

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on October 6, 2005 regarding Detailed Site Plan DSP-05018 for Tribeca at Camp Springs, the Planning Board finds:

1. **Request:** The subject application proposes a residential multifamily development with a retail component. The plan proposes 282 multifamily units and 21,401 square feet of retail. The multifamily units are proposed to be located around a central parking structure. The retail component is proposed as a mix of tenants located at one end of the building, fronting on Old Soper Lane. Residential units will be located above the retail components.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	C-S-C	C-S-C
Use	Single-family detached units	282 multifamily: One bedroom units-111 units Two bedroom units-142 units Three bedroom units-29 units 21,401 square feet of retail
Acreage	7.51 acres	7.51 acres
Square footage	N/A	Retail/commercial—21,401 sq. ft.

Other Development Data

Parking Required

REQUIRED SPACES

1 bedroom—111 units @ 1.33 spaces/unit	148 spaces
2 bedroom—142 units @ 1.66 spaces/unit	236 spaces
3 bedroom—29 units @ 1.99 spaces/unit	58 spaces

Retail/commercial space—	
Tenant one—8,489 square feet	48 spaces
@ 1 space/150 sq. ft. for 1 st 3,000 square feet + 1 space/200 sq. ft. thereafter	
Tenant two—6,407 sq. feet	38 spaces
@ 1 space/150 sq. ft. for 1 st 3,000 square feet + 1 space/200 sq. ft. thereafter	
Tenant three—4,205 sq. feet	27 spaces
@ 1 space/150 sq. ft. for 1 st 3,000 square feet + 1 space/200 sq. ft. thereafter	
Tenant four—2,300 sq. feet	16 spaces
@ 1 space/150 sq. ft. for 1 st 3,000 square feet + 1 space/200 sq. ft. thereafter	

Total parking required 571 spaces

Total parking provided 697 spaces

3. **Location:** The subject site is located at the northwest corner of the intersection of Auth Road and Old Soper Lane. The site located within Planning Area 76A.
4. **Surroundings and Use:** The subject property has frontage on Old Soper Lane to the east and Auth Road to the south. The property is bounded on the north by WMATA (the Branch Avenue Metro Station), zoned M-X-T, and Outlot A, part of Auth Road Center, zoned I-3. To the west of the property is a vacant property zoned C-S-C.
5. **Previous Approvals:** The subject property was rezoned from the R-R Zone to the C-S-C Zone through the sectional map amendment process, via the 2000 approved Master Plan and Sectional Map Amendment for the Heights and Vicinity.
6. **Design Features:** The plan provides for a compact development that proposes multifamily residential in combination with a retail component. The five-story multifamily structure surrounds a central parking garage. A retail component with surface parking is located along the front of the structure at Old Soper Road.

The plan provides for recreational facilities in two areas, along the north and west property lines. The recreational areas along the west side of the building cause some concern because the facilities are located over underground stormwater management. The staff believes that the

appropriateness of these facilities located over the top of the facility could be a long-term problem in the maintenance of the facility. Also, it is not clear if the Department of Environmental Resources will allow for the recreational facilities that have footing associated with them, to be placed on top of the structure. The staff believes that it would be better to relocate the playgrounds proposed on the west side of the building to the north side of the building, possibly within Courtyard "B" and near the swimming pool area. If the swimming pool area is slightly expanded, one of the half picnic areas could be deleted, which may make room for the preteen area. The staff and applicant have agreed with the following list of facilities to be provided for the subject site:

Indoor Recreational Facilities:

- Club house—approximately 6,965 square feet of gross floor area containing the following:
 - Meeting room large enough to accommodate seating for 70 persons
 - 1,000-square-foot fitness area with equipment
 - Kitchen (with a minimum of a double sink, standard-size refrigerator, dishwasher and large microwave) with lockable French doors.
 - Pool facilities for pool patrons
 - Card room with table and chairs

Outdoor Recreational Facilities

- Swimming pool
- One grass volleyball or badminton court or putting green
- One tot lot
- One-half school-age lot
- Two one-half picnic areas
- Six exercise stations
- Two sitting areas

