concern which should be addressed at time of TCP II and Detailed Site Plan are:**

- a. **The specific location and disposition of specimen trees shown on the FSD shall be provided. The Detailed Site Plan shall maximize the preservation of specimen trees to the extent possible as determined by the Natural Resources Division; and**

Comment: The applicant has not sufficiently addressed this condition, and shall provide additional information pertaining to the disposition and management of specimen trees shall be required prior to signature approval.

- b. **In a cluster subdivision, the placement of woodland conservation on single family lots is generally discouraged, and will be allowed only if sufficient usable yard area is retained. At time of TCP II and Detailed Site Plan, the provision of usable yard area, appropriate woodland conservation areas, and minimum size requirements will be made by the Natural Resources Division.**

Comment: The applicant has removed all of the proposed Woodland Conservation from the single family lots, and the Environmental Planning Section, formerly the Natural Resources Division, has found the proposed on-site woodland conservation areas to be appropriate.

12. **Detailed Site Plan (DSP) shall be required prior to final plat of subdivision. The DSP shall show the interface of the WB&A hiker-biker trail, the Nazario Woods entrance road, and Mockingbird Lane showing needed safety improvements for the trail. If the trail is constructed prior to construction**

**of entrance Road “A,” the applicant shall replace any portion of the trail which is disturbed, and will rebuild that portion of the trail to assure that all safety and other standards are met. The determination of the safety improvements needed shall be determined by the Department of Parks and Recreation with the assistance of the Department of Public Works and Transportation, with input from the State Trails Coordinator for the Discovery Trail and representatives from other appropriate trails groups, citizens and citizens associations, most particularly residents along Mockingbird Lane.**

Comment: The applicant has provided a detailed plan showing the interface of the WB&A hiker-biker trail, the Nazario Woods entrance road, and Mockingbird Lane. The safety improvements/provisions for the trail are as follows:

- a. Grade of descent from the new pedestrian bridge over High Bridge Road is proposed to be 5 percent with a change to 3 percent, to reduce the slope of the path and help slow a biker’s speed of approach to the proposed subdivision’s entrance drive off Mockingbird Lane.
- a. Creation of a low point on the trail approximately midway between the toe of the pedestrian bridge at High Bridge Road and the entrance drive to the proposed subdivision, to further slow bike acceleration. An identical low point trail design feature will be employed as bikers approach the subdivision entrance from the opposite direction.
- a. Limiting the approach trail grade for bikers to 2 percent, essentially flat, as they near the subdivision entrance.
- a. The trail grade will be slightly elevated above the finished grade of Mockingbird Lane to ensure that trail users are visible to vehicles traveling on Mockingbird Lane at all times.
- a. The trail will cross the subdivision entrance drive in the form of a speed hump, with the trail always level acting as the hump in the roadway. This will emphasize the trail, while requiring vehicles to slow down to cross the hump.
- a. The trail crossing will be marked with standard pedestrian paint stripping and signage in accordance with the Manual on Uniform Traffic Control Devices.
- a. Warning signs will be posted to the north of the trail crossing within the subdivision to alert approaching vehicles of the trail proximity.
- a. A stop sign will be located at the intersection of the subdivision entrance drive and Mockingbird Lane.

- a. Signage will be placed on the trail in both directions of approach to the subdivision entrance drive directing trail users to “Yield” and “Dismount Bikes” at the road crossing.

- a. Warning signage will be placed on the trail in both directions of approach to the existing driveway accessing the Gilbert, Nicholson, and Fishkind properties, east of the subdivision entrance drive, that will cross the trail. A “Stop” sign will be placed on the driveway so motor vehicles using the driveway will yield to the trail users.

The design of the interface between the hiker/biker trail and the subdivision entrance drive was developed with input/assistance from staff, the Department of Parks and Recreation, the Department of Public Works and Transportation, the State Trails Coordinator for Discovery Trails, and residents of the community. It is staff’s understanding that the applicant held a series of meetings in the community to solicit input for the final trail design. Acknowledgment of the agreed-upon final trail design is noted by the attached signed memorandums from representatives of the agencies and trail group noted in the condition.

The trail will be constructed prior to the construction of the subdivision entrance drive, Albatross Court; therefore it is recommended that at the time of construction of the entrance drive the applicant will be required to replace any portion of the trail which is disturbed, and rebuild that portion of the trail to assure that all safety and other standards are met.

