

## R E S O L U T I O N

WHEREAS, Town Center At Camp Springs Homeowners Association is the owner of a 47.25-acre parcel of land known as Town Center at Camp Springs (Townhouses), said property being in the 6th Election District of Prince George's County, Maryland, and being zoned M-X-T; and

WHEREAS, on June 18, 2007, Auth Way Land, LLC. filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 29 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-07011 for Town Center at Camp Springs (Townhouses) was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on December 6, 2007, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on December 6, 2007, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/25/07), and further APPROVED Preliminary Plan of Subdivision 4-07011, Town Center at Camp Springs (Townhouses), for Lots 333-361 with the following conditions:

1. The applicant shall pay the mutually agreed upon contribution of \$28,501 to the M-NCPPC towards the planning and/or construction of the Henson Creek Stream Valley Master Planned Trail. In the event that the contribution is not paid within one year of the approval of this Planning Board resolution, the contribution value shall be adjusted based on the Consumer Price Index (CPI).
2. The fee shall be determined by DPR upon request by the developer. The request shall be submitted to DPR two weeks prior to submission of the detailed site plan.
3. The applicant shall provide evidence of the payment to M-NCPPC prior to the approval of the final plat.
4. In conformance with the approved Heights Master Plan, and prior approvals for CSP-01015 and DSP-02024 (including the approved sidewalk plan), the applicant and the applicant's heirs,

successors, and/or assignees shall provide the following:

- a. Construct the eight-foot-wide trail from Auth Way to Habersham Avenue, as reflected on the previously approved sidewalk plan. This trail should have six-foot-wide feeder trails linking to Lumpkin Place and Talmadge Avenue (see Condition 4, CSP-01015 and the sidewalk plan for DSP-02024).
  - b. The sidewalk within Auth Way shall be seven feet wide with brick paver edge details and the planting strip shall be five feet wide, subject to the review and approval by the Department of Public Works and Transportation (Condition 11a, DSP-02024)
  - c. A six-foot-wide sidewalk shall be constructed along both sides of Telfair Boulevard (sidewalk plan, DSP-02024).
  - d. Five-foot-wide concrete sidewalks shall be constructed along both sides of Candler Place, Lanier Avenue, and Glynn Place (sidewalk plan, DSP-02024).
  - e. A six-foot-wide sidewalk shall be constructed along both sides of Milledge Boulevard from Auth Way to Lanier Avenue in the same design as the sidewalk within Auth Way. A five-foot-wide sidewalk shall be constructed on at least one side, with a four-foot-wide sidewalk on the other side, of all secondary streets. Four-foot-wide sidewalks shall be provided along both sides of tertiary streets (Condition 8, DSP-02024).
5. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:
- a. Show a continuous and refined limit of disturbance for the entire site.
  - b. Verify the acreages of each woodland conservation area and provide the correct acreages on the worksheet.
  - c. Revise the plan so the site boundary is consistent with subject site
  - d. Revise the plan to provide a chart for each treatment area, type, and acreage including preservation areas, reforestation areas, afforestation areas, woodland not counted, clearing areas, clearing areas in the floodplain, and off-site clearing and provide a table showing the acreage of each with the floodplain and off-site clearing shown separately.
  - e. Revise Note 9 to eliminate the following: “, and as a result, this sheet is provided as a detail to the previously approved TCPI for subject lots associated with “4-07011.”
  - f. Revise the legend to correctly identify all symbols used on the plans.
  - g. Revise the worksheet as necessary
  - h. Have the plans signed and dated by the qualified professional who prepared them.

6. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/025/07). The following notes shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/025/07), 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 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.”

7. Reforestation/afforestation must be completed prior to the issuance of building permits for the adjacent lots; and all reforestation/afforestation must be placed in conservation easements. The easement language for expanded buffer protection will be modified to include the afforestation areas.
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, adjacent preservation areas, and adjacent planting areas except for areas where impacts have been approved, and shall be reviewed by the Environmental Planning Section. 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 permitted.”

9. At the time of the detailed site plan, the DSP and TCPII shall be revised to show the location of the noise attenuation fence in the rear outdoor activity areas of all proposed lots and provide a detail for its construction, or add the following note to all sheets where fences appear:

“All fences shown as noise attenuation fences shall be constructed of solid wood with no gaps or openings.”

10. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permit containing the residential unit stating that the building shell of the subject structure has been designed to reduce interior noise levels to 45 dBA (Ldn) or less.
11. At the time of the detailed site plan approval, a Type II tree conservation plan shall be approved.
12. Development of this site shall be in conformance with Stormwater Management Concept Plan 16466-2007 and any subsequent revisions.

