

Case No. SE 4529

Applicant: Coscan Adler, LP

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

ZONING ORDINANCE NO. 8 - 2008

AN ORDINANCE TO APPROVE A SPECIAL EXCEPTION,
WITH CONDITIONS

WHEREAS, Application No. SE 4529 was filed for property described as approximately 83.9 acres of land in the R-E Zone, in the northeast quadrant of the intersection of U.S. Route 50 and MD 193 (Enterprise Road), Glenn Dale, for approval of a special exception for a planned retirement community; and

WHEREAS, the application was referred to the Technical Staff, M-NCPPC, for its review, and the staff has filed its report and recommendation in the record; and

WHEREAS, the property was posted prior to public hearing, in accordance with all requirements of law, and two public hearings were held before the Zoning Hearing Examiner, the second after remand of the application by the District Council; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be granted, as recommended by the Technical Staff; and

WHEREAS, to protect adjacent properties and the neighborhood, and especially to protect neighborhood character, this special exception is approved with conditions; and

WHEREAS, as the basis for this approval, the District Council adopts the following as its findings and conclusions in this case:

A. The District Council adopts the report and recommendations of the Technical Staff, including staff's findings regarding compliance with requirements in §§ 27-317 and 27-395 of the Zoning Ordinance.

B. The Council agrees that, with completion of the limited detailed site plan and full detailed site plan procedures required in the conditions stated below, all site plan requirements for this planned retirement community special exception are fully met. In particular, all development details for each building site and all architectural renderings will have been incorporated into the record, and all details and renderings will have been reviewed and approved by the Council.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended to show an approved special exception for a planned retirement community on the property that is the subject of Application No. SE 4529.

SECTION 2. The special exception approved herein is subject to the following conditions:

1. Before permits may be issued for any part of the subject property, the applicant shall file and receive approval of a limited detailed site plan for building exteriors, including identification of all builders for the planned retirement community project. This limited detailed site plan shall be filed on or before 30 June 2009 and shall not be effective until approved by both the Planning Board and the District Council.
2. Before permits may be issued for any part of the subject property, and after approval of the limited detailed site plan for building exteriors, the applicant shall receive approval of a full detailed site plan, as provided in Part 3, Division 9, of the Zoning Ordinance, and as described in the conditions below.
3. The site plan shall state general development standards (e.g., building heights, setbacks, and parking) for building envelopes, to indicate the type of use specifically intended at that location, the vehicular access points, and the traffic circulation.
4. In the detailed site plan for the proposed development, particular attention shall be paid to architecture, location of structures, grading, and environmental features. The following guidelines shall be observed during the review of the detailed site plan:

- a. A variety of housing types shall be offered;
 - b. Townhouse or villa units shall be no more than two stories in height, with at least 65 percent of the living area located on the first floor;
 - c. Architectural elevations for all products must be coordinated and must depict a substantial enduring presence, such as brick or other lasting material;
 - d. Barrack style building layout shall be prohibited; and
 - e. The rear of dwelling units shall not be visible from Enterprise Road.
5. All recreation (indoor and outdoor) facilities shall be clearly delineated on the site plan. Recreational facilities shall include (but are not limited to) a swimming pool, tennis courts, and exercise facilities. In addition, a substantial trail system shall be provided on site.
 6. Prior to the issuance of any permits, the applicant shall submit copies of all federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans that impact jurisdictional wetlands, wetland buffers, streams, or waters of the U.S.
 7. Prior to approval of the detailed site plan, the TCP II shall be revised to incorporate a design concept for the stormwater management ponds that addresses all comments received from the Maryland Department of the Environment and the Corps of Engineers regarding the placement of the pond off-line and the naturalization of the existing farm ponds.
 8. Prior to approval of the preliminary plan, the Type I TCP shall show the conceptual locations of the features necessary to reduce noise levels to State standards for outdoor activity areas.
 9. Prior to approval of the detailed site plan, a Phase II noise impact study shall be submitted to the Environmental Planning Section. The TCP II noise impact study shall be submitted to the Environmental Planning Section. The TCP II shall show the location of the noise mitigation features necessary to reduce noise levels to State standards (65 dBA Ldn for outdoor activity areas and 45 dBA Ldn for interior living areas).
 10. Prior to submittal of the Type II TCP, a Certified Arborist shall evaluate specimen tree #2 to determine the viability of preserving this tree at post development. This reevaluation shall include a complete condition analysis, including an evaluation by a climber in the tree. Written

recommendations shall be provided to M-NCPPC's Environmental Planning Section, and the final analysis shall be included on the Type II TCP. All recommendations for treatment, if the tree is recommended for preservation, shall be completed by the applicant. Specimen trees 6-11 shall also receive a condition analysis, and the arborist shall provide written recommendations regarding whether these trees should be preserved or removed.

11. An exclusive southbound left-turn lane, an exclusive northbound right-turn lane, and a northbound acceleration lane on MD 193 shall be constructed at the site access road. Additional pavement and/or a southbound bypass lane on MD 193 shall be constructed at the site access point, if required by SHA.
12. A traffic signal warrant study at MD 193 at Chantilly Lane shall be completed, and a traffic signal shall be installed, if signal warrants are met, after review by SHA.
13. A Phase I archeological survey shall be submitted for review by the Historic Preservation and Public Facilities Planning Section, before any further approvals or permits.

SECTION 3. On the subject property for S.E. 4529, structures such as patios, decks, sunrooms, and other minor homeowner improvements shall be permitted on residential structures without revisions to the approved special exception or detailed site plan.

SECTION 4. This Ordinance shall take effect on the date of its enactment.

ORDERED this 24th day of March, 2008, by the following vote:

In Favor: Council Members Dean, Bland, Campos, Dernoga, Exum, Knotts, Olson and Turner

Opposed:

Abstained:

Absent:

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: _____
Samuel H. Dean, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council