

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Subdivision Plat 4-00046
Charwood Village, Lots 1-67, and Parcels A and B

OVERVIEW

The subject property consists of approximately 11.3 acres of land in the R-30C Zone. It is found on Tax Map 75, Grid A-2. This property is the subject of several previous record plats. The most recently recorded plat, WWW 87@63, is known as Northhampton Parcel E and was recorded in 1974. That final plat created one parcel.

A new preliminary plat was filed in 1995 for the subdivision of Parcel E into 90 townhouse lots. That preliminary plat is known as Charwood, File 4-95016, PGCPB Resolution 95-205. A reconsideration regarding conditions relating to transportation issues was heard by the Planning Board, approved and then adopted on December 7, 1995, PGCPB Resolution 95-205(A). At that time a detailed site plan was required for townhouse development in the R-30C Zone. Several issues delayed the application of a detailed site plan and the preliminary plat expired on December 7, 1997.

On November 12, 1996, with the adoption of CB-55-1996, townhouses in the R-30C Zone were no longer subject to detailed site plan review but are permitted only by the approval of a special exception. Grandfathering contained in CB-55-1996 would have required that the applicant file and have accepted for processing the then required detailed site plan. In addition the applicant was required to have building permits issued to construct ten percent of the dwelling units prior to December 30, 1997, to be exempt from the new regulations contained in CB-55-1996, notwithstanding the previously approved preliminary plat. The applicant was unable to meet any grandfathering provision contained in CB-55-1996.

CB-55-1996 revised the minimum standards for the development of townhouses. Among other revision to the Zoning Ordinance for townhouse development, the allowable density for townhouses in the R-30C Zone went from eight dwelling units per acre to six. The minimum lot size was increased from 1,500 square feet to 1,800 square feet per townhouse lot. Detailed design guidelines were also set forth and established architectural standards, minimum gross living space and reduced the preferred number of townhouse units in a row.

The original Charwood Preliminary Plat 4-95016 expired prior to recordation and with the enactment of CB-55-1996 the ability to develop this property with 90 townhouse units was no longer permitted. Development on this site is now subject to all current code requirements. The maximum density allowed for townhouses on this site is 67 dwelling units. In addition the applicant is now required to contend with additional design criteria not provided for in the previously approved preliminary plat. These new design guidelines effect several design elements that must be addressed at the preliminary plat stage to include lot size, lotting pattern, open space arrangement, and the alignment of the internal road system. The applicant has been required to re-design the site to effectively address these new standards.

The approval of density, access and adequate public facilities, establishes in large part the foundation for approval of the preliminary plat. However, because the applicant is proposing townhouses, the lotting

pattern and layout must be approved at this time. The R-30C Zone does allow other housing types that do not require the approval of a lotting pattern and layout, to include the development of multifamily dwellings.

SETTING

The site is located in the northeast quadrant of the intersection of Harry S. Truman Drive and Mt. Lubentia Way fronting both streets. The corner lot located at the intersection of Harry S. Truman Drive and Mt. Lubentia Way abutting to the south east is a small C-S-C zoned, commercially developed property. The property to the east is zoned R-T and known as the Largo Woods Townhouse development. The property to the north is zoned R-R and is part of the Prince George's Community College Campus. Also north, abutting the subject site, is the Northhampton Townhouse development, Parcel B, zoned R-T.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental Issues - On March 7, 1994, the 11.30 acre site was originally reviewed by staff as a preliminary plat of subdivision with 90 Lots, and later as a site plan in 1996. The environmental features, then and now, remain largely unchanged. The current proposal reduces the overall density to 67 Lots. As a result there is an increase in conservation areas. The site is predominantly wooded and contains relatively sloping terrain from east to west. The site is bisected by a swale. There are wetlands identified at the extreme northeast portion of the site with the preliminary plan demonstrating appropriate buffers.

The predominant soil types on-site are Adelphia, Galestown, Sassafras and Shrewsbury, which generally exhibit moderate to severe limitations to development due to high water table, impeded drainage and erosion potential.