13. At the time of detailed site plan review, it shall be demonstrated that the driveway pads for Lots 333-337 are at least 19 feet in length between the front façade (garage) and the back of the sidewalk. The sidewalk must be 4 feet wide, and set far enough back from the road so that it is free and clear of the driveway apron, with the possible use of mountable curb. The driveway length, for no more than 3 of these lots, can be reduced if the applicant can demonstrate that these lots are reasonably served by off-street parking. The driveways for Lots 338-361 shall be at least 19 feet in length between the front façade (garage) and the back of the sidewalk. Sidewalks located in front of these lots must also be a minimum of 4 feet wide, but may be located directly adjacent to the curb, provided that all curb in front of these lots is mountable.
14. Total development within the subject property shall be limited by the existing approved site plans CSP-01015, DSP-02023, DSP-02024, and DSP-05051. Any modifications to these plans or succeeding plans shall be determined to be consistent with the overall trip cap for the Capital Gateway site described in Conditions 8 and 10 of PGCPB No. 90-253 approving Preliminary Plan of Subdivision 4-90037.
15. The improvements described in Condition 7 of PGCPB No. 90-253 shall be verified to be complete prior to the issuance of any building permit within the subject property.
16. At the time of detailed site plan, a fee-in-lieu shall be considered for any reforestation that cannot be provided in the rear of proposed lots 354-361.
17. All residents of the townhouses to be constructed upon the subject property of this application shall have full access to the clubhouse and other recreational facilities operated by the Town Center at Camp Springs Homeowners Association, located at 4300 Telfair Boulevard. It is acknowledged that the Homeowners Association currently charges an optional initiation fee and annual fee (separate from the annual Homeowners Association dues) specifically for use of the swimming pool and indoor basketball court within the clubhouse. The initiation fee for the use of the swimming pool and indoor basketball court shall be waived for a period of three (3) months after the date of settlement for the initial residents of each of the townhouses to be constructed upon the subject property.
18. During Detailed Site Plan review for the subject property, a portion of the common area to be owned by the Homeowners Association, consisting of approximately 1,650 square feet on a portion of Parcel N, located at the southwest intersection of what is currently shown on the Preliminary Plan as "Proposed Private Road A" and the turnaround area for larger vehicles (south of Lot 352 and west of Lots 350 and 351), shall be designed as a tot lot, if found to be appropriate for that purpose by the Urban Design Section and the Parks Department, or alternatively, as a sitting/picnic area.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince

George's County Code and of Article 28, Annotated Code of Maryland.

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

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	M-X-T	M-X-T
Use(s)	Vacant	Townhouses
Acreage	47.25	47.25
Lots	1	29
Parcels	2	0
Dwelling Units:		
Attached	0	29

3. **Environmental**—A review of the information available indicates that streams, wetlands, wetland buffers, 100-year floodplain, and steep slopes are found to occur on the property. According to the Prince George's County Soil Survey, the soils found to occur are predominantly gravel pit or disturbed soils. Since the exact nature of the soils is not known, DER may require a soils study prior to issuance of permits. Suitland Parkway and the Branch Avenue Metro line are considered significant noise generators that may create adverse noise impacts for the proposed residential use. Suitland Parkway is a National Register Site for which the adjacent viewsheds are an issue. 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 the site. This site abuts Henson Creek Stream Valley Park. According to available information, Marlboro clay is not found to occur on this property. This property is located in the Henson Creek watershed of the Potomac River Basin and in the Developed Tier as reflected in the adopted General Plan.

#### **Environmental Issues Addressed in the Heights and Vicinity Master Plan**

There are few specific recommendations pertaining to the environmental elements of the subject property, which are stormwater management, noise, and woodland conservation. These will be addressed in the Environmental Review section below. There are no specific environmental requirements or design standards that require review for conformance.

#### **Countywide Green Infrastructure Plan**

This site contains regulated areas, evaluation areas and network gaps as part of the *Approved Countywide Green Infrastructure Plan*. A majority of the area designated as network gap and some of the evaluation area are currently developed under the approved Type II Tree Conservation Plan (TCP/II/59/02). The regulated area should be preserved in its natural state with only necessary impacts for development.

#### **Natural Resources Inventory**

The preliminary plan application has a signed natural resources inventory (NRI/26/07) dated November 13, 2007, that was included with the application package. The site contains 12 forest stands totaling 10.79 acres. Stands 1, 2, and 6 are dominated by American beech and tulip poplar, Stands 3, 4, 5, and 11 are dominated by red maple, Stand 7 is dominated by sycamore, Stands 8 and 12 are dominated by river birch, Stand 9 is dominated by Eastern white pine, and Stand 10 is dominated by red oak. All except Stand 5 have a high priority for preservation because they are associated with regulated areas.

