

Case No. SP-06001/01

Applicant: Dawn Limited Partnership

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

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH AMENDED CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 10-50, to approve with conditions a detailed site plan for the construction of a mixed-use development with 171 dwelling units, 37,170 square feet of office space, a 32,820-square-foot library, 15,890 square feet of retail, a freestanding parking structure, and an indoor pool (natatorium) building, for a project referred to as Commons at Addison Road, on property described as approximately 2.9791 acres of land in the C-S-C and R-55 zones, in the southwest quadrant of the intersection of Central Avenue (MD 214) and Addison Road, with frontage on Zelma Avenue, Capitol Heights, is:

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, with the following additions:

The District Council approves the following additional amendments to the development district standards set forth in the October 2000 Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity:

1. B3. Materials and Architectural Details, Standard G: to allow GFRP (Glass/Fiber/Reinforced/Plaster) cornice material to be used on the buildings.
2. B4. Window and Door Openings, Standard A: to allow glass curtain walls associated with the retail within the main building and the natatorium building.

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

1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Provide evidence from all affected utility companies that the encroachments into the public utility easements (PUE) shown on the plans are acceptable. If such verification cannot be provided, these encroachments shall be eliminated from the plans.
 - b. Provide details demonstrating that the proposed wall will completely screen the transformers from the right-of-way. If it is found that the transformers will not be adequately screened, the plans shall be revised to provide additional screening elements.
 - c. Revise the plans to replace the board-on-board fencing proposed along the southern property line with an enhanced fence featuring a composite material resembling natural wood with brick piers at all corners and at regular intervals not to exceed 35 feet, or every four eight-foot-sections of fence. The fence shall be equally attractive from both sides and shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.
 - d. Revise the plans to demonstrate conformance to Section 4.1 of *Prince George's County Landscape Manual*.
 - e. Revise the plans to reincorporate shade trees into the design of the plaza associated with the retail on the east side of the main building.
 - f. Provide evidence from Department of Public Works and Transportation (DPW&T) that the detailed site plan is consistent with the approved stormwater management concept plan.
 - g. Revise the plans to demonstrate conformance with S4. E. along the south property line adjacent to the existing single-family detached residence.
 - h. Revise the plans to provide a five-foot-wide grass planting strip between the sidewalk and curb along Central Avenue right-of-way permitting and as directed by SHA.
 - i. Revise the plans to provide loading spaces that are 33 feet long by 12 feet wide.
 - j. Provide a loading schedule on the site plan.
 - k. Provide a gate in the perimeter fence where the sidewalk or pedestrian path intersects with the sidewalk along Central Avenue (MD 214).
 - l. Provide Americans with Disabilities Act (ADA)-compliant curb cuts and ramps and a marked crosswalk where the trail intersects with the drive aisle.

- m. Provide ADA-compliant curb cuts and ramps and a marked crosswalk across MD 332 in the vicinity of the Zelma Avenue intersection, unless modified by SHA.
- n. Provide, if permitted by DPW&T, an eight-foot-wide sidewalk or path around the bioretention pond in the northeast corner of the project. This sidewalk or path shall provide pedestrian access from Central Avenue (MD 214) (near the intersection with Addison Road) to the internal drive aisle and sidewalk leading to the building entrance. The pond shall also be enhanced with amenities, subject to DPW&T approval, such as additional planting and hardscape, public art, or seating, to create a more inviting pedestrian entrance to the project.
- o. Add the following note on the site plan:

“Pursuant to Section 24-111(c)(2) the current development proposed does not exceed 5,000 square feet of gross floor area. Any additional gross floor area which would result in a total GFA for this site of more than 5,000 square feet will require a preliminary plan of subdivision.”
- p. Revise the plans to demonstrate conformance to Section 4.2 of the *Prince George’s County Landscape Manual*. If the substitution of plant material is proposed pursuant to Section 4.2(a)(4) of the Landscape Manual, justification of the need for such substitution shall be submitted to the Urban Design Section for review as designee of the Planning Board.
- q. Revise the plans to demonstrate conformance to S4.D of the Sector Plan where the parking lot is adjacent to Central Avenue.
- r. Revise the east elevation (Phase 1) to replace the EIFS with a high quality, durable, and attractive finish material, such as Hardi materials, to be designed generally in accordance with applicant’s Exhibit 2.
- s. Revise the freestanding signs so that they are no taller than 13 feet high.
- t. Revise the Proposed Development table on the cover sheet so that it reflects the phasing demonstrated in the parking tabulation.
- u. Revise the parking tabulation to accurately account for the required parking for the multifamily units.
- v. Provide evidence that the proposed disturbances to WMATA-owned land have been approved by WMATA.
- w. Provide a sidewalk a minimum of 4-feet wide along the south side of the east-west internal street. Special paving shall be provided where the sidewalk crosses the loading area and the vehicular entrance to the parking garage.

2. A new final plat for Parcel A (Preliminary Plan 4-05068) shall be approved in accordance with Section 24-108 of the Subdivision Regulations. This plat in conjunction with the prospective final plat for Parcel B (Preliminary Plan 4-08019), shall both carry the following note:

The combined proposed development on Parcel A (4-05068) and Parcel B (4-08019) shall be limited to uses generating no more than 163 AM and 226 PM peak hour trips. Any further development on either parcel that generates a traffic impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities, for that development generating the additional impact.

3. A final plat for Lot 5 of Block B shall be approved with the following note:

“Development on Lot 5 of Block B is limited to a cumulative 5,000 square feet of gross floor area pursuant to Section 24-111(c). At such time that development should exceed this maximum, then a preliminary plan of subdivision shall be required.”
4. The application for the building permit for Parcel A shall contain a certification, to be submitted to The Maryland-National Capital Park and Planning Commission (M-NCPPC), prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.
5. Prior to the issuance of any building permit, the applicant shall:
 - a. provide evidence that the proposed disturbances to WMATA-owned land have been approved by WMATA.
 - b. provide evidence of a contribution for the benefit of the Prince George’s County Memorial Library System, in the amount of \$57,138, for the development of the library on the subject property.
6. The applicant shall place underground all on-site utility lines and facilities, for utilities that serve the subject property and the proposed project. Utility lines and facilities off site need not be underground, but the applicant shall participate in an underground utilities fund at Central Avenue (MD 214) and Addison Road, if one is created, to study or implement the underground placement of utilities in this vicinity. Funding contributions by the applicant shall not exceed \$10,000.
7. All residential portions of the building shall be accessed only by an electronic security card system.
8. The applicant shall construct the eight-foot-wide sidewalk along the subject’s entire frontage of Central Avenue (MD 214), unless modified by SHA. This sidewalk shall be separated from the curb by a five-foot-wide grass planting strip, if right-of-way is available, unless modified by SHA.

9. The applicant shall construct the eight-foot-wide sidewalk along the subject site's entire road frontage of Addison Road, unless modified by DPW&T.
10. The applicant shall construct the five-foot-wide sidewalk along the subject site's entire frontage of Zelma Avenue, unless modified by DPW&T. This sidewalk shall be separated from the curb by a five-foot-wide grass planting strip.
11. The applicant and the applicant's heirs, successors and/or assignees shall submit three original Recreational Facilities Agreements (RFA) to DRD for construction of private recreational facilities, for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the county Land Records.
12. The fitness center, aerobics room, business center, media center, and lounge/billiards room shall be completed prior to the completion of the 123rd dwelling unit. Prior to issuance of the final Use and Occupancy Permit for the 171st dwelling unit, the applicant shall have completed the indoor pool building (natatorium).
13. Conditions 4.m., 5, 6, 10.a., 10.f., 10.g., 10.i., 10.j., and 10.k. of the District Council's Order of Approval for Detailed Site Plan DSP-06001 remain valid and are applicable to the subject application.

Ordered this 4th day of October, 2010, by the following vote:

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

Opposed:

Abstained:

Absent:

Vote: 9-0

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: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council