

Case No. SP-05114

Applicant: 2300 Queens Chapel Road, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 09-81(A), to approve with conditions a residential revitalization detailed site plan for the addition of 244 multifamily dwelling units to an existing multifamily development, with associated parking and site improvements, for a project referred to as Avondale Overlook at Queens Chapel Road, located on the north side of Queens Chapel Road (MD 500), approximately 100 feet east of its intersection with Russell Avenue, Hyattsville, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer, and woodland preservation and reforestation areas, except for areas of approved variation, 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.

2. At the time of building permit, the application shall contain a certification, to be submitted to the M-NCPPC, prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state

that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.

3. To further mitigate noise impact from the parking garage, the applicant shall make the following modifications:
 - (a) The parking garage shall be constructed to comply with all applicable noise laws and ordinances in effect at time of Detail Site Plan approval.
 - (b) Each level on which cars are parked shall have an exterior wall at least three feet in height, where the garage adjoins or abuts properties on Russell Avenue.
 - (c) The applicant shall ensure that all landscaping and green buffer areas designed to assist with noise mitigation are maintained, in accordance with the approved and adopted landscape plan for the subject site.
 - (d) The applicant shall install either speed bumps or a sound absorbing application such as rubber caulking over any joints along the portion of the garage adjoining or abutting properties on Russell Avenue.
 - (e) The residents of all residential properties adjoining or abutting the garage shall be provided with a 24 hour contact person to address any noise complaints.
 - (f) The applicant and Park and Planning staff shall work together to determine how best to spend up to an additional \$100,000 in improvements that create meaningful noise reduction for the portion of the parking garage that adjoins or abuts the properties on Russell Avenue. The applicant shall implement all agreed-upon improvements.
4. The applicant shall feature non-walkout balconies on the second, third, and fourth floor units (a total of twelve) in the north building, the units abutting Russell Avenue.

Ordered this 26th day of October, 2010, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Exum, Harrison, Knotts, Olson and Turner

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council