

Case No.: CSP-01008-02
Greenbelt Station

Applicant: NVR MS Cavalier Oak Creek
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. 14-07, to approve the revision of conditions 1(c)(i) and 1(c)(ii) of Conceptual Site Plan CSP-01008-01, the realignment of the north/south connector road within the North Core Area, and realignment of trails and removal of the pedestrian overpass, located on 243.01-acre property north of Greenbelt Road (MD 193), west of Cherry Wood Lane, east of Greenbelt Metrorail and the MARC rail, and south of the Capital Beltway (I-495/95), in Planning Area 67, Council District 1, within the Developed Tier is:

AFFIRMED, as the basis for this action, the District Council adopts the findings and conclusions stated by the Planning Board in its Resolution, PGCPB No. 14-07, as its findings and conclusions in this case, except as otherwise stated herein.

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

1. Condition 1(c)(i) and 1(c)(ii) of the previous approval shall be revised to read as follows:

The applicant shall designate an area for potential retail on a 0.5-acre site adjacent to the central park, west of Greenbelt Station Parkway, for the south core area. However, if prior to the issuance of the 150th building permit, the retail is not economically feasible (demonstrated by executed sales or leasing agreement), the 0.5-acre area shall convert to public parkland. Such parkland shall be subject to the review and recommendation of the City of Greenbelt through a detailed site plan application. Such review shall be done within a reasonable period of time.

2. Prior to certificate of approval of the conceptual site plan, the following revisions shall be made, or information shall be provided.
 - a. Revise the zoning labels on the subject property and surrounding properties to conform to the 2013 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment*.

Affirmance of the Planning Board's decision is also subject to the following additional condition by the District Council:

3. The general location of the College Park pedestrian overpass shall be on the west side of the railroad south of the city's Public Works facility on industrial-zoned property west of the tracks with permission of the property owner and not adjacent to any existing residential homes. The establishment of said location shall not commit the applicant, heirs, successors, and assigns to construct said overpass nor detrimentally affect the development of any property within Greenbelt Station nor the receiving site on the west side of the railroad and subject to the approval of any property that contains any portion of said overpass including easements for construction. The cities of College Park and Greenbelt shall review and approve the final location and design of the pedestrian overpass which shall also be subject to review and approval by CSX, WMATA and other agencies including the M-NCPPC, applicant, heirs, successors, and assigns and any affected property owner. The overpass shall be designed to provide a direct point of access which is to the extent feasible visible from the North-South Connector Road as well as two call boxes and other appropriate security measures. Entrance to the overpass shall be ramped to provide handicapped access, and may include not more than one switchback in ramp direction, unless agreed to by the cities of Greenbelt and College Park and the M-NCPPC and any permitting agency. Circular ramps are not permitted, unless agreed to by the cities of Greenbelt and College Park and the parties noted above. Subject to the approval of a detailed site plan for any property adjacent to the overpass, access to the overpass may be incorporated into a structure and/or the site details.

Ordered this 2nd day of June, 2014, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson, Toles 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: _____
Mel Franklin, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council