COMPLIANCE WITH EVALUATION CRITERIA

7. Section 27-461 Uses, permits a multifamily dwelling use in the C-S-C Zone subject to the following:

Multifamily condominium units are permitted provided:

- (A) The multifamily dwellings shall be located on a parcel(s) containing at least six (6) acres;**

Comment: The property is 7.51 acres of land

- (B) The property is contiguous to an existing mass transit rail station operated by Washington Metropolitan Area Transit Authority (WMATA);**

Comment: The property is contiguous to the Branch Avenue Metro Station operated by WMATA located directly to the north.

- (C) The bedroom percentages for multifamily dwellings as set forth in Section 27-419 shall not be applicable;**

Comment: This does not require that the plan conform to the bedroom percentages.

- (D) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;**

Comment: This application is the detailed site plan.

- (E) Regulations concerning the height of structure, lot size and coverage, frontage, setbacks, density, and other requirements of the C-S-C Zone shall not apply. All such requirements shall be established and shown on the Detailed Site Plan;**

Comment: This plan proposes the following standards for the development of the site as shown on the detailed site plan:

Building Height

Mid-point of the standing seam metal roof at retail=67.5 feet
Top of cupola= 85 feet, 7 inches
Top of Highest Parapet=62.0 feet

Lot Size

The lot size is 7.51 acres.

Lot Coverage

The lot coverage is 59 percent.

Frontage

The lot frontage along Auth Road is 659.94 feet and along Old Soper Road the lot frontage is 543.16 feet

Setbacks

Front yard along Old Soper Road=74.6 feet

Front yard along Auth Road=11.9 feet

Side=25.8 feet

Rear=65.9 feet

Density

Density is proposed as 38 dwelling units per acre.

- (F) Density regulations shall be in accordance with the R-10 Zone for multifamily dwellings;**

Comment: The density regulations for the R-10 Zone for multifamily dwellings is 48 units to the acre. This plan proposes 38 units to the acre.

- (G) The Detailed Site Plan shall include architectural review in order to ensure high quality design and construction materials; and**

Comment: The architectural elevations propose the exterior finish material as a combination of brick and exterior insulated finish systems (EIFS); brick being used primarily from the grade through the fourth floor and EIF being used at insets the entire height of the building and along the fifth floor and parapet of the building. The EIF used on the structure the entire height of the building is limited to the balcony insets; however, staff recommends that the entire first floor of the building be clad in masonry, using precast concrete for accent areas and other masonry on the balcony areas of the first floor. Also, a materials board, including color selections, should be provided for review and approval prior to signature approval of the plans.

- (H) Covenants setting forth that appropriate condominium fees are necessary to provide adequate maintenance of required landscaping to ensure the aesthetics of the property shall be submitted with the Detailed Site Plan application. The covenants shall run to the benefit of the local citizens' association.**

Comment: The applicant has submitted a set of covenants (attached to the staff report). These covenants will be recorded running to the benefit of the local citizen's association, that being the Village of Camp Springs Civic Association, ensuring that appropriate condominium fees will be available to provide for adequate maintenance of required landscaping in order to ensure the aesthetics of the property forming the subject of this detailed site plan. The covenants will be

binding on the property for a term of 20 years from the date of recordation. This information should be referenced as notes on the final plat and recorded prior to the issuance of any permits.

8. **Landscape Manual:** The proposal is subject to the requirements of Section 4.1 (Residential Requirements), Section 4.3 (Parking Requirements), and Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual*. The plan demonstrates conformance to Section 4.1 and 4.3. The applicant submitted an alternative compliance application for Section 4.7 for the north property line, adjacent to the Metro station. The following is the alternative compliance analysis prepared by staff:

The subject property is a 7.5±-acre tract (lots 1-3, Auth Manor; lots 4-12 Gibbs Manor, and Parcels 64 and 233, Tax Map 89 Grid A4) at the northwest corner of the intersection of Auth Road and Old Soper Road, Camp Springs. The site is zoned C-S-C and is currently developed with single-family residences. The applicant's plans proposed the redevelopment of the property with a mixed-use project with residential (282 condominium units) and 22,000± square feet of retail space. As a multifamily residential use, the proposed development represents a medium-impact use. However, bounding the property to the north is a train station (Metro) and its associated parking lot, which are considered an adjoining high-impact use. As a result, along the northern property boundary, a "D" bufferyard is required.

