

Case No. SP-05018

Applicant: WP East
Acquisition, LLC

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. 05-196, to approve a detailed site plan, showing multifamily condominium residential housing (282 units) and 21,401 square feet of retail, on property known as Tribeca at Camp Springs, described as approximately 7.51 acres of land in the C-S-C Zone, in the northwest quadrant of the intersection of Old Soper Road and Auth Road, Suitland, is hereby:

AFFIRMED, for the reasons stated in the Planning Board's Resolution, whose findings and conclusions 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 the issuance of any use or 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. A note shall be added to the plans, to state clearly that all residential units will be in condominium ownership.
2. Prior to the issuance of any grading or building permits, a new record plat shall be reviewed, approved, and recorded, as provided in Sections 24-111 (c) (2) and (c) (3), and 24-107 (c) (7) (B) and (c) (7) (C), to establish the trip cap. 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 TCP II 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. The applicant may use noise barriers or a redesign of the site, to use the building 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 alternatives shall be submitted to the Development Review Division (DRD) for approval, three weeks prior to submission of a grading permit application. 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 for a dwelling unit by the Department of Environmental Resources, the indoor facilities, 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, at least two weeks before applying for building permits.

9. Prior to signature approval, the applicant, successors, 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 provide a sitting area in its place. 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 DER issuance of the certificate of occupancy 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 securing 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.

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

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

Opposed:

Abstained:

Absent: Council Members Exum 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: _____
Samuel H. Dean, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council