- 16. Appropriate provisions shall be established at the time of Detailed Site Plan to assure the conveyance of the outlots to the respective off-site property owners at the time of Final Plat of Subdivision, in order that the off-site property owners shall have frontage on and direct or indirect access to Public Road B. Furthermore, vehicular access to Mockingbird Lane across the WB&A trail shall be prohibited for these off-site property owners as identified on the subject plan, when Public Road B is constructed.**

Comment: Conveyance of the designated outlots will allow the respective property owners clear access to Blue Heron Court (previously referred to as Road B). At the time of Final Plat the applicant shall convey Outlots C, D, E, F, and G to the respective off-site property owners to allow direct or indirect access to and from Blue Heron Court. Access to the existing properties adjacent to the subject outlots will only be permitted from Blue Heron Court when it is constructed.

5. The site development data is as follows:

**CLUSTER DEVELOPMENT DATA  
R-R ZONE**

Gross Tract Area	25.98 acres
Area with Slopes Greater than 25%	.42 acres
Area within 100-Year Floodplain	3.68 acres

Cluster Net Tract Area	21.88 acres
Number of Lots Permitted at 2 du/acre	47 lots
Number of Lots Proposed	42 lots
Number of Flag Lots Proposed	0 lots
Minimum Lot Size Permitted	10,000 sq. ft.
Minimum Lot Size Proposed	10,000 sq. ft.
Cluster Open Space Required	8.19 acres
2/3 of Required Open Space to be Located Outside of the 100-Year Floodplain and Stormwater Management Facilities	5.40 acres
Cluster Open Space Proposed Outside of the 100-Year Floodplain and Stormwater Management Facilities	10.94 acres
Cluster Open Space Provided	10.94 acres
Total Open Space Required	8.19 acres
Total Open Space Provided	10.94 acres
Open Space to be Conveyed to Homeowners Association	8.67 acres
Open Space to be Conveyed to M-NCPPC	2.27 acres
Slopes Exceeding 25% in Grade	.42 acres
25% of Steep Slopes	.10 acres
Area of Steep Slopes to be Disturbed	.10 acres
Area of Nontidal Wetlands	3.79 acres

6. Conformance With the Requirements of the Zoning Ordinance in the R-R Zone, including the requirements of the Prince George's County *Landscape Manual* - The proposed plan is in general conformance with development regulations for the R-R Zone.

Section 4.1 of the *Landscape Manual*, Residential Requirements, applies to the subject site. The landscape plans are in full conformance with the requirements of the *Landscape Manual*.

7. Conformance to the Requirements of the Woodland Conservation Ordinance - The proposed development is subject to the provisions of the Woodland Conservation Ordinance because the site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. The development proposal was referred to the Environmental Planning Section, and in a memorandum (Finch to Jordan) dated November 19, 1999, it was found that additional information was needed for staff to evaluate the plan. Subsequent to the initial memorandum, the applicant revised the plans to provide the requested information, and in an addendum dated January 24, 2000, the Environmental Planning Division recommended approval of TCPII/139/99 for Nazario Woods. Conditions of approval can be found in the Recommendation Section of this report.
8. Parks and Recreation - The subject application was referred to the Department of Parks and Recreation (DPR) for comment, and in a memorandum (Palfrey to Jordan) dated De-

ember 13, 1999 several issues were raised as concerns, most notably the crossing of the WB & A hiker-biker trail, the location of the drainage structure on the property to be conveyed to M-NCPPC, and the entrance feature shown to be located on future park property. A meeting was held on January 12, 2000 at the offices of the Department of Public Works and Transportation (DPW & T) which was attended by Planning Department staff, DPR staff, DPW & T staff, and the State Trails Coordinator for Discovery Trails. All of the issues raised in the DPR memorandum were discussed and resolved at this meeting. In a subsequent memorandum (Asan to Jordan) dated January 21, 2000, a DPR condition of approval was amended. The applicant has provided plans which indicate the agreed-upon layout, etc., and all required conditions of approval, as requested by DPR, can be found in the recommendation section of this report.

9. Transportation - The subject application was referred to the Transportation Planning Section and in a memorandum dated November 30, 1999 (Masog to Jordan), the following comments were provided:

“Questions concerning the adequacy of transportation facilities were fully resolved during the staff’s review of the Preliminary Plat of Subdivision 4-98012, and in accordance with the findings required for a Detailed Site Plan such issues will not be revisited.

“The plan is acceptable. At the point where proposed Albatross Drive would cross the Master Plan trail alignment to meet Mockingbird Lane, final approval of the Parks Department and the Department of Public Works and Transportation (DPW&T) should be obtained.”

