

Case No. SP-04014

Applicant: Lanham LLLP

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. 04-298, to approve with conditions a detailed site plan for an integrated shopping center with a total gross leasable space of 410,207 square feet, including 393,980 square feet of retail and 16,227 square feet of office space, on property described as approximately 50.8 acres of land in the R-R/R-T Zone, located south of Martin Luther King, Jr. Highway, at its intersection with Lottsford Vista Road, Bowie, is hereby:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

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:
 - a. Complete certification of all previously approved plans including Preliminary Plan of Subdivision 4-03125, Type I Tree Conservation Plan TCPI/53/96-01, Infrastructure Detailed Site Plan DSP-03086, and Type II Tree Conservation Plan TCPII/46/01.
 - b. Prepare a proposal for the provision of one or more historical marker(s) to denote the historic alignment of Lottsford Vista Road, its historic uses, and place in the history of Prince George's County to be reviewed and approved by the Historic Preservation Section as the designee of the Planning Board.
 - c. Revise the plans to show a consistent ultimate alignment of the master plan trail along Folly Branch agreeable to the applicant and the Department of Parks and Recreation (DPR).
 - d. Provide evidence to show that the subject property will be covered by 24-hour security in order to prevent crime on or adjacent to the project.

- e. Revise the landscape plan to relocate the pedestrian path outside of the Section 4.2 landscape strips and differentiate Section 4.3(a) landscape strips from Section 4.2 strips. Revise the plans to clearly show all parkland boundaries, which shall be reviewed and approved by DPR.
- f. Delineate the limit of Parcel B, to be conveyed to M-NCPPC, and show graphically on all plans.
- g. Have the detailed construction drawings for the eight-foot-wide asphalt trail and any structures on the dedicated parkland approved by DPR.
- h. Change the finish of the portion of the retaining wall that is facing residential properties to the south to either earth-tone brick or brick veneer or other attractive masonry units approved by Urban Design, after consultation with the Heather Glen Homeowners' Association.
- i. Revise the north elevation of the building on the rectangular pad site to be treated with the same details and architectural elements as the south elevation.
- j. Add a site plan note as follows:

“Restrict operation of any outdoor equipment such as trash compactors to daytime hours.”
- k. Provide sign face area calculation on the sign detail sheet.
- l. Revise the driveway layout in accordance with the recommendation of the Transportation Planning Section, unless the State Highway Administration decides that the recommended changes are not needed.
- m. Reduce the total gross leasable floor area by 4,300 square feet, unless the applicant:
 - (1) Demonstrates that the cap of 251 AM and 732 PM new peak-hour trips will not be exceeded, after installation of mitigation measures approved by the Transportation Planning Section; and
 - (2) Submits a new traffic study showing that the additional area will generate 2 or fewer peak-hour trips.
- n. Restrict use of at least 3,000 square feet gross floor area to non-retail community functions and activities.