The applicant proposes to construct 195 linear feet of a 6-foot 7-inch high brick wall along the portion of the northern property line nearest the proposed swimming pool. The remainder of this property line will be defined by a six-foot-high wrought iron picket fence with brick supporting piers. At the northwestern corner of the property, the applicant proposes a six-foot-high solid board fence.

Required: Section 4.7, Buffering Incompatible Uses, along the north property line:

Length of bufferyard:	614 feet
Building setback:	50 feet
Landscape yard:	40 feet
Plant materials @ 160 PUs/100 LF:	826 plant units
	(with a 50 percent reduction for 195 linear feet of 6-foot 7-inch brick wall to be provided)

Provided:

Building setback:	21-foot 4-inch minimum (varies)
Landscape yard:	21-foot 4-inch minimum (varies)
Plant materials:	668 plant units
	(with a 50 percent reduction for 195 linear feet of 6-foot 7-inch brick wall to be provided)

Justification Of Recommendation:

A Type “D” bufferyard is required along the northern property line to buffer the adjacent high-impact use (the Metro station and parking lot). Although the applicant proposes the construction of a 6-foot 7-inch-high brick wall to screen the proposed pool from the adjacent high-impact use, the proposed brick wall should be extended to the west an additional 90 linear feet to provide screening of the proposed children’s play area and nearby trash pickup area and turnaround. To provide for a more unified treatment of the northern and western property lines (where the retaining wall is proposed), the applicant should revise the design to include only a single design that employs a 2-foot-high knee wall below a 4-foot-high wrought iron picket fence, with regularly spaced piers rising to a maximum height of 6 feet 7 inches. In addition, this picket fencing should consistently maintain a horizontal line across the entire expanse of fence. The applicant should also delete the proposed curvilinear transition from brick pier to knee wall in all locations except the primary entrance to the property on Auth Road.

With the additional 90 linear feet of brick wall screening the children’s play area and the trash pickup and turnaround, the applicant would be able to reduce the number of required plant units by 144 to 682.

The committee is of the opinion that if this alternative compliance application were revised to include the modifications cited above, the proposal could be found to be equal to or better than the requirements of Section 4.7 of the *Landscape Manual*.

Recommendation:

The Alternative Compliance Committee recommends approval of the subject alternative compliance pursuant to Section 4.7 with the following conditions:

The applicant shall revise the design of the proposed fence along the northern and western property line to: (1) extend the 6-foot 7-inch-high brick fence an additional 90 linear feet to the west; (2) revise the remaining portions of the fence to include a 2-foot-high knee wall surmounted by a 4-foot-high wrought iron picket fence with regularly spaced brick piers to a maximum height of 6 feet 7 inches; (3) eliminate the use of a solid board fence along the northern or western property lines; (4) employ only brick for retaining walls to match nearby fencing; and (5) eliminate the use of a curvilinear transition between any brick pier and an adjacent brick knee wall in favor of a 90-degree angle in all locations except for the main entrance to the property on Auth Road.

In addition to the issue above, the staff recommends that the plans be revised to conform to the *Landscape Manual* in regard to Section 4.3, in that the schedule should reflect previous revisions made to the planting plan and to incorporate crepe myrtles for summer seasonal interest. The schedule for Section 4.7 for the west property line shall be removed, since the two properties are determined to be compatible. The staff also

recommends that the south end of the plaza next to the retail area include a minimum of two canopy shade-producing trees, and that the courtyards containing sitting areas should provide additional plantings of woody ornamentals to create more privacy as viewed from units above. A specimen tree should be specified at the entrance to the development from Auth Road.