See Finding No. 4, Condition 12, above, for additional comments pertaining to the interface of Albatross Drive (previously referred to as Road A) and the master plan trail alignment.

10. Urban Design - The Urban Design Staff has reviewed the subject plan and offers the following comments.

- a. The proposed architectural units are listed in the chart below, as well as the minimum finished living area of each.

Emory	2,436 square feet
Augusta	2,341 square feet
Lehigh II	2,129 square feet
Stanford	2,002 square feet
Fairfield	2,008 square feet

The overall design of the dwelling units is traditional. Each unit is two stories with gable roofs, window shutters, trim, optional brick accents, garages and bay windows. The base square footages of the house types submitted for approval range in size from 2,002 to 2,436 square feet. Although the minimum base square footage is above 2,000 square feet the applicant has provided the following note on the Detailed Site Plan cover sheet:

“The base square footage for all models shall be a minimum of 1600 s.f. The maximum number of smaller units permitted between 1600 s.f. and 1800 s.f. shall be 50 percent of the total number of units for a total of 21 units.”

The applicant has stated that the minimum size of 1,600 square feet was proffered during the process of obtaining water and sewer category authorization. Albeit this minimum square footage was proffered to, and accepted by, the District Council it is the Planning Board which makes final decisions in terms of house size, appearance, etc. Staff believes that the referenced note is misleading, in that it presumes the Planning Board will allow housing units as small as 1,600 square feet at some later date when the applicant is proffering no unit smaller than 2,000 sq. ft. in connection with this application. To eliminate the implication that the Planning Board is somehow “pre-approving” future units smaller than 2,000 sq. ft., it is recommended that the above-mentioned note referencing 1,600 square foot minimums be removed from the plans.

- b. The applicant has provided the following note on the Detailed Site Plan cover sheet pertaining to the percentage of units that will have brick front elevations:

“Twenty-five (25) percent of all units shall have a brick feature on the front elevation.”

Again, the applicant has stated that this percentage was proffered during the process of obtaining water and sewer category authorization. As previously stated, it is the Planning Board which makes final decisions in terms of architectural features, aesthetics, and amenities. Staff believes that the proffered percentage of brick fronts is not adequate, in terms of creating a subdivision that is aesthetically compatible with the surrounding community and development. Therefore, it is recommended that a minimum of 50 percent of the proposed units have brick front facades.

- c. Generally the house footprints on the corner lots are oriented such that the rear wall of the house is facing the end wall of the house on the adjoining lot, with side/rear elevations and rear yards exposed to vehicular traffic and the fronts of other properties. The proposed building orientation alone does not pose a major concern, but when combined with other factors such as lot layout, buffering/screening, and lot building restriction lines, the site layout and aesthetics of these specific lots, Lot 14, 19, 20, 23, and 31, comes into question.

1. Lot Layout, Orientation, & Building Restriction Lines: Although the lot sizes for the said lots are above the minimum lot size requirements for a cluster development plan, the lot layouts are such that all front facades of the houses on the subject lots will be sited parallel to an adjacent street creating a situation where the rear wall of the house is facing the end wall of the house on the adjoining lot, with side and rear elevations and rear yards exposed along heavily traveled streets. The lots are of sufficient size, and the distances from the structures to the building restriction lines are generous enough to allow for adjustments to the proposed orientation of the houses on the lots. If the front facades of the houses were oriented diagonally, or somewhat facing the corner of the street intersection, then the rear yards become less visible and the front facades act as integral components of both streets. Conversely, the impact of the side and rear elevations on the respective street is lessened significantly.

Reorientation of the proposed building footprints will allow for a more aesthetically pleasing development and ultimately help screen some of the private rear yard area on the lots.

2. Buffering/Screening : If the subject lot layouts are reorganized as prescribed in the above finding No. 10c.1, then the proposed landscape buffering/screening between the said lots and the adjoining public streets will have to be augmented to help screen views of the rear yards and rear elevations from the street and nearby homes within the development. The proposed buffering/screening does not provide any degree of privacy for the rear yards in the current lot layouts, nor will it if the lot layouts are revised. When the siting of the structures on the subject lots is revised to a diagonal orientation, the landscape materials should be located along the sides of, toward the rear, of the houses to effectively screen the rear elevation and yard. The plant materials should be a combination of shade and evergreen trees. Additional rear/side yard area and landscape buffering/screening is warranted.

