

Case No. SP-06001

Applicant: Dawn Limited Partnership

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. 06-217, to approve with conditions a detailed site plan for a structure of up to 10 stories, with 22,696 square feet of commercial uses on the first floor, and library and office uses on the second and third floors, and 170 multifamily condominium dwelling units above the third floor, on property referred to as the Commons at Addison Road Metro, described as approximately 1.94 acres of land in the C-S-C and D-D-O zones, in the southwest quadrant of the intersection of Central Avenue and Addison Road, 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 in this case, with this addition:

The subject property is in the Addison Road Metro D-D-O (Development District Overlay) Zone, and is subject to the Development District standards, including the list of uses, adopted for that zone. The District Council hereby approves the change to the list of uses requested by the applicant, to permit an outdoor rooftop swimming pool. The Council finds that the proposed development project conforms with Addison Road Metro Sector Plan purposes and recommendations. The proposed mixed use project will encourage use of the Metrorail and Metrobus system.

Approval of the proposed development project and site plan is subject to the following conditions:

1. Prior to certification of the detailed site plan, a Phase II noise study shall be submitted for the subject property. The Phase II noise study shall include a building shell analysis and shall address the building shell noise mitigation measures necessary to achieve Prince George's County residential indoor noise levels of 45 dBA Ldn. The Phase II noise study shall also address the mitigation of noise impacts for outdoor activity areas to acceptable noise levels, if indicated.
2. Prior to the certification of the detailed site plan, the architecture for the building shall be certified by a professional engineer with competency in acoustical analysis demonstrating that the design and construction of building shells within the noise corridor of Central Avenue and Addison Road will reduce interior noise levels to 45 dBA Ldn or less.
3. Prior to the certification of the detailed site plan, the plan shall be revised to show the location of all outdoor activity areas. If noise mitigation is indicated by the Phase II noise study, the plans shall be revised to show all noise mitigation measures required to achieve acceptable noise levels of 65 dBA Ldn or less.
4. Prior to certification of the detailed site plan, the following revisions shall be made:
 - a. The plans shall be revised to remove all structures proposed within the public utility easement.
 - b. The plans shall be revised to show sidewalk connections from the public rights-of-way to the internal sidewalk system. Crosswalks at each of the entrances of the site and at appropriate internal pedestrian crossings shall also be shown.
 - c. The plans shall be revised to locate all freestanding signage ten feet from the ultimate right-of-way line unless otherwise allowed by written agreement by SHA or DPW&T. Signs shall be setback sufficient distance to maintain unobstructed lines of vision for traffic at the entrance to the development.
 - d. The plans shall be revised to provide additional details and specifications for the freestanding walls located along the rights-of-way, including the material designation which shall be compatible with the building.
 - e. The storm drain catch basin proposed at the dumpster located at the southwest corner of the site shall be separated from the dumpster.
 - f. The freestanding sign shown on the detailed site plan near the southeast entrance shall be moved out of the right-of-way.

- g. The raised median shown on the plan shall conform to DPW&T standards, and shall limit traffic movements at this access point to only right-in and right-out. The proposed exclusive right-turn lane along eastbound MD 214 shall be extended south along Addison Road to the proposed driveway.
- h. The plans shall be revised to clearly indicate the finish material of the retaining wall along the rear property line. The wall shall be brick or stone finish.
- i. The plans shall be revised to indicate the wrought iron fence proposed at the southern property line, which fence shall be compatible with the colors of the building. The fence should be deleted in the southwest corner where slopes exceed 4:1.
- j. The plans shall be revised in the front courtyard of the building to show the following:
 - (i) A minimum four-foot-wide sidewalk shall be provided to allow pedestrians to move from the front of the building to the east side of the building.
 - (ii) Handicap spaces shall be dispersed over the site.
 - (iii) Flag poles or an art piece in the center island shall be provided.
 - (iv) An area of outdoor seating should be provided in conjunction with a tenant use, such as a restaurant or coffee shop.
- k. The plans shall be revised to provide the calculations and plant materials necessary to comply with Section 4.1, Residential Planting Requirements.
- l. The plans shall be revised to show ornamental light poles and luminaries (consistent with previous detailed site plan approvals within the Addison South subarea) in the front of the building and along the street line of Addison Road, subject to DPW&T approval.
- m. The applicant shall consult with all the affected utility companies to develop cost estimates for the undergrounding of utilities for review by the District Council for a final determination.
- n. The plans shall be revised to add a note that a sign shall be added at the access point at Zelma Avenue, to state that all loading trucks are prohibited from entering at that location, and trucks must use the Addison Road entrance. The location of the sign shall be shown on the plan.
- o. The common sign plan shall be revised to indicate that the building-mounted signage shall not exceed more than three colors.

5. All mechanical equipment and dumpsters shall be screened from public view and rights-of-way, with an appropriate buffer consisting of plantings, walls, or fences in compliance with the screening requirements of the Landscape Manual.
6. Prior to the approval of any building permit, the applicant shall provide evidence of a contribution to the M-NCPPC Department of Parks and Recreation in the amount of \$57,138 for the development of the neighborhood park.
7. In conformance with the Adopted and Approved Addison Road Metro Town Center and Vicinity Sector Plan, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:
 - a. Construct the eight-foot-wide sidewalk along the subject site's entire frontage of Central Avenue (MD 214). This sidewalk shall be separated from the curb by a five-foot-wide grass planting strip.
 - b. Construct the five-foot-wide sidewalk along the subject site's entire frontage of Zelma Avenue. This sidewalk shall be separated from the curb by a five-foot-wide grass planting strip.
8. Any improvements located within WMATA's right-of-way shall be reviewed and approved by WMATA prior to certificate of approval.
9. Final design and material selection for the front courtyard shall be reviewed and approved by the Planning Board or its designee.
10. Prior to signature approval, the applicant shall make the following revisions to the plans. (This condition shall be controlling, to the extent that it may be inconsistent with any provision in conditions 1-9.)
 - a. Building height may not exceed ten stories. The top two floors shall be constructed as two-story condominiums.
 - b. A fully enclosed swimming pool shall be constructed on the roof.
 - c. The first floor shall be limited to retail uses.
 - d. The second floor shall be limited to library uses.
 - e. The third floor shall be limited to office uses.
 - f. There shall be one or more security persons on the premises, at all times.
 - g. There shall be round-the-clock CCTV camera coverage, at all building entrances and exits.

- h. All floors above the third shall be accessed only by an electronic security card system.
- i. Before 9:00 a.m. and after 8:00 p.m., the building shall be accessed only by an electronic security card system.
- j. A six-foot wrought iron fence shall be constructed around the perimeter of the property.
- k. There shall be at least 300 parking spaces, provided in a parking structure.

Ordered this 15th day of May, 2007, by the following vote:

In Favor: Council Member Exum, Bland, Campos, Dean, Dernoga, Harrington, 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: _____
Camille A. Exum, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council