

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 May 17, 2012, regarding Detailed Site Plan DSP-11025 for Salubria Center, the Planning Board finds:

1. **Request:** The subject application is for approval of 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.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Commercial “Outlet Center” inclusive of restaurant uses, and a hotel
Gross Tract Area	43.79 Acres	43.79 Acres
Total gross floor area	N/A	437,721 square feet*
Commercial/Retail	N/A	380,676 square feet*
Office	N/A	3,255 square feet
Hospitality	N/A	53,790 square feet

\*The total gross floor area and commercial gross floor area are inclusive of a 12,000-square-foot future extension of Building 6.

**Floor Area Ratio (FAR) in the M-X-T Zone**

Base Density	0.4 FAR
Total FAR Permitted	0.4 FAR
Total FAR Proposed:	0.24 FAR (based upon 42.04 net acres)

3. **Location:** The subject site is located in the southeast quadrant of the intersection of Oxon Hill Road and Harborview Avenue, between Oxon Hill Road and Indian Head Highway (MD 210), in Planning Area 80, and Council District 8.
4. **Surrounding Uses:** The site is bounded to the north by an existing office use in the M-X-T Zone; to the west by the Oxon Hill Road right-of-way; to the east by the Indian Head Highway (MD 210) right-of-way and multifamily development in the R-18 (Multifamily Medium Density Residential) Zone (Wilson Bridge Condominiums); and to the south by the campus of Thomas

Addison Elementary School, which is currently vacant, and single-family houses in the R-55 (One-Family Detached Residential) Zone (River Ridge Estates).

The subject property is located across Oxon Hill Road from Oxon Hill Manor, which is a National Register Historic Site owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC) in the R-O-S (Reserved Open Space) Zone.

5. **Previous Approvals:** The subject property is a combination of two parcels. The northernmost 21.23-acre parcel (Parcel A) is part of a 35-acre parcel previously zoned I-3 (Planned Industrial/Employment Park) with an approved Conceptual Site Plan, SP-87024; Preliminary Plan 4-88087 (PGCPB Resolution No. 88-254); and Detailed Site Plan SP-88069 (PGCPB Resolution No. 88-424), which provided for the development of less than 250,000 square feet of office or 530,000 square feet of light industrial space without additional transportation improvements. The remaining southernmost acres (Parcel 18) were previously zoned R-R. In 1993, the District Council approved a rezoning (Zoning Map Amendment A-9882-C, Zoning Ordinance No. 35-1994) of the I-3 and R-R properties (totaling 54.7 acres) to the M-X-T Zone.

The M-X-T Zone requires that a conceptual site plan (CSP) and a detailed site plan (DSP) be approved for all uses and improvements. The applicant submitted Conceptual Site Plan CSP-11006 for the proposed mixed-use retail and hotel development on this site and the CSP was approved by the Prince George's County Planning Board on January 12, 2012 (PGCPB Resolution No. 12-04). Preliminary Plan of Subdivision 4-11028 was approved by the Prince George's County Planning Board on March 22, 2012 (PGCPB Resolution No. 12-26).

The site also has an approved Stormwater Management Concept Plan, 40537-2003. A revision to the approved stormwater management concept plan was required as a part of the approval of CSP-11006. The revised Stormwater Management Concept Plan, 40537-2003-03, was approved on March 30, 2012 and expires on May 4, 2013.

6. **Existing Conditions:** The subject property comprises two parcels (Parcel A and Parcel 18). Parcel A has been graded and some roads built to serve an office park (Salubria Office Park) which was envisioned to ultimately consist of three office/light industrial buildings and associated parking. Parcel A is bisected by a 110-foot right-of-way for a ramp from the Capital Beltway (I-95/495), effectively dividing the existing office building on Parcel 92 from the subject property, with the exception of two small appendages of land north of the ramp. The southern 22 acres (Parcel 18) are mostly wooded and contain the scant remains of the original Salubria and outbuildings, Historic Site 80-002, within a 2.7-acre environmental setting.
7. **Design Features:** The applicant proposes to construct a regionally-competitive outlet center to serve the Washington Metropolitan region with associated surface parking on the subject site. In a later phase of development, a hotel use is proposed to serve the outlet center.
  - a. **Access**—The detailed site plan indicates two points of access onto the site. One access point is proposed from Harborview Avenue which is connected to an existing ramp from

the Capital Beltway to Indian Head Highway (MD 210). The second point of access is proposed from Oxon Hill Road across from a new proposed entry into the Oxon Hill Manor historic site. Oxon Hill Road is the subject of a 2.5-mile-long Department of Public Works and Transportation (DPW&T) Capital Improvement Project (CIP). Road widening along the site's Oxon Hill Road frontage is envisioned as a part of the CIP. In front of the subject site, Oxon Hill Road is proposed by DPW&T to be a four-lane road with a median and bike lanes. As the road continues south of the subject property, it becomes a two-lane road with bike lanes.