9. **Woodland Conservation Ordinance:** Compliance with the requirements of the Woodland Conservation Ordinance is discussed in detail in Finding 10.e. below.
10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are as follows:
 - a. The Subdivision Section found that the development of this property is exempt from the requirement of a preliminary plan of subdivision, because a certain amount of vested development rights exist on the property. In letter dated February 10, 2005, Edward C. Gibbs to Alan Hirsch, the applicant's representative proposes that for purposes of analysis, there are 11 parcels that can each be the subject of 5,000 square feet of gross floor area except for two lots, which are not subject to the 5,000square-foot limitation, and can be calculated as having as much as 30,000 square feet of development. The applicant proposes to create a single lot, which would have a trip cap based upon the total number of trips that could be developed by analyzing the individual trip capacity of each lot and combining those trips to create the total trip cap from development of the property as proposed. Cumulatively, the individual parcels, if developed as retail, would generate more trips than the proposed plan of development (see the Transportation Finding 10.b. below).

A new record plat, processed in accordance with Sections 24-111 (c)(2) and (3) and 24-107(c)(7)(B) and (C), which will establish the trip cap, should be recorded prior to the approval of any permits.
 - b. The Transportation Section found that the subject property encompasses several lots within the Gibbs Manor subdivision plus two tax parcels. All lands were rezoned to C-S-C through The Heights sectional map amendment. Council Bill CB-28-2004 allows the development of multifamily housing in the C-S-C Zone under very specific conditions. The only transportation-related condition that must be met is that the property is adjacent to an existing rail mass transit station operated by the Washington Metropolitan Area Transit Authority (WMATA); this is the case for this site. Therefore, the underlying subdivision can be legally developed under the C-S-C Zone without need of resubdivision. The tax parcels can legally be developed with up to 5,000 square feet of retail space apiece. It is estimated that up to 60,000 square feet of retail or office space can be approved on this site without subdivision. Such development could generate 191 AM and 432 PM peak-hour vehicle trips. The development proposed under this site plan would generate 183 AM and 329 PM peak-hour vehicle trips—trip generation that is consistent with the overall assumption for the underlying properties.

The State Highway Administration (SHA), as a part of the Branch Avenue Metro Access Study, has a two-phase program to improve access into the Branch Avenue station. The first phase, which is under construction, primarily involves modification to the ramp system within the Capital Beltway and MD 5 interchange. The second phase would provide a grade-separated entrance from MD 5 to a new Metro access roadway between Auth Road and Auth Way. That roadway would continue eastward at-grade into the Branch Avenue station parking lot, coincident with the Metro access road shown on the north side of the detailed site plan. The second phase has not yet been designed. In discussions with SHA, it is understood that because this improvement has not yet been designed, it is not required that this be reflected and/or dedicated on this plan. Furthermore, the access roadway is not on the master plan with a specific right-of-way requirement. It should be noted that the right-of-way need for the new roadway may have an impact on this site plan, and that there may be a reduction in the landscaped buffers between the buildings and the Metro station site when the SHA project is ultimately constructed.

Access is proposed along Auth Road, Old Soper Road, and the Metro access road. This is acceptable; however, the applicant should be aware that the Metro access road may be owned by WMATA, and access to this roadway must be coordinated with WMATA (or whichever agency actually controls the roadway). It is noted that this roadway is a public way; it is not within the turnstiles of the parking lot.

- c. The Community Planning Division found that the General Plan indicates that the property is located in a designated metropolitan center (Branch Avenue Metro) in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. The vision for centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.

The 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity, Planning Area 76A Silver Hill-Morningside* employment area states that this site should be developed in accordance with the Branch Avenue Metro Station and Vicinity Land Use Recommendations, Focus Area 1 Land Use Recommendations, and Branch Avenue Metro Area Gateway Standards (for Auth Road) sections of the master plan. Specifically, page 42 of the master plan states: “the urban design recommendations for this area are to be used to guide streetscape improvements, new development and redevelopment.... The plan recognizes that WMATA owns the station; therefore, these recommendations pertain to the areas adjacent to the Metro.” Further, “any renovations or redevelopment of commercial areas should be carried out in conformance with the site design standards specified in the Urban Design chapter (pp. 87-94) of the master plan. These standards include parking, landscaping, signage, building appearance, access, etc. for commercial retail and service properties. These standards will be applied during the county’s development review process to guide the development character both within the gateways and corridors.” The following urban design strategies are recommended by the

