

Case No. SP-02064

Applicant: Upshire Realty Partners

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

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 03-98, to approve a Detailed Site Plan for 144 dwelling units in a planned retirement community, on property described as approximately 18.86 acres of land in the C-O Zone, on the northwest side of the intersection of Campus Way North and Lottsford Road, is hereby:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which are hereby adopted as the findings of fact and conclusions of law of the District Council.

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

1. Prior to certificate approval of this Detailed Site Plan, the applicant shall make the following revisions:

(a) Revise the Type II TCP and the Detailed Site Plan to show the Patuxent River Primary Management Area (PMA). The PMA shall encompass the entire expanded buffer as shown on the plans received on April 17, 2003.

(b) Revise the Type II TCP and Detailed Site Plan to reflect the location of the 65 dBA Ldn noise contour derived from the Environmental Planning Section's Noise Model (91 feet from the centerline), or conduct a Phase I Noise study and reflect the location of the 65 dBA Ldn noise contour, based on the study, after review by the Environmental Planning Section.

(c) Revise the Landscape Plan to provide Section 4.6 landscape buffering treatment, wherever possible, along both Lottsford Road and Campus Way North frontages for review and approval by the Urban Design Section.

(d) Revise the Landscape Plan to provide additional understory landscaping with year-round visual interest, to be installed along the northern and western boundary lines of the subject property wherever possible, for review and approval by the Urban Design Section.

(e) Provide screening details for the proposed dumpster and street lighting fixtures, for review and approval by the Urban Design Section.

(f) Provide a standard sidewalk along the subject property's entire frontage, on the west side of Campus Way North.

(g) Retain the wide asphalt shoulders along the subject property's frontage on Lottsford Road, with the concurrence of DPW&T.

(h) Provide standard sidewalks along both sides of all internal roads, in order to accommodate pedestrians.

(i) Include ramps and curb cuts at intersections with roads or parking areas for all trails and sidewalks, in order to accommodate all users.

(j) Revise elevations of both 2-unit and 4-unit townhouse villas, to remove the center post of the garage.

2. Prior to issuance of any permits, TCPII/5/03 shall be revised to identify the location of the off-site mitigation. This revision shall reflect the TCPII number for that site, the site name, the amount of conservation provided, and the type of mitigation being provided.

3. Prior to issuance of any permits, the applicant and applicant's heirs, successors, or assignees shall submit evidence to the Urban Design Section of an easement document that establishes a Woodland Conservation Easement for the off-site mitigation area, and demonstrate that the document has been recorded in the Land Records of Prince George's County.

4. Prior to issuance of any building permits, the applicant and applicant's heirs, successors, or assignees shall submit evidence to the Urban Design Section that documents have been recorded in the Land Records of Prince George's County as follows:

(a) The Declaration of Condominiums, requiring that at least one resident of each household must be 50 years of age or older, and that no permanent resident may be under 18 years of age.

(b) The Declaration of Condominiums, showing the proposed recreational facilities as general common elements of the condominium development; the community members' rights to use the facilities; and the perpetual maintenance of the facilities by the condominium association using condominium fees assessed and collected from each unit.

5. Prior to issuance of the 100th building permit, construction of the clubhouse and the outdoor swimming pool facility in conformance with the approved detailed site plan shall be completed.

6. The applicant shall provide special treatments on architectural elevations as follows:

(a) The rear elevations of the townhouse villa units facing Lottsford Road (including units 29-40) and side elevations of townhouse villas (including units 40 and 41) located at the intersection of Lottsford Road and Campus Way North shall have 100 percent brick treatment.

(b) The rear elevations of the townhouse villa units (including units 1, 2, 41 and 42) shall have the same treatment as the front elevations. The side elevations of apartment buildings (including buildings 2 and 3) facing Campus Way North shall use one of the proposed side elevations with brick treatment (as on Sheet A-3, Elevations 3 and 4).

Ordered this 30th day of June, 2003, by the following vote:

In Favor: Council Members Knotts, Bland, Dean, Dernoga, Exum, Harrington and Peters

Opposed:

Abstained:

Absent: Council Members Shapiro and Hendershot

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: _____
Tony Knotts, Vice Chair

ATTEST:

Redis C. Floyd
Clerk of the Council