- b. **Outlet Proposal**—The outlet center is proposed in partnership with Tanger Outlets. Tanger is a national outlet developer with a portfolio of approximately 39 outlet centers in 25 states, as indicated on the company's website. This application indicates the company's intent to locate a project within the Washington Metropolitan region. There are existing Tanger Outlets located in Hershey, Lancaster, and Washington, Pennsylvania; and Rehoboth Beach, Delaware. If constructed, the subject outlet center will be one of the more suburban/urban locations for a Tanger Outlet Center.

While the subject outlet center would be one of Tanger's more urban locations, proximate to adjacent residential uses and a historic setting, the layout of the subject outlet center proposal is largely identical to other Tanger projects. The layout incorporates a "race track" design, where the 383,931-square-foot retail center composed of eight one-story buildings of varying height is encircled by a driveway and surface parking lot serving the center.

The Planning Board finds that the orientation of buildings will be such that most fronts of buildings will be internal to the property. The applicant contends that this design concept allows for the creation of the pedestrian-centered shopping experience, where shopping villages, plazas, and enclaves may be created. As the rear building façades will be parallel to the public streets, Oxon Hill Road, Harborview Avenue, and Indian Head Highway (MD 210), sensitivity shall be paid to providing an attractive exterior to the project.

The architectural elevations indicate that the proposed architecture will have varied building materials and architectural features to provide visual interest throughout the center. The submitted building elevations and material boards indicate the use of specialty Dryvit in a variety of colors, masonry materials such as brick, cast stone, precast concrete, cast-in-place concrete, and smooth-face block in a variety of colors. Decorative panels and awnings are also proposed throughout the center's external elevations.

The proposed site amenities such as street furniture, focal points, lighting, and other features carry forward the National Harbor theme.

During its review of Conceptual Site Plan CSP-11006, the Planning Board required that specific design considerations be explored at the time of detailed site plan to address

layout concerns regarding the proposal. These design-centered conditions have been evaluated under Finding 10.

- c. **Hotel Proposal**—At the time of conceptual site plan review, the Planning Board expressed concerns regarding the feasibility of a hotel in the proposed location. The applicant has worked to address these concerns by providing more detailed information regarding the hotel proposal. Other issues raised below shall be addressed by the applicant prior to signature approval of the detailed site plan.

Proposed Lot 2, on which the 53,790-square-foot hotel building is proposed, is approximately one acre in size. The portion of proposed Lot 2, for which the parking for the hotel use is proposed, is approximately three-quarters of an acre in size and is separated from the hotel use by a driveway entrance into the existing office building site to the north on Parcel 92. While parking to serve the hotel is indicated on a separate lot from the hotel building, adequate parking appears to be provided to serve the use on Lot 3. The parking lot on Lot 3 provides parking for 58 vehicles. The two lots are shown to be connected via a proposed pedestrian connection, inclusive of a crosswalk, which is indicated just north of the subject site on Parcel 92.

The main vehicular entrance and customer drop-off point for the hotel proposal is provided from Parcel 92. The Planning Board finds that the applicant shall provide evidence demonstrating that the adjacent property owner to the north permits the indicated access points and off-site improvements shown on the detailed site plan, or redesign the site so that it is not dependent on the access and off-site improvements shown on the detailed site plan.

Architectural elevations have been provided for the hotel. The proposed hotel is a five-story building with 100 rooms. The exterior materials of the hotel include masonry at the first level of the building, and four levels of neutral-toned Dryvit above. Masonry pilasters are proposed along all building elevations and white pilasters are proposed at the main entrance (the north elevation) above a canopy feature.

Due to the prominence of the hotel location across from the outlet center and at a major gateway into National Harbor, the Planning Board finds that the architectural elevations shall be revised. The proposed hotel building will have multiple highly-visible sides, and each building elevation should 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. Therefore, prior to building permit for the proposed hotel, the applicant shall submit a limited revision to the detailed site plan for the purpose of providing an improved architectural product for review and approval by the Planning Board, or its designee. 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.