2002 General Plan to ensure that projects within metropolitan centers have the highest quality of design:

- Require special signage, lighting, landscaping, street furniture, and architecture.
- Require pedestrian-oriented design elements.
- Emphasize the need for the overall design and amenities to create a special sense of place.
- Consider essential TOD design characteristics to include “land uses oriented to transit facility linkages and pedestrian-friendly building bulk and setbacks within Metrorail-oriented centers.”

Comment: The plan provides for most of the ideas for creation of a pedestrian-friendly area and details of the elements above have been included in the plans or are included as conditions of approval of this plan.

- c. The Department of Environmental Resources, in a memorandum dated July 29, 2005, has stated that the proposal is consistent with approved Stormwater Concept Plan 17989-2005.
- d. The State Highway Administration (SHA), in an e-mail dated August 25, 2005, states that the Phase III of the MD 5 Branch Avenue Metro Access Improvement plans indicate a future road directly adjacent to or impacting the property is being considered at this time. However, no SHA design plans exist for the access road and funding is not available for planning, designing or construction of the roadway. Dedication is not being required at this time.
- e. The Environmental Planning Section has no records of previous applications of this property. The subject property has an approved Stormwater Management Concept Plan, 17989-2005-00, dated June 8, 2005.

The 7.51-acre site is located on the north side of Auth Road, about 2,000 feet east of the intersection of Branch Avenue. The site is characterized by terrain sloping toward the north and west of the subject property and drains into unnamed tributaries of the Henson Creek watershed. A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are not found to occur on this property. Current air photos indicate that the site is partially wooded. No historic or scenic roads are affected by this proposal. The Capital Beltway (I-95) is a noise source that is within close proximity and generally regulated for noise. No species listed by the State of Maryland as rare, threatened, or endangered are known to occur in the general region. The “Prince George’s County Soils Survey” indicates that the principal soils on the site are Chillum, Sassafra, and Westphalia series. According to available information, Marlboro clay does not occur on this property. There are no designated scenic and historic roads in the vicinity of this application. This

property is located in the Henson Creek watershed of the Potomac River basin and in the Developed Tier as reflected in the adopted General Plan.

1. In place of a forest stand delineation, an approved natural resources inventory (NRI/008/05), dated May 4, 2005, was submitted on August 10, 2005. It was noted that the signed NRI plan was under a different name but covers the same area. The existing woodlands on site are classified as moderate- to low-priority for retention. The TCPII and the detailed site plan show all the required information correctly. No revisions are required for conformance to the NRI.
2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on site. The Type II Tree Conservation Plan, (TCPI/15/05), as submitted, has been reviewed and was found to conform with the requirements of the Woodland Conservation Ordinance except that the worksheet provided does not contain the correct columns.

The minimum woodland conservation requirement for the site is 1.13 acres of the net tract. An additional 1.29 acres are required due to the removal of woodlands on site, for a total woodland conservation requirement of 2.42 acres. The plan shows the requirement being met with 2.42 acres of off-site mitigation at a location to be determined later. The worksheet shown on the TCPII has deleted the formatting and, as such, is hard to read. Prior to certificate approval of the detailed site plan, the TCPII should be revised to provide the standard computation worksheet.

3. Noise levels are evaluated in the county based on state noise standards and standards developed by other agencies such as the Federal Highway Administration and the Department of Housing and Urban Development. It is the policy of the Planning Board to evaluate noise levels for residential uses above 65 dBA Ldn for outdoor activity areas, such as backyards, and levels above 45 dBA Ldn for indoor living areas. The Planning Board has also determined that only roadways of arterial classification and above generate noise levels above the established standards, thus local roadways are not evaluated for noise impacts.

