

Case No. CSP-10004

Applicant: Ludlow King

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. 11-116, to approve with conditions a conceptual site plan showing a mixed-use development with 210 residential units and 404,000 square feet of retail and commercial development proposed on two development parcels, on property referred to as the King Property, described as approximately 45.93 acres of land in the M-X-T Zone, in the northwest quadrant of the intersection of Lottsford Road with Landover Road (MD 202), with additional frontage on the north and south sides of Ruby Lockhart Boulevard, Lanham, 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, except as otherwise provided herein:

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

1. Prior to certificate of approval of the conceptual site plan, the following revisions shall be made, or information shall be provided.
 - a. The applicant shall revise Note 13 on the conceptual site plan to clearly indicate the permitted and proposed floor area ratio, and express it as a ratio on the plan.
 - b. Remove Notes 1, 9, 20, and 21 as the subject plan is not a preliminary plan of subdivision.
 - c. The minimum distance between groupings of townhomes or duplexes shall be increased to 15 feet. The appropriate note on sheet one of the CSP shall be revised.

- d. On the legend on page one of the plan, for the private roadways delete the phrase “24 foot wide.”
 - e. Add the following note to detail sheets 3 and 4 of the CSP:

“Detail sheets are for conceptual review and approval only. Final building locations and site design will be reviewed at time of detailed site plan.”
 - f. The typical road sections on sheet 5 of 5 of the CSP shall be revised as follows:
 - (1) The cross-section for the private residential roadway shall be modified to show 26 feet, with a notation that this width may be reduced with the prohibition of on-street parking within the 24-foot section and the locating of off-street parking throughout the community.
 - (2) The cross-section for the private residential roadway shall be modified to show a location for a planting strip for street trees between the curb and sidewalk.
2. Prior to certification of the conceptual site plan, the TCP 1 shall be revised as follows:
- a. Revise all symbols on the plan to be in conformance with the standard symbols found in the Environmental Technical Manual.
 - b. Show areas of woodland retained that are not part of the woodland conservation requirement, off-site clearing areas, and floodplain clearing areas using the standard symbols and identified with associated area labels.
 - c. Ensure that all proposed woodland conservation areas meet the minimum design criteria per Section 25-122(b).
 - d. Show all existing and proposed easements and rights-of-way as cleared, or counted as cleared.
 - e. Show areas of reforestation if proposed.
 - f. Remove the proposed treeline from the plan and the legend.
 - g. Revise the worksheet to reflect all changes made to the plan.
 - h. Replace the notes currently labeled as “maintenance plan for tree save area” and “general notes” with the standard TCP 1 notes.
 - i. Revise the plan to indicate the revision to the residential entrance location.
 - j. Have the plan signed and dated by the qualified professional who prepared it.

3. At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:
 - a. In accordance with Section 27-548, the applicant shall illustrate that 1,800-square-foot lots for townhomes could be accommodated with the subject proposal. While the applicant shall not be required to plat those illustrative lots, the lot size provision will inform the site design process, and ensure that adequate space is allotted for the development of townhouses.
 - b. Front-loaded garages that are incorporated into any townhouse or one-family semi-detached dwelling shall be designed in accordance with Section 27-548(h) of the Zoning Ordinance, unless a variance is granted from that provision.
 - c. The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture shall be coordinated in order to enhance the visual unity of the site.
 - d. All buildings shall have articulated building façades. Separations, changes in plane and height, and the intermittent inclusion of such elements as bay windows, porches, overhangs, balconies and chimneys are encouraged. Vertical and horizontal articulation of sloped roofs is encouraged, including gables and dormers.
 - e. The applicant shall provide a variety of housing options, including some that do not require an intensive use of stairs. The applicant shall demonstrate that a reasonable proportion of the housing is handicap accessible.
 - f. All end elevations of one-family semi-detached or detached units shall have a minimum of three standard end wall features.
 - g. Provide bicycle parking on the detailed site plan in close proximity to the main entrance of each of the three proposed office buildings, club house and recreational amenities.
 - h. Provide a schedule of bicycle parking and bicycle parking details at the time of detailed site plan review.
 - i. The layout of the commercial office complex shall be reconsidered. The buildings shall have a strong relationship with each other and the street. The buildings shall also be reorganized to provide a quality public space that will provide a pleasant outdoor setting for employees and visitors.
4. At time of detailed site plan the private on-site recreational facilities shall be reviewed. The following issues shall be addressed:

- a. The applicant shall provide a list of proposed private recreational facilities and their cost estimates.
 - b. The minimum size of the community building and the timing of its construction shall be determined.
 - c. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.
- 5. The developer, his successor and/or assigns shall contribute a lump sum payment of a \$165,000 to M-NCPPC for the development of recreational facilities in the local area. The fee payment shall be paid prior to the recordation of the record plat to Park Community CG, Account Code 840702.
 - 6. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant should submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

Affirmance is also subject to the following additional conditions, after review of the administrative record, for the following reasons, which the District Council hereby further adopts as its findings of fact and conclusions of law.

Although the CSP proposes a single car front garage, a driveway long enough to park one car, and potential for on-street parking, Planning Staff asserted that parking for the subject residential development should be reexamined at the time of Detailed Site Plan. The Applicant has also acknowledged that despite the CSP proposal for parking, there is room for additional parking. To achieve the parking objectives in §27-274(a)(2), Parking, loading and circulation, of the Zoning Ordinance, affirmance is also subject to the following conditions:

- 7. At the time of Detailed Site Plan, one of the parking areas shown as part of the recreational area package (or an equivalent parking area) shall be provided within the area shown on the Conceptual Site Plan for the development of the condominium units to provide extra parking for residents and guests of the condominiums. The exact location shall be negotiated between the Applicant and the M-NCPPC, but should be convenient to as many condominium units as possible.

8. In addition to PGCPB No. 11-116, condition 1 f. (1), and to the extent it differs, the Applicant shall build the internal loop road shown on the Conceptual Site Plan to a width of 26 feet.

This CSP is subject to the requirements of Zoning Map amendment A-10020-C.¹ To further ensure observation and compliance with buffering between the project and adjacent lower-density residential development and the Woodstream Church, as conditioned in ZMA A-10020-C, Section 2., 1a and 1b, and §27-274(a)(5), Green Area, of the Zoning Ordinance, affirmance is also subject to the following conditions:

9. The Northern boundary of the Conceptual Site Plan shall be amended to show the boundary on the north as green/landscaped area.
10. The Conceptual Site Plan shall be amended to show an increase width and buffering between units, which may be accomplished by a reduction of the number or density of units.
11. The Woodstream Church property owner shall be made a party of record, and good faith efforts shall be made by the Applicant to contact and inform the church of this project.

Ordered this 26th day of March, 2012, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson, Toles and Turner

Opposed:

Abstained:

Absent:

¹ The Council may take judicial notice of any evidence contained in the record of any earlier phase of the approval process relating to all or a portion of the same property, including the approval of a preliminary plat of subdivision. (CB-99-1996). See §27-141 of the Zoning Ordinance.

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: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council