

Case No. DSP-13012
Conifer Village at Oakcrest

Applicant: Conifer Realty, 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. 14-17, to approve with conditions a detailed site plan for construction of 120 senior, age-restricted units of multifamily housing in a single building in the Multifamily High Density Residential (R-10) Zone, located in the northwestern quadrant of the intersection of Brooks Drive and Ridley Street, in Planning Area 75A, Council District 7, and 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. 14-17, subject to the District Council's jurisdiction pursuant to §27-132(f)(1) of the Zoning Ordinance and its authority to modify the decision of the Planning Board pursuant to §27-290(d) of the Zoning Ordinance.

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

1. Prior to certificate approval of the plans, the following revisions shall be made to the plans or additional materials submitted:
 - a. The plans shall be revised to extend the six-foot-wide trail along the southern side of the Brooks Drive vehicular access to connect with the existing standard sidewalk along the project's Brooks Drive frontage.
 - b. The community garden shall be labeled on the detailed site plan.

- c. Notes shall be added to the plan stating that, during the construction phase of the project, the applicant shall adhere to the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control to control off-site impacts from dust, and Subtitle 19 of the Prince George's County Code to minimize the off-site impacts of construction noise.
- d. The plans for the project shall be revised to include a general note stating that the project is located within the Joint Base Andrews Interim Land Use Control (ILUC) impact area, Imaginary Surface F, having a 500-foot above the runway surface height limitation; outside the 65 dBA Ldn noise contour, therefore not requiring noise attenuation; and outside the accident potential zone, so with no limitations on the type of use or degree of density of development as a result of its location in the ILUC.
- e. The applicant shall revise the detailed site plan (DSP) to label the recreational facilities to be included on the lawn court and to describe its dual function for bocce and badminton in a general note. The equipment to be provided at each station shall be labeled.
- f. Revise the plans to indicate a bus shelter and pad at the existing bus stop along the subject site's Brooks Drive frontage. Details for the size and location of the pad and shelter shall be coordinated with the Department of Public Works and Transportation (DPW&T), Office of Transit, and shall be consistent with DPW&T specifications and standards or as modified by DPW&T, and shall be provided on the plan set to scale.
- g. The applicant shall remove the label "Existing Forest to Remain" on any forest that in fact might be cleared and label it as it is labeled on the Type 2 tree conservation plan for the project.
- h. The applicant shall revise the plans for the project to delete the guest suite from the table for the value of the recreational facilities provided.
- i. The Type 2 tree conservation plan (TCP2) shall be revised as follows:
 - (1) Add the standard TCP2 notes to the TCP2 pertaining to Virginia pine management on-site.
 - (2) Label the building restriction line along the right-of-way of Gethsemane Way.
 - (3) Relocate the subject property information to be legible outside of the "Woodland Preserved Not Credited" hatching.
 - (4) Have the property owner's awareness certificate signed and dated by the owners or owners' representative.
 - (5) Have a qualified professional sign and date the plans.

- j. The applicant shall submit a revised or new stormwater concept approval letter and associated concept plan, and such plan shall be correctly reflected on the Type 2 tree conservation plan and throughout the plan set together with documentation that the subject detailed site plan conforms to the requirements of the approved stormwater concept plan for the site.
- k. The applicant shall have executed and recorded a recreational facilities agreement with The Maryland-National Capital Park and Planning Commission (M-NCPPC) including all indoor and outdoor recreational facilities included herein specifying that the facilities shall be constructed prior to approval of a use and occupancy permit for the project.

The applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facility agreements (RFA) to the Development Review Division (DRD) for the construction of recreational facilities on Parcel A for approval prior to submission of the final plat. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records.

- l. The plans for the project shall be revised to indicate the right-of-way to be dedicated for Ridley Street as reflected on approved Preliminary Plan of Subdivision 4-11007.
- 2. Prior to issuance of the first building permit for the project, the applicant shall provide documentation from the Department of Permitting, Inspections and Enforcement (DPIE) that they approve of the design for the median break at the Brooks Drive vehicular access to the site.
- 3. The applicant shall, and in order to provide a high quality residence community, revise the plans to indicate the installation, location and details of a bubbler fountain feature to serve as art near the community garden; with the details of the fountain feature to be determined in coordination with Urban Design staff of MNCPPC. In the event that the community garden is underutilized, the applicant, its heirs, successors and/or assigns in consultation with the residents and the residents' association may decide to put the space to another use. The area on the detailed site plan currently designated as a community garden may be repurposed as an area of enhanced landscaping and/or an alternative recreational facility for use by the residents.
- 5. The applicant shall, pursuant to Crime Prevention Through Environmental Design (CPTED), and in order to provide a high quality residence community, install a four-foot-tall, wrought-iron-style, ornamental metal fence along Brooks Drive and Ridley Street of the property. The plans for the project shall be revised, pursuant to Crime Prevention Through Environmental Design (CPTED), to indicate the location and details of the four-foot-tall, wrought-iron-style, ornamental metal fence along Brooks Drive and Ridley Street of the property. Decorative fencing as required by the Prince George's Building Code shall be installed along the top of the retaining wall proposed near the northeastern

property line. The four-foot-tall, wrought-iron-style, ornamental metal fence along Brooks Drive shall have an access control system which enables an authority to control access to an automatic electric gate or pedestrian gate, which may be accomplished by code access on a basic keypad, telephone intercom access, or video entry system.

6. The applicant shall, in order to provide a high quality residence community, revise the plans for the project to indicate the installation of a stone entry monumental sign at the main entrance of the building. The applicant shall revise the plans to indicate the details of the main entrance signage.
7. The applicant shall, in order to provide a high quality residence community, provide transportation services for the tenants at Conifer Village at Oakcrest to supplement the availability of existing public transportation services in the County.
8. Prior to the issuance of any building permits, the applicant shall enter into a Memorandum of Understanding with Parks and Recreation to provide additional recreation services to the tenants for use of the Prince George's Sports and Learning Complex or other Parks and Recreation facility that includes an enhanced fitness center and/or use of a pool.

Ordered this 23rd day of July, 2014, by the following vote:

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

Opposed:

Abstained:

Absent: Council Members Campos and Turner.

Vote: 7-0

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