This site is subject to the provisions of the County Woodland Conservation Ordinance, because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. The site has a previously approved TCPI, which was approved with Preliminary Plat 4-94016, and which is again recommended for approval with this application.

A review of the Forest Stand Delineation (FSD), as submitted, was found to be adequate and meets the minimum requirements for acceptance. There were no streams, Waters of the US, specimen trees or endangered species identified on the site. No Scenic or Historic Roads are located on or adjacent to the property.

Noise is not a major consideration at this time in the development process. A final determination regarding necessary measures to mitigate noise from Harry S. Truman Drive should be evaluated at the time of Special Exception review. However, the preliminary plan will delineate that building footprints of habitable structures should be located 150 feet from the centerline of northbound Harry S. Truman Drive, and that the lot depth requirement along arterial roadways is 150 feet.

A review of the Type I Tree Conservation Plan (TCPI/16/95), as submitted based on the FSD, satisfies all the requirements of the Prince George's County Woodland Conservation Ordinance. The minimum requirement for this site is 2.26 acres (20% of the Net Tract) and

an additional 1.58 acres due to the removal of woodland, for a total minimum requirement of 3.97 acres. The applicant has proposed to meet the requirement with 3.08 acres of on-site preservation as required, and an additional 0.92 acres of woodland reforestation, for a total woodland conservation of 4.00 acres. Any incursion into designated preservation areas will result in fine imposition of up to \$1.50 per square foot of disturbed area. The Environmental Planning Section, Countywide Planning Division is satisfied that the TCPI submittal meets and exceeds the minimum requirements to recommend approval.

The property is in Water and Sewer Category 3 and will be served by public systems.

2. Community Planning - The 1990 *Approved Largo - Lottsford Master Plan* supports the proposed low urban density for this property and rezoned the subject property from Commercial Shopping Center Zone (C-S-C) to the Residential Multi-Family Low Density Condominium Zone (R-30C).

The master plan states that the Largo community will have a surplus of parkland at the build-out of this community. The Southwest Branch master plan trail is proposed to cross Harry S. Truman Drive approximately 500 feet south of the subject property. Currently there are sidewalks along both sides of Harry S. Truman Drive for pedestrian movement.

The proposed townhouses are in accord with the intent of the master plan because the proposed use is compatible with the predominant single-family attached and multi-family residential land uses along Harry S Truman Drive. However, the proposed median breaks on Harry S. Truman Drive should be coordinated with the entrances proposed across the street as part of the proposed Truman Park Apartment project (SP 93045/01).

3. Parks and Recreation - In accordance with Section 24-135(b) of the Subdivision Regulations the Park Planning and Development Division of the Department of Parks and Recreation recommends that the applicant provide on-site private recreational facilities for the residents of the proposed development.

The private recreational facilities should be reviewed by the Urban Design Section for adequacy and proper siting, concurrent with the review of the special exception.

4. Trails - There are no master plan trails issues.

5. Transportation - The findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

A traffic study was originally required under the presumption that there was not a currently valid test of adequate transportation facilities performed for this property. However, further information showed that the underlying Parcel E had a valid test, and the traffic study requirement was waived. Staff at that time believed that due to the lapse of the 1995 preliminary plat for 90 townhouse lots, that development was not vested on this site.

Staff found that the 1974 plat for Parcel E had been recorded and therefore had legal standing. Because Parcel E was subdivided after 1970 an adequate public facilities test had

already been applied to this property. The plat was recorded in 1974, meaning that the property is legally vested for development under certain circumstance. At the time of subdivision in 1974 the property was zoned C-S-C and evaluated based on the maximum retail potential of development. That potential was then added to background for any future development in the area, and included in the transportation background since 1974.

Staff would presume that the potential impact of retail development on this 11 acre property for transportation facilities would far exceeded the current proposal of 67 townhouses. Also, in the R-30C Zone the density for multifamily dwellings would allow for 12 dwelling units per acre on this property, which would provide for 135 dwelling units. The proposed subdivision would generate no net trips over the maximum density that is currently allowed or that which was originally considered in 1974 for retail uses.

