

Case No. DSP-11025
Salubria Center

Applicant: Pinnacle Harbor, 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. 12-40, to approve with conditions a detailed site plan for 437,721 square feet of retail, office, and hotel development in the M-X-T (Mixed-Use-Transportation Oriented) zone is:

AFFIRMED, as the basis for this action, the District Council adopts the reasons stated by the Planning Board in its Resolution, PGCPB No. 12-40, as its findings and conclusions in this case, except as otherwise provided herein.

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

1. Prior to certification of the detailed site plan, the following revisions shall be made or information shall be provided:
 - a. The detailed site plan shall be revised to show Lots 2 and 3 having direct vehicular access (ingress and egress) onto a public right-of-way, Harborview Avenue, as required pursuant to Section 27-548(g) of the Zoning Ordinance and Section 24-128 of the Subdivision Regulations.
 - b. The applicant shall provide evidence demonstrating that the adjacent property owner to the north permits the secondary vehicular access through Parcel 92 and the off-site parking improvements shown on the detailed site plan; or redesign the proposal on Lots 2 and 3 so that the proposal is not dependent on the access and off-site improvements shown on the detailed site plan.
 - c. The second tower sign, near the site's secondary point of access, shall be eliminated from the proposal. An architectural feature, consistent with Applicant Exhibit 1, shall be substituted for the tower sign.

- d. Loading areas on the north and west sides of the center shall be consistent with Applicant Exhibit 1 and will include as follows:
 - (1) The design of the visible walls surrounding the loading areas shall be visually integrated and of a similar attractive material to the outward facing walls of the outlet center.
 - (2) The design of the screen walls shall be complementary to the visible areas of the loading walls.
- e. Investigate the feasibility of providing a pedestrian walkway approximately four feet in width through the parking lot to the exterior storefront entrance on the northwest side of the center.
- f. The detailed site plan shall identify a minimum of six proposed public spaces within the outlet center and provide details (but not necessary locations) of focal points, which shall be incorporated in the public spaces throughout the outlet center as shown on Applicant Exhibit 1, including but not limited to, public art, fountains, seating areas, decorative masts, clock towers, and raised planters with masonry seating. Prior to use and occupancy permit, the applicant shall employ an approved focal point, or equivalent option, in the public spaces.
- g. The sign details for the ground-mounted monument sign along Oxon Hill Road shall indicate the use of brick, brick veneer and may be combined with other masonry materials approved for use in the center.
- h. The building façades internal to the outlet center shall have architectural features on the non-signature building façades that provide visual interest consistent with Applicant Exhibit 1. An additional exhibit shall be provided that illustrates a representative sample of the architectural features which will be utilized on, and within the area of, the non-signature building façades.
- i. The required public utility easement (PUE) shall be provided on both sides of all public roads.
- j. Parking shown within the public utility easement (PUE) on Lot 3 shall be relocated from the PUE or eliminated from the proposal.
- k. Provide a plan note that indicates conformance to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- l. Provide understory pedestrian-scaled lighting along the southwestern and potential northwestern walkways through the parking lot to enhance safety for pedestrians. Locations of pedestrian-scaled lighting shall be indicated along the

pedestrian walkways from the center to the Oxon Hill Road right-of-way or the parking lot, if that is the termination.

- m. Locate some of the proposed seventy-eight benches within the center and along edges of the center to placements that might better encourage natural surveillance of the center and parking lot.
 - n. Revise the site plan to demonstrate the widths of all entrances and drive aisles. Demonstrate directional drive arrows within the aisles for the purposes of plan review.
 - o. Revise the site plan to demonstrate the parking space sizes and clarify the handicap spaces and their dimensions. Van-accessible spaces shall be 16 feet by 19 feet for one out of every four handicap spaces required. All other handicap spaces shall be 13 feet by 19 feet.
 - p. Revise the site plan to include the dimensions of each building.
 - q. Revise the site plan to delineate the loading spaces with dimensions.
 - r. Revise the site plan to delineate the height and type of screening for all dumpster locations and the retaining/screening walls.
 - s. Revise the site plan to demonstrate the height, extent and type of any proposed fencing around playground areas on the site plan.
 - t. Indicate the use of a minimum four-foot-tall durable fence at the top of the retaining wall.
 - u. Provide building dimensions of the outward facing building elevations and include sign area locations and dimensions.
 - v. Revise the detailed site plan to reflect the commemorative features exhibits approved by the Planning Board, or its designee.
 - w. The façade information similar to what has been provided for building six shall be provided for the adjacent optional expansion area.
2. Prior to certification of the detailed site plan, the landscape plan shall be revised as follows:
- a. A tree canopy coverage (TCC) schedule shall be placed on the landscape plan.
 - b. The landscape plan and detailed site plan shall be revised to be consistent with Applicant Exhibit 1.