### **Woodland Conservation**

This site is subject to the Woodland Conservation Ordinance because it has previously approved tree conservation plans. Type I Tree Conservation Plan TCPI/007/90-01, in conjunction with CSP-01015, was approved for a larger area that included the subject site. Individual TCPIs are required to be submitted with each detailed site plan. The current plan is subject to the current Woodland Conservation Ordinance as is required with any new preliminary plan of subdivision.

The subject site has a net tract of 38.69 acres and 8.56 acres of 100-year floodplain. The woodland conservation threshold has been correctly calculated at 5.80 acres, or 15 percent of the net tract. The TCPI proposes to clear 4.53 acres of the on-site upland woodland, with no clearing in the 100-year floodplain. The plan proposes to meet the requirement by providing 4.04 acres of on-site woodland preservation, 3.68 acres of reforestation, and 0.54 acre of off-site mitigation. Because the acreage of proposed off-site mitigation is less than one acre, it should be met with fee-in-lieu.

The total acreage of the proposed woodland preservation and reforestation areas identified on the plan is not consistent with what is provided on the worksheet. The plan totals 7.81 acres, while the worksheet totals 7.72 acres. Verify the acreages of each woodland conservation area and provide the correct acreages on the worksheet.

Some revisions are required. The plan does not clearly show the limits of disturbance, particularly in the area in the rear of proposed Lots 335 and 336. For all areas identified as floodplain preservation, it should be modified to add "not counted" to indicate that these areas are not counted toward meeting the woodland conservation requirement.

Extensive reforestation is proposed in order to fulfill the woodland conservation requirements on this site. In order to protect the reforestation areas after planting, so that they may mature into perpetual woodlands, the planting must be completed prior to the issuance of building permits for the sites and all planting areas must be placed in conservation easements. The easement language for PMA protection will be modified to include the afforestation areas.

### **Environmental Impacts**

The site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. The plan as submitted shows the protection of streams and wetlands with associated buffers to the extent possible. There are impacts that were previously approved by the Planning Board (through the approval of a previous preliminary plan and subsequent detailed

site plans). Any new impacts must be accompanied by a variation request in accordance with 24-113 of the Subdivision regulations. The current plan proposes no new impacts to the regulated areas on the site. A variation request for impacts is not required.

### **Noise**

This property is located in the noise corridor for the Suitland Parkway, classified as a freeway. The 65 dBA Ldn noise contour is not shown on the current plan. A Phase I noise study, dated July 5, 2001, has been submitted. Based on the study, measurements taken approximately 600 feet from the centerline of the Suitland Parkway resulted in 60.3 and 61.8 dBA Ldn. The information submitted is outdated and the average daily traffic had since increased; however, according to the study, the average daily traffic would have to double to increase levels by 3 dBA Ldn. Given the shown proximity of the proposed lots from the location of the measurement, noise would be mitigated through the provision of a fence along the rear of the lots.

This property is also in close proximity to the Branch Avenue Metro, a potential noise generator for the proposed residential use. According to available information, proposed Lots 333-337, 343-351, and 352-356 will be affected by significant noise levels associated with the adjacent railway. To reduce noise levels below 65 dBA in the rear outdoor activity areas of the proposed lots, a solid wood fence with no gaps or openings should be placed in areas where noise exceeds 65 dBA. This fence must be shown on the detailed site plan and should be located around the rear yards of the proposed individual units shown within the 65 dBA Ldn contour. A note must also be added to the detailed site plan indicating the type of fence that will be used for noise attenuation.

A vibration study, dated April 26, 2002, was also submitted. The vibration measurements were based on the passing of 12 Metrorail trains. The International Standards Organization and American National Standards Institute have a maximum criterion of 200 micrometers per second for residential use. The vibration levels measured for the 12 Metrorail trains ranged from 0.2-11 micrometers per second, which is well below maximum criteria. No additional information regarding metro related vibration is required.

### **Soils**

According to the Prince George's County Soils Survey, the principal soils on this site are in the Bibb, Fallsington, and Sassafras soil series. Prior to development the site contained sand and gravel pits. This information is provided for the applicant's benefit. A soils report may be required by the Prince George's County Department of Environmental Resources during the permit process review.

4. **Community Planning**—The subject property is located within the limits of The Heights and Vicinity Master Plan (2000), Planning Area 76A, in the Silver Hill-Morningside community. The land use recommendation is for mixed-use residential, office and retail. The 2002 General Plan locates the property in a Center in the Developed Tier. The vision for Centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development. The Branch Avenue Metro station is designated a Metropolitan

Center. Development of the Town Center at Camp Springs is consistent overall with the land use recommendations of the master plan and General Plan.