There would be no resulting impact on traffic operations at the Harry S Truman Drive/Mount Lubentia Way intersection, which has not already been evaluated. Harry S. Truman Drive/Mount Lubentia Way intersection is this development's critical intersection.

While the site layout is quite different from that which was approved in 1995, the access to the site remains the same, with the subdivision utilizing two access points, one onto Harry S. Truman Drive and one onto Mount Lubentia Way. Questions have arisen concerning the need for both access points, and staff has the following findings in this regard:

- A. From the standpoint of safety and the delivery of public services, two access points are superior to one. However, The subdivision is not of such a size or population that the staff would require that two access points be provided.
- B. If one access point is provided instead of two, that access point should be located onto Mount Lubentia Way. Good planning principles suggest that the use of a hierarchical road system is in the interest of the county residents by providing a safe and orderly transportation system. Appropriately, access should be gained via the lower classification roadway. Mount Lubentia Way is a Master Plan collector, while Harry S Truman Drive is a Master Plan arterial facility. As the designation suggests Mt. Lubentia is designed to collect traffic from neighborhoods and integrate that traffic onto larger thoroughfares like Harry S. Truman Drive which is a Master Plan arterial facility. Currently the Largo Woods Townhouse development abutting to the east uses this system for access as well as with several other developments along Mt. Lubentia Way.

Staff has estimated based on a 1995 traffic study, that 49 percent of the residents of this development will use the Harry S. Truman Drive access and 51 percent will use the Mt. Lubentia Way access. The percentages are based on trip distribution estimates and a combination of AM and PM peak hour trips.

- C. Staff would oppose a single access point being provided onto Harry S. Truman Drive. In the event that traffic along Harry S. Truman Drive were to grow significantly, access into and out of the subdivision would be hindered by not having access to a potential traffic light at Mount Lubentia Way. This would lead to an ongoing safety problem for persons entering and leaving the subdivision.

- D. Due to the winding nature of Merrick Street and Kerry Way through the subdivision, traffic cutting through the subdivision would be highly unlikely.
- E. Internal access within the subdivision is acceptable.

Harry S. Truman Drive is a Master Plan arterial facility with a planned right-of-way of 120 feet. Mount Lubentia Way is a Master Plan collector facility with a planned right-of-way of 80 feet. Sufficient right-of-way exists along both roadways, and no further dedication is required by this plan.

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved.

- 6. Schools - At the present, the Planning Board is reviewing the *Draft Regulations to Analyze the Development Impact on Public School Facilities January 2001, and Enrollment Projections for the Schools* ♦APF Test. The Planning Board is expected to take final action on projections and regulations on Thursday, January 4, 2001. Once the Planning Board has adopted the regulations staff will make the appropriate findings. The additional findings and associated conditions shall be incorporated into the preliminary plan resolution prior to adoption by the Planning Board.
- 7. Fire and Rescue - Growth Policy and Public Facilities Planning has reviewed the subdivision plans for adequacy of fire and rescue facilities in accordance with Section 24-122.01 of the Subdivision Regulations, and concluded the following:
 - a. The existing fire engine service at Kentland Fire Station, Company 46 located at 10400 Campus Way South has a service response time of 3.97 minutes, which is within the 5.25 minutes response time guideline.
 - b. The existing ambulance service at Kentland Fire Station, Company 46 located at 10400 Campus Way South has a service response time of 3.97 minutes,, which is within the 6.25 minutes response time guideline.
 - c. The existing paramedic service at Kentland Fire Station, Company 46 located at 10400 Campus Way South has a service response time of 3.97 minutes, which is within the 7.25 minutes response time guideline.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines For The Analysis Of Development Impact On Fire and Rescue Facilities*. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for engine, ambulance and paramedic service.

- 8. Police Facilities - The proposed development is within the service area of the District II-Bowie police. In accordance with Section 24-122.01(c)(1)(A) and (B) of the Subdivision Regulations the existing County's police facilities will be adequate to serve the proposed

Charwood Village development. This police facility will adequately serve the population generated by the proposed subdivision.