There are noise sources in the vicinity of the subject property that have the potential of generating noise above the standards stated above. The major potential noise sources in the immediate vicinity of the proposed development are the Capital Beltway (I-95), a freeway; Branch Avenue, an arterial; and the Metrorail lines. Another potential noise source was identified as Andrews Air Force Base, however, the subject property is outside of the 65 dBA Ldn noise contour established by the Air Installation Compatible Use Zone (AICUZ) study, last updated in 1998, and as such, is not subject to evaluation of noise from the base.

The Environmental Planning Section uses a noise model to determine areas where noise levels might exceed the standards. Using the noise model, the 65 dBA (Ldn) noise contours are located approximately 1,059 feet from the centerline of I-95 and 449 feet from the centerline of Branch Avenue. The Capital Beltway is approximately 900 feet away and has 15- to 20-foot-high noise barriers, and Branch Avenue is approximately 1,650 feet away with no barrier. Thus, the evaluation of potential noise sources using the model resulted in no roadway noise sources being above the residential standard of 65 dBA Ldn. The model does not account for noise barriers, changes in topography, or combined noise sources and does not account for noise from rail-related sources. Because of this, a noise study was required.

The submitted noise study, dated August 8, 2003, uses appropriate methodologies to predict the noise levels at the site. The noise study reports on actual measurements from all noise sources by doing on-site measurements at two locations. The noise levels measured were near the 65 dBA Ldn and future noise levels were predicted to be in the 70.3 to 72.1 dBA range. The plan recommends that, "Residential use is acceptable providing certain site planning and/or architectural sound control measures are implemented as part of the future site and architectural development."

The detailed site plan shows two outdoor activity areas, a tot lot and a swimming pool. The plans do not show how these areas will be shielded from the noise levels above 65 dBA Ldn. The plans must be revised to either provide noise barriers in proper locations or move the outdoor activity areas to places on the site where the buildings provide adequate noise attenuation.

With regard to interior noise levels, building materials will be needed that reduce noise levels to 45 dBA Ldn or less within the residential structures.

Recommended Condition: Prior to certificate approval of the detailed site plan, all plans must be revised to provide all outdoor activity areas with noise attenuation measures that reduce noise levels to 65 dBA Ldn or less. This can be achieved through the provision of noise barriers or a redesign of the site that uses the buildings to shield the outdoor activity areas from noise sources. A Phase II noise study shall accompany the revised plans to demonstrate how the revised design will meet the noise standards.

Recommended Condition: Prior to issuance of building permits for residential units on this site, the building permits shall be modified to contain certification by a professional engineer with competency in acoustical analysis that the residential building shells within the subject property have been designed to attenuate noise levels to 45 dBA (Ldn) or less.

4. A stormwater management concept approval letter dated June 8, 2005, was submitted with the subject application. The requirement for stormwater management will be addressed during subsequent reviews by the Department of Environmental Resources.

f. The Permit Review Section provided the following comments that remain outstanding as of the writing of this report:

1. The Parking and Loading Schedule lists 30 standard spaces and 3 van accessible spaces located within the "AT-Grade" parking lot, however; 31 standard spaces, 1 substandard space, 1 handicapped van-accessible space, and 2 standard handicapped accessible spaces are shown on the site plan provided. Please Note: More than two-thirds of the required parking will be located within the parking structure.

Comment: In order to address this issue, the applicant has revised the plans to indicate areas of the parking garage that are accessible for parking by users of the commercial retail area. The plans were revised to indicate a passageway that will provide access to the front of the shopping area from the parking garage. Further, those parking facilities located at the lower level have access to an elevator that will provide direct access to and from parking and the shopping area. These elements combined provide for the use of parking for the general parking within the structured parking facility.

2. Required handicapped accessible parking is 2 percent; 4.5 percent has been provided. Please Note: One of every four handicapped spaces must be van accessible. None of the accessible spaces within the parking structure has been dimensioned.

Comment: The plans continue to show excessive handicap spaces above and beyond the number of required handicapped spaces. The staff recommends that the plans be revised to reduce the number of handicapped spaces and to dimension the parking spaces as required above.