Revisions to the lot layouts, adjustments to the building orientation, and additional landscape buffering/screening at the rear yards would enhance the aesthetic appearance of the development, provide screening for private rear yard areas, and encourage the concept of all front facades facing the streets. The existing residential development at the entrance of the subject property, on the south side of Mockingbird Lane, is well-established with all of the front facades of the homes facing the street, and the rear yards are not visible. If the proposed subdivision is to be complementary and compatible with the existing surrounding development, then staff believes that all efforts should be made to orient the structures so that the front facades face the streets as much as possible and the private rear yards are screened. Based on all of the foregoing analysis, it is recommended that the layout/orientation of structures on Lots 14, 19, 20, 23, and 31 be revised to a diagonal siting toward the intersection of the streets, and that additional buffering/screening landscaping be provided along the side of, toward the rear of the houses. The recommended landscaping shall be a combination of shade and evergreen trees.

- d. The applicant has proposed an entrance signage feature composed of brick piers with signage, and wrought iron railings between the piers. The proposed entrance sign and landscaping are appropriate. Any necessary easements must be recorded and documented prior to issuance of building permits.
11. The subject property has an approved Stormwater Management Concept Plan (CSD # 968009040), which was approved on December 7, 1999. Upon initial referral of the subject application to the Department of Environmental Resources it was found, as reported in a referral response dated November 19, 1999, that the plan was not consistent with the approved stormwater management concept. Subsequent to the referral, the applicant revised the plans and was granted stormwater management concept approval on December 7, 1999.
  12. The subject Detailed Site Plan was referred to the City of Bowie. In a letter dated January 4, 2000 (Robinson to Hewlett) it was stated that on Monday January 3, 2000, during a public hearing on the development proposal, the City Council voted to



recommend disapproval of SP-99043, Nazario Woods. In light of the Planning Boards' interest and concern pertaining to recommendations from municipalities in reference to development proposals, staff believes that an analysis of the city's reasons for disapproval is warranted. The following are the recommendations for disapproval, and staff's comments:

2. **Singular vehicular access to the property is inadequate.**

Comment: The subject application was referred to the Transportation Planning Section; see Finding No. 9 for the comments provided. For the size of the proposed development, a singular vehicular access to the subject property was found to be adequate at the time of Preliminary Plat and is still found to be adequate by the Transportation Planning Section.

2. **There is inadequate medic response time, even considering the new medic unit at Company 18, Glenn Dale Station.**

Comment: The subject application was referred to the Countywide Planning Division and in a memorandum dated January 19, 2000 (White to Jordan), the following comment was provided:

"The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for engine, ambulance and medic service."

Documentation of all response times is provided as part of the staff report back-up. Medic response time is adequate.

2. **Emergency response time for engine and ambulance service from Company 19 in Huntington are problematic and unpredictable, due to the existence of the CSX railroad tracks.**

Comment: The location of the CSX railroad does require that any response from Company 19 would necessitate crossing the railroad tracks. Company 19 is closest to the proposed subdivision, but Company 18, Glenn Dale Fire Station, is within proximity to the subject property and would not have to cross the CSX railroad tracks to access the property. Combined, the two engine companies, 18 and 19, should provide adequate coverage for the proposed subdivision.

2. **School facilities evaluated on the basis of actual capacity, are inadequate.**

Comment: It is staff's understanding that in this context "actual capacity" is in reference to the personal observations of citizens and elected officials with respect to school capacities. Although somewhat relevant to this discussion, staff is hesitant to concede in this type of analysis that personal observation of a limited cross-section of student enrollment should be expanded and used as a comprehensive model for school enrollment capacities and projections. The single variable that has changed since the preliminary plan approval with respect to school capacities and enrollment projections is that the Board of Education moved the school boundary for the subject area, which resulted in students in the

proposed subdivision being assigned to the Benjamin Tasker Middle School. In a memorandum from the Growth Policy and Public Facilities Section (Williams to Jordan) dated January 10, 2000, the following comments were provided:

“Currently, there are 1,204 students attending Benjamin Tasker Middle School and the schools’ capacity is 110.56 percent. The projected capacity for 2004 is 104.53 percent.”

The Board of Education changed the school boundary for the subject property on January 26, 1999, approximately six months after the Planning Board approved the preliminary plan. Staff has no control over when or where these changes occur. Even though Tasker Middle School’s projected capacity, 104.53 percent, is 10.45 percent above the middle school to which the students would have been assigned at the time of preliminary plan approval, Dwight D. Eisenhower at 94.08 percent, staff cannot find that the proposed development should be denied for that reason. The boundaries used by staff to calculate and project school capacities at the time of preliminary plan review and approval were correct.