2. Prior to certificate approval of this detailed site plan, the following environmental planning issues shall be addressed:
 - a. The technical stormwater management plans shall be revised so that the limits of disturbance and PMA delineation approved by the Planning Board in Preliminary Plan 4-03125 are shown on the plan.
 - b. The preliminary plan and TCPI/53/96-01 shall be revised to show the limits of disturbance in conformance with Condition 17 of PGCPB Resolution No. 04-91.
 - c. The preliminary plan and TCPI/53/96-01 shall be revised as follows:
 - (1) Show the correct amount of proposed clearing to the closest 1/100th of an acre in the worksheet, on the plan with the clearing pattern used, and in the legend with the corresponding symbol.
 - (2) Show the limits of disturbance for the entire site in conformance with the approval of the preliminary plan.
 - d. The TCPII shall be revised to indicate proposed reforestation and/or afforestation areas to address Condition 22 of Planning Board Resolution No. 04-91, or provide evidence from DER that this is not an acceptable practice within the ponds.
 - e. The DSP and the TCPII shall be revised to show the limits of disturbance within the PMA as approved by the Planning Board in conformance with the conditions of approval of Preliminary Plan 4-03125 and the approved Type I Tree Conservation Plan, TCPI/53/96-01.
 - f. A Type II Tree Conservation Plan shall be submitted that addresses all the requirements of the Woodland Conservation Ordinance and it shall be in full conformance with previous and current conditions of approval.
 - g. The DSP shall be revised to fully conform to the Type II Tree Conservation Plan.
 - h. TCPII/46/01-02 shall be revised as follows:
 - (1) Add the 50-foot wide stream buffer to the composite sheet and to the third sheet and include a symbol in the third sheet's legend.
 - (2) Relabel the title for the "General Notes for Woodland Conservation" the "Standard Notes for a Type II Tree Conservation Plan." Note 2 contains outdated language and should be updated to contain the current language used in this standard note. In Note 4 remove or "X" out the third sentence. Provide standard Note 5 regarding proposed off-site mitigation. In Note 6, in the second sentence, put a period after the word "place" and remove or

“X” out the phrase “for five years after completion of work.” Remove or “X” out Note 8 as it is the same language used in Note 6.

- (3) Show all the required information including but not limited to final building locations, grading, parking, retaining and screening walls, and the proposed grading for the entire site.
 - (4) Provide the four notes under the TPD sign detail from the manual in place of the nine notes shown on the plan.
 - (5) Show the required woodland preservation area signage in relation to the east portion of the site where preservation is proposed.
 - (6) After these revisions have been made, have the qualified professional who prepared the plan sign and date it.
3. Prior to approval of any grading permits, the off-site location of the required woodland conservation mitigation must be secured and noted on the plans.
4. The limit of disturbance shown on the final approved technical stormwater management plan shall not exceed the limits approved by the Planning Board within the PMA, as shown on the approved TCPI. The stormwater management plan shall be revised in accordance with the Planning Board’s decision if inconsistencies are identified later in the development process. Development of this site shall be in conformance with approved technical Stormwater Management Plan, #15255-2001-02.
5. The applicant shall provide for any necessary turn lanes and/or frontage improvements as required by the State Highway Administration (SHA), in connection with granting access to MD 704. These may include turn lanes for deceleration and acceleration of vehicles at the site, frontage improvements at the site, lengthening or doubling of turn lane bays, traffic signal modifications, and additional pavement markings and signage. Additional right-of-way dedication to SHA may be required for these improvements.
6. Prior to issuance of any grading permits, in conformance with the adopted and approved Glenn Dale-Seabrook-Lanham and vicinity master plan, the applicant and the applicant’s heirs, successors, and/or assigns shall:
 - a. Construct the five-foot wide sidewalk and the five-foot wide designated bike lane along the subject site's frontage of MD 704, as approved by the State Highway Administration. These facilities will accommodate the master plan trail/bicycle facility proposed in the Adopted and Approved Glenn Dale-Seabrook-Lanham and Vicinity Master Plan.

- b. Proceed as follows, for the master plan trail along Folly Branch:
 - (1) Determine trail alignment, as required in condition 27.b. in PGCPB Res. No. 04-91;
 - (2) Stake in the field and have DPR approve trail location;
 - (3) Design the trail, subject to DPR approval;
 - (4) Dedicate right-of-way for the trail.
- 7. Prior to issuance of any permits for the perimeter retaining and decorative walls, the applicant shall provide detailed construction drawings or the equivalent certified by a structural engineer to indicate that the wall has been designed with sufficient safety measures so it will not be a safety hazard to the adjacent residents and properties.
- 8. Prior to issuance of the first building permit for the linear building close to the existing townhouses, an acoustics professional shall certify that the rooftop HVAC units will not create adverse noise effects on the residential properties.

Ordered this 28th day of February, 2005, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Hendershot

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, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council