The Planning Board also found in its review of CSP-11006 that an office use could be a suitable second use on the site. A smaller office building in this location could provide a transition in height, scale, and architecture between the existing office building and the proposed outlet center. Any modification to provide an office building in lieu of the hotel proposal at a future date shall require a revision to the subject detailed site plan.

- d. **Signage**—Section 27-613(f)(1) and Section 27-614(e)(1) of the Zoning Ordinance state that design standards for all signs attached to a building, and all on-site freestanding signs, shall be determined by the Planning Board for each individual development in the M-X-T Zone at the time of DSP review. Each DSP shall be accompanied by plans, sketches, or photographs indicating the design, size, methods of sign attachment, and other information deemed necessary.

The Planning Board finds that detailed signage design guidelines have been provided for review. A signage package has been provided indicating the use of site entry signage, tower signage, building-mounted signage for retail tenants, tenant blade signage (for internal elevations), wayfinding signage, and historic interpretive signs. A description of the signage proposal is provided below:

- (1) **Site Entry Signage:** The DSP locates two site entry signs. One site entry sign is located at each of the two vehicular entrances into the site. Site entry Sign “A” is a 4.5-foot-wide and 20-foot-tall, red and dark blue aluminum cabinet sign that is proposed along Harborview Avenue near the site’s northernmost access drive. Site entry Sign “B” is a 9.5-foot-tall and 18-foot-wide, monument-style sign on a masonry base that is located at the site’s entrance along Oxon Hill Road. Site entry Sign “B” also features a red and dark blue aluminum cabinet with white text that reads “Tanger Outlets National Harbor.”
- (2) **Tower Signage:** The sign package includes two tower signs. One sign is located at the outlet center’s major pedestrian entrance near the Harborview Avenue access; and the second proposed sign is located near the site’s secondary point of access which connects to Oxon Hill Road. These signs are approximately 70 feet in total height. The design of the sign structure is similar to a tower or lighthouse. Signage areas are available on all four sides of the structure, although the detailed site plan only indicates tenant names comprised of navy blue aluminum letters are proposed on three sides of the tower. The name and logo “Tanger Outlets” is proposed at the top twelve feet of the sign on all four sign elevations. The entire body of the sign is designed to illuminate, exclusive of the nine-foot tall masonry sign base, and other details.

The Planning Board finds that the second tower sign, near the site's secondary point of access on Oxon Hill Road, shall be eliminated from the proposal. Approval of the sign would encourage a proliferation of signage viewed from Oxon Hill Road, which is not encouraged. Due to the height of the tower sign, its impacts, including the emitted light, would not be effectively mitigated through proposed landscaping along the road. Furthermore, the second tower sign location was not approved on the conceptual site plan.

Applicant Exhibit 1 provides illustrations of an alternate sign proposal on the west side of the proposed outlet center, facing Oxon Hill Road. The illustrations indicate a proposed monument-style sign next to a waterwall fountain feature, which also includes tenant sign areas. No portion of the proposed signs project above the roofline of the outlet center. The Planning Board finds that an architectural feature, consistent with Applicant Exhibit 1 shall be substituted for the second tower sign on the west side of the outlet center.

- (3) **Building-Mounted Signage:** Building-mounted signage for retail tenants is proposed along the interior (facing internal to the center) and exterior (outward facing) building elevations. The application proposes the use of individually-lit channel letters. Colors of the building-mounted signage will vary depending on the tenant. The signage plan indicates that building-mounted tenant signage is not to exceed the length of any given storefront elevation by 80 percent. The exterior elevations shall include sign area locations and dimensions.
  - (4) **Tenant Blade Signage:** Tenant blade-style signage is proposed along the site's internal elevations as a secondary type of identification signage. The purpose of the blade signs is to identify the store entrances to shoppers along the pedestrian paths internal to the center.
  - (5) **Wayfinding Signage:** The detailed site plan includes a wayfinding signage plan that provides locations and details for on-site directional signage for vehicles and pedestrians.
  - (6) **Historic Interpretive Signs:** Two sign types included under this category are commemorative plaques and interpretive signs. The commemorative plaques are in the style of bronze historic plaques, and the interpretive signs are larger educational boards on a double-pedestal base. These signs are proposed within specific areas of the site to commemorate the history of the Salubria historic site, people, and events of interest.
- e. **Historic Site**—The subject property contains Salubria, identified in the Prince George's County Inventory of Historic Resources as #80-002. The property was designated as a Prince George's County historic site on July 17, 1981. At that time, the main house and the adjacent domestic outbuildings including the kitchen, the well house, the milk

house/dairy, and the guest house/slave quarters were standing and in reasonably good condition.