3. Total parking provided is listed as 741 spaces, however, a total of 849 are shown on the architectural and site plans provided.

Comment: Prior to signature approval of the plans, a clarification of the total number of spaces provided shall be demonstrated on both the site plan and the architectural plans. The plans shall demonstrate at least a minimum of 571 spaces provided.

4. The parking spaces located within the parking structure do not meet the size requirements of Part 11, Section 27-558.

Comment: This is included as a condition of approval of the plans.

5. Loading requirements are sufficient for one retail tenant, however, additional loading may be required if multiple tenants are added.

Comment: The plans have been revised to show three tenants that will require loading spaces. The applicant has been made aware of the requirement for loading and that additional division of the tenant space may result in the requirement of additional loading spaces, which may necessitate the applicant filing a departure from parking and loading standards.

6. Three freestanding signs are shown on the plans provided. Please Note: Two freestanding signs are allowed for the multifamily residential component and one for the commercial component. The commercial advertising sign must be set back ten feet from the property/ultimate right-of-way line.

Comment: The signage has been revised to be placed ten feet behind the right-of-way.

7. Sign details have not been provided.

Comment: Prior to the issuance of any signs, the signage details shall be provided, including dimensions and area.

8. All required recreational facilities must have construction start and completion timing addressed.

Comment: The indoor facilities, included as part of the club house, should be completed prior to the certificate of occupancy by the Department of Environmental Resources for any dwelling unit. The exterior recreational facilities shall be completed prior to the certificate of occupancy by the Department of Environmental Resources for the 200th dwelling unit.

11. With the proposed conditions, the subject Detailed Site Plan DSP-05018 is found to represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCP/15/05) and further APPROVED Detailed Site Plan DSP-05018 for the above-described land, subject to the following conditions:

1. Prior to the issuance of any certificate of occupancy permits by the Department of Environmental Resources, and pursuant to CB-28-2004, the applicant shall provide evidence that a condominium regime has been established for the subject property. Also, a note shall be added to the plans to clearly state that all residential units will be condominium ownership.
2. Prior to the issuance of any grading or building permits, a new record plat, processed in accordance with Sections 24-111(c)(2) and (3) and 24-107(c)(7)(B) and (C), which will establish

the trip cap, shall be recorded. Pursuant to CB-28-2004, the plat shall reference the required covenants as proposed.

3. Prior to signature approval of the detailed site plan, the TCPII shall be revised to provide the standard computation worksheet.
4. Prior to signature approval of the detailed site plan, all plans shall be revised to provide all outdoor activity areas with noise attenuation measures that reduce noise levels to 65 dBA Ldn or less. This can be achieved through the provision of noise barriers or a redesign of the site that uses the buildings to shield the outdoor activity areas from noise sources. A Phase II noise study shall accompany the revised plans to demonstrate how the revised design will meet the noise standards.
5. Prior to issuance of any building permits for residential units on this site, the building permits shall be modified to contain certification by a professional engineer (with competency in acoustical analysis) that the residential building shells within the subject property have been designed to attenuate noise levels to 45 dBA (Ldn) or less.
6. Three original, executed recreational facilities agreements (RFAs) or similar alternative shall be submitted to the Development Review Division (DRD) for their approval three weeks prior to a submission of a grading permit. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland. The RFA shall provide for the completion of all exterior recreational facilities prior to the certificate of occupancy by the Department of Environmental Resources for the 200th dwelling unit.
7. Prior to the issuance of the 50th certificate of occupancy by the Department of Environmental Resources for any dwelling units, the indoor facilities, as included as part of the clubhouse, shall be completed.
8. A performance bond, letter of credit, or other suitable financial guarantee for the recreational facilities shall be submitted to DRD in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.
9. Prior to signature approval, the applicant, his successors and/or assignees shall demonstrate that the recreational facilities are in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The recreational facilities shall be as follows:

Indoor Recreational Facilities:

- Clubhouse—approximately 6,965 square feet of gross floor area containing the following:
 - Meeting room large enough to accommodate seating for 70 persons
 - 1,000-square-foot fitness area with equipment
 - Kitchen (with a minimum of a double sink, standard-size refrigerator, dishwasher