This site has an approved conceptual site plan. Master plan issues were identified with the earlier plans. The conceptual site plan includes a much larger area than the subject application. The approved conceptual site plan includes a mixed-use scenario with nonresidential development abutting the east side of the Metro station site (inside the loop road). The proposed subdivision is consistent with the mixed-use scenario approved by the conceptual site plan.

5. **Parks and Recreation**—The staff of the Department of Parks and Recreation (DPR) has reviewed the above-referenced preliminary plan application for conformance with the approved Heights Master Plan, current subdivision regulations, and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation facilities..

The subject property is located off of Auth Way, south of Suitland Parkway. The property lies within the existing Town Center at Camp Springs Subdivision (4-03090) and is a proposed 28-unit townhouse addition to the existing development. Using current occupancy statistics for multifamily dwelling units, this development would result in a population of 76 residents in the new community.

According to Section 24-134 of the Subdivision Regulation, the mandatory dedication of parkland from the subject subdivision would be less than one acre. The level of service analyses shows that this community is in “high need” for parkland acreage and in “high need” for outdoor recreation facilities.

At the time of review and approval of the Preliminary Plan 4-03090 for Town Center at Camp Springs, which surrounds the subject application, the Planning Board approved the provision of private recreational facilities on-site. In conversations with the applicant, DPR staff was informed that residents of this subdivision will be incorporated into the already established homeowner’s association for the existing Town Center at Camp Springs subdivision and will have access to their private recreation facilities, which includes a tennis court, play area, playground and clubhouse. Directly north of the overall subdivision is the Henson Creek Stream Valley Park. There is an M-NCPPC master-planned trail along the stream valley, which currently terminates at Temple Hills Road. Ultimately this trail will serve as a pedestrian and bicycle connection to Branch Avenue from neighborhoods to the south and will extend from the Potomac River to Branch Avenue Metro Station and points to the east. Currently there is \$490,000 in the Capital Improvements Program (CIP) for development of the Henson Creek Stream Valley trail system.

On October 29<sup>th</sup> 2007, staff met with the applicant to discuss recreational options for the subdivision. As a result of this meeting, a mutually acceptable scenario was agreed upon where the applicant will pay a fee contribution to the development of the adjacent Henson Creek Stream Valley Trail.

6. **Trails**—Due to its proximity to the Branch Avenue Metro Station, the subject site is ideal for transit-oriented development and pedestrian connections to Metro. Prior approvals have addressed



this in a number of ways. Previously approved DSP-02024 includes a sidewalk plan reflecting numerous trail and sidewalk connections for the subject property. It is recommended that these previously approved connections be incorporated into the revised preliminary plan.

The existing M-NCPPC Henson Creek Trail currently ends at Temple Hills Road. The approved Heights Master Plan recommends that this trail be extended to the vicinity of the Branch Avenue Metro in the M-NCPPC parkland. This trail will provide a major pedestrian and bicycle connection to the Branch Avenue Metro and town center from the communities to the south. A major trail connection was included in the previously approved DSP-02024 that will provide access to the future stream valley trail extension from the town center. This trail is shown on the sidewalk plan of DSP-02024 and will access the subject site at three locations. Staff recommends that the revised preliminary plan include these three connections from the previously approved DSP.

The major trail connection will run from Auth Way through Parcel A to Habersham Avenue adjacent to Lot 195. This trail should link to the subject subdivision at Lumpkin Place, Talmadge Avenue, and Habersham Avenue. It appears that the homeowners association's open space between lots 320 and 321 will have to be widened to accommodate the trail connection to Lumpkin Place. A trail connection was also approved from Habersham Avenue to Troupe Place. Again, it appears that the homeowners association's land will have to be provided between Lot 236 and Lot 237 to accommodate this connection.

The DSP also include a connection to the future stream valley trail extension and this should be at a location acceptable to the Department of Parks and Recreation. The previously approved sidewalk network is comprehensive. It is recommended that it be constructed as shown on the DSP. This network will include:

- a. A seven-foot-wide concrete sidewalk along Auth Way.
- b. Six-foot-wide concrete sidewalks on both sides of Telfair Boulevard.
- c. Five-foot-wide concrete sidewalks along both sides of Candler Place, Lanier Avenue, and Glynn Place.
- d. Six-foot-wide concrete sidewalks along both sides of Milledge Boulevard.
- e. A four-foot wide sidewalk on the north side of Habersham Avenue and a five-foot-wide sidewalk on the south side of Habersham Avenue.
- f. Four- or five-foot-wide sidewalks along both sides of Talmadge Avenue, Effingham Place, Lumpkin Place, Troupe Place, and Lowndes Place.

The previously approved sidewalk and trail network is comprehensive and will accommodate pedestrians through the town center, as well as provide a trail connection to Metro. It is recommended that the previously approved trails and sidewalks be incorporated into the new preliminary plan.

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