At this time the Planning Board finds that the Salubria historic site contains few above-ground structures of architectural and cultural significance; however, the potential for archeological finds of value to the historic record of the property remains. In its review of CSP-11006, the Planning Board determined that a Phase III excavation shall be completed on the site, and that educational and commemorative measures shall be integrated into the subject detailed site plan proposal.

#### COMPLIANCE WITH EVALUATION CRITERIA

8. **The requirements of the Zoning Ordinance:** The Planning Board finds that the subject detailed site plan (DSP) complies with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The Planning Board finds that the subject application complies with the requirements of Section 27-547, Uses Permitted, of the Zoning Ordinance. The three proposed uses in this application (retail, office, and hotel) are permitted uses in the M-X-T Zone. The amount of square footage devoted to each use is 380,676 square feet for retail; 53,790 square feet for the hotel use; and 3,255 square feet for the office uses located within the outlet center.
  - b. The Planning Board finds that, as approved with conditions, the DSP is consistent with Section 27-548, Regulations, of the Zoning Ordinance:
    - (1) The proposed floor area ratio (FAR) is provided on the site plan. The subject application does not use the optional method of development. The overall FAR for the site is 0.24, which is much smaller than the maximum generally allowed in the M-X-T Zone without use of the optional method of development (0.4).
    - (2) Developments in the M-X-T Zone are required to have vehicular access to a public street in accordance with Section 27-548(g) noted below.

**Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The subject site fronts two public rights-of-way: Oxon Hill Road to the east and Harborview Avenue to the north. Proposed Lots 2 and 3 have frontage on Harborview Avenue, a public right-of-way. The DSP does not show Lots 2 and 3 having any direct vehicular access onto a public right-of-way as required by Section 24-128 of the Subdivision Regulations, or Section 27-548(g). The DSP shows Lots 2 and 3 as having vehicular access through the adjacent properties to

the north, presumably via an access easement, which was not authorized by the Planning Board at the time of preliminary plan of subdivision approval. The DSP shall be revised to show Lots 2 and 3 having direct vehicular access onto a public right-of-way as required pursuant to Section 27-548(g) of Zoning Ordinance and Section 24-128 of the Subdivision Regulations.

The applicant may establish a secondary access as an easement through the adjacent properties to the north for Lots 2 and 3 as long as the primary vehicular access is on a public right-of-way as required by Subtitles 24 and 27. The secondary access easement would be a private agreement and is not authorized by the Planning Board.

- c. The Planning Board finds that, as approved with conditions, the DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance:
- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. The subject outlet center design provides a parking lot on all sides of the proposed center. The applicant has taken steps to reduce visually-detrimental impacts of parking on the site by providing planting islands and shade trees throughout the parking lot, in accordance with Section 4.3 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additionally, views of the parking from the rights-of-way will be reduced by providing a landscape treatment that provides some screening of the parking lot.
  - (2) In accordance with Section 27-274(a)(2)(B) of the Zoning Ordinance, loading areas should be visually unobtrusive. The design of the outlet center provides for six separate loading areas located at the outer perimeter of the outlet center. Two loading areas are proposed on the side of the outlet center facing Oxon Hill Road and one loading area is proposed on the side of the outlet center facing Harborview Avenue. The application indicates the partial screening of these loading areas through the use of ten-foot-high decorative walls that are designed to extend from the building façade. Although screening walls are proposed, the loading areas will still be highly visible to vehicles and pedestrians accessing the center as the driveway widths into the loading areas are 40 to 110 feet in width.

In the interest of providing an attractive development front for the Oxon Hill community and enhancing the gateway into National Harbor, the Planning Board recommended, in its review of Conceptual Site Plan CSP-11006, that the applicant make all reasonable effort to locate those loading areas away from major streets and public view. During detailed site plan review, the applicant indicated that consolidating loading areas, or eliminating loading areas from the



most visible sides of the center, would create operational difficulties for the center.

In lieu of the elimination of loading areas the Planning Board adopts the following requirements for loading redesign in order to provide loading areas that are visually unobtrusive:

- The design of the visible walls surrounding the loading areas shall be visually integrated and of similar material to the outward facing walls of the outlet center.
- The design of the screen walls should be complementary to the visible areas of the loading walls.