- c. The Section 4.2 schedule shall be updated to reflect the additional plant material proposed along Oxon Hill Road.
 - d. A Section 4.2 schedule and required landscape strip shall be provided for Lots 2 and 3.
 - e. A note shall be provided under the provided 4.6 schedule to indicate that Oxon Hill Road is not categorized as a scenic or historic road; however, the Prince George's County Planning Board determined, in its review of Conceptual Site Plan CSP-11006, that Oxon Hill Road shall be minimally planted in accordance with the standards in Section 4.6 of the 2010 *Prince George's County Landscape Manual*, unless modified by the District Council.
 - f. The Section 4.9 schedules shall be updated to reflect the additional planting proposed on the revised plan.
 - g. Other minor inconsistencies in the plan preparation shall be corrected, as discussed in Finding 12.
 - h. The plan shall add shrubbery or fencing along the interior of the retaining wall in the southeastern portion of the property abutting the existing residential development for the purpose of screening spillover lighting from vehicles within that parking area. The screening options need not be made if the Applicant's Engineer provides a certification or other satisfactory information, concurrent with the Outlet Center opening, to staff confirming there will be no spillover lighting effect from vehicles within that parking area upon to the abutting residential.
3. Prior to certification of the detailed site plan, the Type 2 tree conservation plan (TCP2) shall be revised as follows:
- a. The tree canopy coverage (TCC) schedule shown on Sheet 1 shall be removed.
 - b. Show the location of archeological site 18PR809 and provide a symbol in the legend. The conservation easement will be established at the time of final plat.
4. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following, unless modified by the Department of Public Works and Transportation (DPW&T) or the Maryland State Highway Administration (SHA), accordingly:
- a. A contrasting and high-visibility crosswalk across Oxon Hill Road at Harborview Avenue.
 - b. Pedestrian countdown signals for the crossing of Oxon Hill Road at Harborview Drive.

- c. A contrasting and high-visibility crosswalk across Oxon Hill Road at the site's southern access point.
 - d. Pedestrian countdown signals for the crossing of Oxon Hill Road at the site's southern access point.
 - e. A standard sidewalk along the north side of Harborview Avenue along the frontage of Lot 2.
 - f. Marked crosswalks at all four crossings of the Harborview Avenue intersection with the site's northernmost access (Sheet 3, near Site Entry Sign "A").
5. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area (PMA), except for approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:
- "Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
6. Prior to issuance of building permits for 1) the 12,000-square-foot future extension of Building 6, which is inclusive of the total gross floor area and commercial gross floor area, or 2) any proposed expansion of the outlet center beyond 383,931 square feet, the applicant shall submit a revised detailed site plan for the proposed hotel, for the purpose of providing an improved architectural product, due to the prominence of the proposed hotel location across from the outlet center and a major gateway into National Harbor, to be reviewed and approved by the Planning Board and the District Council. The revised detailed site plan for the proposed hotel shall, for each building elevation, incorporate quality architectural materials and a high level of architectural detail in keeping with the quality hospitality architecture that has been constructed in National Harbor. The building elevations shall be revised to provide a substantial emphasis on quality masonry materials, and the south building elevation (facing the outlet center) shall be designed to appear more like a front elevation with additional architectural features. All elevations shall demonstrate a high degree of architectural detailing.
7. Prior to issuance of any permits that impact wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
8. Any proposed expansion of the outlet center beyond 383,931 square feet shall require a revision to the detailed site plan to include architecture for those elevations.

9. Prior to final plat, the applicant shall establish a perpetual conservation easement around archeological site 18PR809. The associated TCP II shall be revised to show the location of the archeological site and a note shall be added to the plat indicating that any ground disturbance within the easement area must be reviewed and approved by Historic Preservation staff.
10. Prior to the approval of any grading permits, the applicant shall install a super-silt fence, which shall not be considered part of Applicant's sediment control measures for its grading permit, around the boundaries of archeological sites 18PR692 (where the Phase III data recovery investigations will be conducted) and 18PR809 and provide proof of these installations to Historic Preservation staff. All grading plans shall include delineations of the areas of super silt fencing for sites 18PR692 and 18PR809. The fencing around site 18PR692 shall remain in place until the final Phase III report for site 18PR692 is accepted and approved by Historic Preservation staff. The fencing around site 18PR809 shall remain in place until all construction activities within the Salubria Center property are completed.
11. Prior to any grading within the area fenced for the Phase III data recovery of site 18PR692, the applicant shall:
 - a. Provide a final report detailing the Phase III investigations of site 18PR692;
 - b. Ensure that all artifacts recovered from all archeological investigations on the subject property are curated in a proper manner and deposited with the Maryland Archaeological Conservation Lab at the Jefferson Patterson Park and Museum in St. Leonard, MD. Proof of disposition of the artifacts shall be provided to Historic Preservation staff.
12. Prior to the opening of Salubria Center, the applicant shall install the on-site commemorative/interpretive features and complete other agreed-upon outreach and education measures. The wording and details of the interpretive features shall take into account the findings of the Phase III archeological investigations as embodied in the final report for site 18PR692.

Ordered this 16th day of October, 2012, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Turner.

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: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council