**5. Safety and security fencing of stormwater management facilities and along the common property line of the Gilbert property is lacking.**

Comment: The stormwater management facilities will be maintained by the Department of Environmental Resources, which is requiring that stormwater ponds not be totally enclosed with fencing for access purposes. The applicant has not proposed, and is not required to provide any fencing between the subject and Gilbert properties. Substantial natural terrain, wetlands and woodlands, buffer the subject property from the Gilbert property and/or home.

**6. The pre-conditions existing at the time of preliminary subdivision approval in 1998 have drastically changed (e.g. major decisions have been made regarding school construction funding and boundary adjustments), giving rise to revisit the conditional school/park site shown on the subject property on the 1991 Bowie-Collington-Mitchellville and Vicinity Area Master Plan.**

Comment: As previously discussed, changes have been made to the boundary designations for school populations in this area subsequent to the preliminary plan review. At the time of Conceptual Site Plan review for the subject property it was found that the site would only be marginally suitable for an elementary school, because the entire property was not acceptable. The application for approval of Preliminary Plat of Subdivision was referred to the Board of Education, and in the responding memorandum (Ogden to White) dated March 11, 1998, the following comments were provided:

“A review of the population projections by our Pupil Accounting staff indicates that a school will not be needed at this site anytime soon. Our best estimate is that consideration for a school might occur between six to ten years from today. There are other proposed projects in this area which appear to mitigate the need for a school at this time.”

At the time of preliminary plan review the Board of Education indicated that the earliest consideration for a school in the subject area would be approximately 2004, and no action to initiate reservation of the property was taken at that time. It should be noted that the above-mentioned boundary change only affects the middle school designated for this area. The subject property was deemed acceptable for an elementary school only. Thus, the boundary change becomes a moot point because the designated elementary school for this area, High Bridge Elementary School, was projected to be operating at 88.17 percent of its total capacity 5 years from July of 1998. Secondly, the floating symbol school site designation on the master plan, although shown on a particular property, is a general designation for an area that allows the school board to reserve any suitable property within the vicinity for a school site.

6. **Sight-distance and safety issues need to be addressed before the Detailed Site Plan is approved, not later. (Section 27-274 (a)(2)(C) of the Zoning Ordinance states that vehicles and pedestrian circulation on a site should be safe, efficient and convenient for both pedestrians and drivers.)**

Comment: The sight-distance is currently poor at the intersection of Mockingbird Lane and High Bridge Road, and the construction of the proposed subdivision in this location will generate additional vehicular traffic at the intersection, thus exacerbating the condition. It would be an undue burden upon the applicant to require that funds be expended in this endeavor long before building construction will commence. To correct the sight-distance problem at this intersection the applicant will have to secure a portion of road frontage property from a private owner, develop design/construction drawings for the right-of-way, and receive approval from the Department of Public Works and Transportation. It would be premature to complete this task without any idea when actual home construction will begin. Staff believes that it is appropriate for the applicant to address the sight-distance and safety issues that exist at the intersection of Mockingbird Lane and High Bridge Road prior to the issuance of a significant number of building permits. It is recommended that the sight-distance and safety issues at the intersection of Mockingbird Lane and High Bridge Road be addressed prior to the issuance of the second building permit.

Although pertinent with respect to public health, safety, and welfare, most of the reasons voiced by the City of Bowie as support for denial of the subject development proposal are Adequate Public Facilities (APF) issues, and were analyzed at the time of the Preliminary Plat review. Findings for adequacy with respect to public facilities are required at the preliminary plan stage, and the subsequent Detailed Site Plan review cannot assume additional review requirements not authorized by the Zoning Ordinance that are germane only to preliminary plan review, in effect encumbering and limiting the applicant's right to develop their property. Staff believes that although some of the circumstances pertaining to APF analysis have changed since the preliminary plan approval, it has been demonstrated that all of the required criteria have substantially been met.

13. In order to insure that prospective purchasers in this subdivision are made aware of the existence of an approved Detailed Site Plan, Landscape Plan, and plans for recreational facilities, these plans must be displayed in the developer's office.