9. Health Department - The Health Department has reviewed the proposed subdivision and has no comment.
10. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 8006870-1995-01, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
11. Urban Design - Staff has reviewed the proposed layout and recommends approval as proposed. However, through the review of the special exception staff will take into consideration the following:
 - a. Special attention should be paid to the buffering of the units adjacent to the commercial site located in the southwest corner of the development. Staff recommends that a six-foot-high fence (upgraded board-on-board with brick piers) be implemented on the perimeter of the commercial site. The landscaping should include a combination of evergreen, deciduous and ornamental trees, and shrubbery. Evergreen trees should be limited to 20%, no white pines should be allowed.
 - b. All end units should have at least three architectural features, four inch (4") wide window trim and should be brick.
 - c. The following lots should have appropriate landscaping to help mitigate views of the rears of the proposed townhouse units,: Lots 19, 20, 42, 43, 53, 54, 61, 62, and 63.
 - d. The understory of the existing woodland should be cleared 25 feet from the Limit of Disturbance, or property line, of all dense understory vines, and shrubs including but not limited to, honeysuckle, brambles, poison ivy and wild roses. The woodland edge should be planted with appropriate landscaping materials such as; redbuds, dogwoods, amelanchier and rhododendron.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to building permits the applicant, his heirs, successors and/or assigns shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.

2. The applicant, his heirs, successors and/or assigns shall provide adequate private recreational facilities on site, in accordance with the standards outlined in the *Parks and Recreational Facilities Guidelines*.
 - a. The applicant shall submit three (3) original Recreational Facilities Agreements (RFA) to the Development Review Division (DRD) for their approval concurrent with the submission of the final plat. Upon approval by the DRD, the RFA shall be recorded among the County Land Records.
 - b. The applicant shall submit a performance bond, letter of credit or other suitable financial guarantee prior to grading permits, for an amount to be determined by the DRD.
 - c. The applicant his successors and/or assigns shall submit a site plan which complies with the standards outlined in the *Parks and Recreational Facilities Guidelines* and shall include detailed siting plans and an equipment schedule for all recreational facilities provided.
 - d. The applicant, his successors and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure the retention and future maintenance of the proposed recreational facilities.
3. The land to be conveyed to a Homeowners Association shall be subject to the following conditions:
 - a. Conveyance shall take place prior to the issuance of building permits.
 - b. All manmade debris shall be removed from the land to be conveyed.
 - c. The conveyed open space shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
 - d. Any disturbance of land to be conveyed to a Homeowners' Association shall be in accordance with an approved Detailed Site Plan or shall require the written consent of the Development Review Division. This shall include, but not be limited to: The location of sediment control measures, tree removal, temporary or permanent stormwater management, 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.
4. At the time of special exception review, a determination will be made by the Environmental Planning Section as to the adequacy of appropriate noise mitigation measures in compliance with State acceptable standards of 65dBA (ldn) exterior and 45 dBA (ldn) interior.
5. Development of this site shall be in conformance with the approved stormwater concept plan, Concept ## 8006870-1995-01.

6. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/16/95). The following note shall be placed on the Final Plat of Subdivision:
 - Development is subject to restriction shown on the approved Type I Tree Conservation Plan (TCPI/16/95), 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/Tree Preservation Policy and Subtitle 25.●
7. A Type II Tree Conservation Plan shall be approved at the time of Special Exception review.
8. The timing for the abandonment of the WSSC Storm Drain right-of-way affecting Lots 26 through 37 shall be determined at the time of review of the special exception.
9. Prior to signature approval the preliminary plan shall be revised:
 - a. To delineate the 150-foot lot depth requirement from Harry S. Truman Drive.
 - b. To delineate the 150-foot building setback from the center line of Harry S. Truman Drive for noise impact.
10. Prior to the approval of the final plat of subdivision the applicant, his assessors and/or assigns shall obtain approval of a special exception to permit townhouses.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCPI/16/95