- and large microwave) with lockable French doors.
- Pool facilities for pool patrons
- Card room with table and chairs

Outdoor Recreational Facilities

- Swimming pool
 - One grass volleyball or badminton court or putting green
 - One tot lot
 - One-half school-age lot
 - Two one-half picnic areas
 - Three exercise stations –two stations with three pieces of equipment and one station with four pieces of equipment (10 pieces of equipment total).
 - Two sitting areas
10. Prior to signature approval, the plans shall be revised to eliminate the horseshoe pit and shall substitute it with a sitting area. Courtyard B shall be designed to eliminate the sitting area and include either a grass volleyball or badminton court or putting green, or place the tot-lot within the courtyard. The swimming pool area shall be expanded to incorporate the one-half picnic area.
 11. Prior to certificate of occupancy by the Department of Environmental Resources for the 250th dwelling unit, the applicant shall submit evidence that the retail shell component is constructed and 25 percent leased.
 12. The plans shall be revised prior to signature approval to include the following:
 - a. The applicant shall revise the design of the proposed fence along the northern and western property line to: (1) extend the 6-foot high brick fence with 6-foot 7 inch brick piers an additional 90 linear feet to the west; (2) revise the remaining portions of the fence to include a 2-foot-high knee wall surmounted by a 4-foot-high metal picket fence with regularly spaced brick piers to a maximum height of 6 feet 7 inches; (3) eliminate the use of a solid board fence along the northern or western property lines; (4) employ brick or stone for retaining walls ; and (5) eliminate the use of a curvilinear transition between any brick pier and an adjacent brick knee wall in favor of a 90-degree angle in all locations except for the main entrance to the property on Auth Road.
 - b. Schedule 4.3 shall be revised to reflect the planting plan and the planting plan and schedules shall reflect the use of crepe myrtles in the landscape strip.

- c. Provide special up-lighting at the base of all freestanding signs and within the landscape area along Soper Lane.
 - d. Schedule 4.7 for the west property line shall be removed.
 - e. The plans shall be revised to demonstrate sufficient lighting within the passageway from the parking garage to the front of the retail area.
 - f. The south end of the plaza next to the retail area shall include a minimum of two shade-producing trees.
 - g. The number of handicapped spaces shall be reduced to two percent of the total required spaces and the minimum dimensions for parking spaces per Part 11, Section 27-558, for all handicapped and compact parking spaces shall be shown on the site plan.
 - h. The courtyards containing sitting areas shall be enhanced with additional plantings of woody ornamentals.
 - i. A specimen tree shall be specified at the entrance to the development from Auth Road.
 - j. Fencing along the Auth Road entrance shall tie back to the building.
 - k. The height in feet of all proposed buildings shall be shown on the site plan.
 - l. The outdoor hearth detail and birdbaths shall be deleted from the plans.
 - m. The site plan and architectural plans for the parking garage shall clarify the total number of parking spaces provided.
 - n. The keystone retaining wall shall be changed to brick or stone-finished wall.
 - o. Details and specifications for special paving shall be shown on the plans.
13. Prior to signature approval, the architectural elevations shall be revised to show the following:
- a. The entire first floor of the building shall be clad in masonry, using precast concrete for accent areas and other masonry on the balcony areas of the first floor.
 - b. A materials board, including color selections.
 - c. The passageway from the parking garage to the retail area shall be sufficiently detailed to be aesthetically pleasing. The use of display windows shall be considered.
 - d. The elevator serving the commercial parking within the garage be designed to incorporate security access features so that only residents can access the residential units above

14. Prior to the issuance of any sign permits for the retail use, the following information shall be provided and conditions apply:
- a. The signage areas shall be provided for both freestanding and building-mounted signs.
 - b. Only external fixtures may be used for illumination of building mounted signage.
 - c. Internally lit signage shall be prohibited.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Eley, with Commissioners Squire, Vaughns, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 6, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of October 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:SL:rmk