

Case No.: A-9882-C
Salubria Center

Applicant: Pinnacle Harbor, LLC

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

ZONING ORDINANCE NO. 15 - 2012

AN ORDINANCE to amend the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, by an individual Zoning Map Amendment.

WHEREAS, Application No. A-9882-C was filed for property described as approximately 54.7052 acres of land located south of the intersection of Oxon Hill Road, the Capital Beltway (I-95) and Indian Head Highway (Md. Rt. 210), Oxon Hill, Maryland; and

WHEREAS, the application was advertised and the property posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, a public hearing was held before the Zoning Hearing Examiner; and

WHEREAS, the Zoning Hearing Examiner's recommendations were duly filed with and considered by the District Council; and

WHEREAS, as the basis for this action, the District Council may approve a zoning map amendment if the zoning map amendment is contrary to an approved master plan; and

WHEREAS, as the basis for this action, the District Council adopts the recommendation, findings of fact, and conclusions of the Zoning Hearing Examiner, as its findings and conclusions in this case, except as otherwise provided herein.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. It is hereby recommended that Conditions 2 and 3 be amended and that A-9882-C be approved subject to the following conditions:

- (1) Any residential housing on the site shall be restricted to single-family detached and/or attached units.
- (2) For that portion of the site south of the freeway ramp, a common pedestrian path system shall be designed to link all segments of the proposed development. Any retail segment shall not be designed as a typical strip shopping center or large single-use site.
- (3) All future development plans for the subject property shall show buffering along Oxon Hill Road and the southern boundary of the site consistent with the following:
 - (a) Along the frontage along Oxon Hill Road on old Parcel 7 and that portion of old Parcel 8 north of the existing paved entrance drive onto the subject property, not being adjacent to Oxon Hill Manor, a minimum 20-foot wide landscape strip shall be maintained in accordance with the specifications of Section 4.6 of the Landscape Manual. The strip may incorporate a variety of buffering and screening methods, including, but not limited to, landscaping, and low walls. The type and quantity of plant materials and other methods to be utilized shall be reviewed and approved at the time of Detailed Site Plan.
 - (b) Along the frontage along Oxon Hill Road on old Parcel 8 south of the paved entrance drive and on Parcel 18, a 25-foot to 55-foot landscaped buffer in conformance with the County Landscape Manual with enhanced plantings across from the adjacent Oxon Hill Manor historic site, in accordance with Type "E" Bufferyard. Additionally, in accordance with a Type "E" Bufferyard, there shall be a ten foot building setback from the buffer.
 - (c) A minimum 100-foot woodland preservation area shall be provided along the southern boundary to act as a buffer between the proposed development and the school and residences to the south.
- (4) The Salubria Historic Site #80-002 and its 2.7 acre environmental setting shall be eliminated from the *Historic Sites and Districts Plan*.
- (5) The Historic Site status of Salubria, as well as the extent of the Environmental Setting, shall be noted on all plans and other documents submitted for this site.
- (6) All subsequent submittals for this site shall be referred to the Historic Preservation Section staff and the Historic Preservation Commission for their review and comment prior to approval.

- (7) A Stormwater Management Concept plan shall be approved by the Department of Environmental Resources (DER) prior to the approval of any Preliminary Plats of subdivision.
- (8) A 100-year floodplain study shall be approved by DER Watershed Protection Branch prior to the approval of a Conceptual Site Plan.
- (9) A Forest Stand Delineation shall be submitted and approved in conjunction with any Preliminary Plan of Subdivision or Conceptual Site Plan for the subject property.
- (10) A Type I Tree Conservation Plan shall be submitted and approved in conjunction with the Conceptual Site Plan or Preliminary Plan of Subdivision for the subject property.
- (11) Noise-related issues shall be addressed at the time of Conceptual Site Plan submittal. The Plan shall include needed mitigation measures and provide adequate screening and buffering along Indian Head Highway (MD 210).
- (12) Development on the site shall not produce a greater number of vehicle trips than that identified in the previous approval for Salubria Office Park (SP-88069) and shall be subject to the same transportation conditions and improvements.
- (13) Prior to the issuance of any building permits, the property owner shall agree to provide reasonable access to the Historic Preservation Commission or other expert groups or individuals recognized by the Historic Preservation Commission for the purpose of conducting archeological exploration on the Historic Site, at no expense to the owner.
- (14) Prior to issuance of building permits for 1) the 12,000-square-foot future extension of Building 6, which is inclusive of the total gross floor area and commercial gross floor area, or 2) any proposed expansion of the outlet center beyond 383,931 square feet, the applicant shall submit a revised detailed site plan for the proposed hotel, for the purpose of providing an improved architectural product, due to the prominence of the proposed hotel location across from the outlet center and a major gateway into National Harbor, to be reviewed and approved by the Planning Board and the District Council. The revised detailed site plan for the proposed hotel shall, for each building elevation, incorporate quality architectural materials and a high level of architectural detail in keeping with the quality hospitality architecture that has been constructed in National Harbor. The building elevations shall be revised to provide a substantial emphasis on quality masonry materials, and the south building elevation (facing the outlet center) shall be designed to appear more like a front elevation with additional architectural features. All elevations shall demonstrate a high degree of architectural detailing.

SECTION 2. This Ordinance shall take effect initially on the date of its enactment, as conditionally approved, and shall become final and effective when the applicant accepts in writing the conditions in Section 1.

Enacted this 16th day of October, 2012, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Turner.

Vote: 8-0

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, Chairman

ATTEST:

Redis C. Floyd,
Clerk of the Council