14. The subject application was referred to all applicable agencies and divisions; no significant issues were identified. The Permit Review Division provided several comments pertaining to additional information being provided on the plans. Conditions 1a-b of the Recommendation Section of this report address the Permit Review concerns. The Department of Public Works & Transportation provided comments for designated roadway improvements within the right-of-way on Mockingbird Lane. The plans should address these comments at the time of the review of permits.
15. This Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

## RECOMMENDATIONS

Based upon the evaluation of the subject plan, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan, SP-99043 and Tree Conservation Plan TCPH/139/99, for Nazario Woods Cluster with the following conditions:

1. Prior to certificate of approval the Detailed Site Plan and TCP II shall be revised as follows:
  - a. Provide dimensions for all options on the typical house templates.
  - b. Identify on the typical house templates if the optional front porch is covered.
  - c. Remove all notes referencing 1,600 square foot house size minimums.
  - c. Amend the notation for percentage of brick front facades to indicate that 50 percent of all units shall be required to have a brick front facade.
  - e. Provide a combination of shade and evergreen trees at the sides near the rear of Lots 14, 19, 20 23, and 31.
  - f. Adjust the layout/orientation of the houses on Lots 14, 19, 20, 23, and 31, to a diagonal siting toward the intersection of the streets.
  - g. Clearly indicate the location of the Patuxent River Primary Management Area. and the location of variations impacting that area shall be limited to those approved at time of preliminary plan. The plan shall clearly indicate the proposed conservation easement line proposed to be implemented at time of final plat in conformance with the PMA and approved variations.
  - g. Individually label all Woodland conservation areas by size and conservation method.: preservation, reforestation or afforestation. Woodland conservation shall not be shown in any 100-year floodplain area. Woodland conservation areas also shall not include areas of utility easements, trail easements, gravel drives, public utility easements or other elements contrary to the intended function of woodland conservation areas.

- i. Indicate on the woodland conservation worksheet on-site and off-site woodland conservation; preservation, afforestation and reforestation.
  - j. The disposition of all specimen trees shall be indicated on the specimen tree tables provided. Appropriate notes for any special management plans related to the protection of specimen trees shall be provided.
- a.
  - Appropriate details and planting schedules shall be provided for any proposed on-site reforestation or afforestation.
  - l. Identify all off-site woodland conservation areas, even if proposed to be provided by the Parks Department, and the woodland conservation worksheet shall show how the woodland conservation requirements of the site will be met. Off-site preservation must be on a 2 to 1 basis; off-site afforestation can be at a 1 to 1 basis. Off-site conservation must be clearly indicated on the Woodland Conservation Worksheet.
  - m. The location of off-site TCP II woodland conservation shall be indicated on the Tree Conservation Plan by note. Off-site woodland conservation sites are subject to TCP II approval prior to the certification of this TCP.
- 2. Prior to the issuance of permits, the applicant shall provide the recordation of easements for off-site woodland conservation or a letter from the Parks Department granting permission for off-site woodland conservation areas, and their location.
- 3. Prior to the issuance of permits, off-site and on-site afforestation must be bonded with the appropriate authority.
- 4. The Final Plat, shall reflect the conveyance of Outlots C, D, E, F, and G to the respective off-site property owners to allow for direct or indirect access to Blue Heron Court.
- 5. Prior to the issuance of the second building permit, if acceptable to the Department of Public Works and Transportation, all right-of-way improvements for sight-distance and safety at the intersection of Mockingbird Lane and High Bridge Road shall be completed.
- 6. Prior to approval of Final Plat, the applicant shall grant an easement to the DPW & T granting access as needed to maintain the stormwater management structure located on park property, Open Space H, north of the intersection of Mockingbird Lane and Cedar Road. The easement shall be approved by the Department of Parks and Recreation prior to submission of the Final Plat.
- 6. Prior to the approval of Final Plat, the applicant shall prepare a landscaping agreement indicating that the required double-row of five-foot-high staggered white pine trees planted around the stormwater management structure on park property, Open Space H, shall be planted prior to the issuance of building permits. The said agreement shall be submitted to the Department of Parks and Recreation a minimum of two weeks prior to Final Plat submission.
- 8. Prior to the approval of Final Plat, the applicant shall prepare and record an easement for the entrance sign feature and landscaping proposed to be located on park property, Open Space H, on the south side of Albatross Court. The easement shall indicate that the

homeowners' association is responsible for maintenance of the sign and landscaping. The said easement shall be submitted to the Department of Parks and Recreation a minimum of two weeks prior to Final Plat submission.

9. At the time of the construction of the subdivision entrance drive, Albatross Court, the applicant shall be required to replace any portion of the trail which is disturbed, and rebuild any portion of the trail to assure that all safety and other standards are met.