The applicant has submitted Applicant Exhibit 1, which indicates revised architectural elevations for Buildings 1 through 6. The north and west outward-facing building elevations indicate the use of red brick on the screen walls in front of the loading areas and a specialty Dryvit that has the appearance of red brick on the visible walls surrounding the loading areas. The east and south building elevations have been revised to indicate the use a neutral-toned specialty Dryvit that is cream or champagne in color in and around the loading areas. The walls surrounding the various loading areas, and the screen walls in front of them, also have been revised to indicate the use a grey pilaster feature that is stone in appearance. The Planning Board finds the revisions to be attractive and an improvement upon the previously reviewed architectural elevations. The Planning Board finds that the visible walls surrounding the loading areas and the screen walls shall be designed consistently with Applicant Exhibit 1.

- (3) Section 27-274(a)(2)(C) states that vehicular circulation on the site should be safe, efficient, and convenient for both pedestrians and drivers. The proposed design is convenient to pedestrians and drivers. The “racetrack” building design provides for a separation of pedestrians and vehicles upon entering the center. The detailed site plan proposes three pedestrian connections from the Oxon Hill Road right-of-way to the outlet center, inclusive of a proposed walkway through the commemorative plaza area, and one pedestrian connection from the Harborview Avenue right-of-way to the center.

It appears from the review of the information provided with the detailed site plan that there is one additional pedestrian connection that is warranted. One outward-facing storefront is indicated on the northwest side of the outlet center. This entrance is not served by any direct pedestrian route, as it lies midway between the sidewalk along Harborview Avenue and the sidewalk along the southern access point (a distance of approximately 930 linear feet). The applicant, in consultation with Urban Design and Transportation staff, shall 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. The Planning Board finds that this connection shall be made, if feasible. Grade changes appear to make a larger pedestrian connection from the above-discussed storefront to Oxon Hill Road somewhat impractical.

- (4) In accordance with Section 27-274(a)(3), Lighting, the pattern of light pooling should be directed on-site. Due to the proximity of adjacent residential uses and the Oxon Hill Manor, special attention shall be paid to providing appropriate lighting for the center and parking lot, without negatively impacting adjacent properties. A photometric plan has been provided, and it indicates zero lighting spillover on adjacent residential properties.
  - (5) In accordance with Section 27-274(a)(6)(i) of the Zoning Ordinance, site and streetscape amenities, the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture is coordinated. The site plan includes details for light fixtures, “Virden Collection” metal benches, coordinated trash receptacles, and bicycle racks.
  - (6) A public space system is proposed to enhance the large-scale commercial, mixed-use development, in accordance with Section 27-274(a)(7), Public spaces. Buildings within the outlet center have been organized to provide pedestrian walkways and plazas.
- d. The Planning Board finds that the DSP is in conformance with Section 27-574 of the Zoning Ordinance. The number of parking spaces required has been calculated by the applicant and submitted for review.

As noted in Section 27-574, parking is a key part of analyzing development in the M-X-T Zone. This section prescribes, in some detail, a methodology for determining the parking requirement for a site. Much of the focus of Section 27-574 is on parking reduction within the M-X-T Zone. In effect, the methodology allows for the computation of a “base requirement” that is less than the parking requirement for the site in accordance with strict adherence to Section 27-568 of the Zoning Ordinance, and then provides a number of factors that allow for further reduction in parking supply.

The subject development will be phased and the parking required and provided is as follows:

<b>Parking required and provided upon construction of Phase I for a 371,931-square-foot outlet center</b>	
Base Requirement	1,488 spaces
Parking needs based upon Tanger's historical data (4.2 spaces per 1,000 sq. ft.)	1,563 spaces
Parking Provided	1,617 spaces
Parking in excess of the base requirement upon construction of Phase I.	129 spaces in excess of base requirement 54 spaces in excess of Tanger's needs

<b>Parking required and provided upon construction of the 12,000-square-foot outlet center addition for a 383,931-square-foot outlet center</b>	
Base Requirement	1,535 spaces
Parking needs based upon Tanger's historical data (4.2 spaces per 1,000 sq. ft.)	1,613 spaces
Parking Provided	1,617 spaces
Parking in excess of the base requirement upon construction of Phase the 12,000 sq. ft.	82 spaces in excess of base requirement 4 spaces in excess of Tanger's needs

<b>Parking required and provided upon construction of Phase II for a 383,931-square-foot outlet center and a 100-room hotel</b>	
Base Requirement	1,585 spaces (including 50 for hotel)
Parking needs based upon Tanger's historical data (4.2 spaces per 1,000 sq. ft.)	1,663 spaces (including 50 for hotel)
Parking Provided	1,675 spaces (including 58 for hotel)
Excess parking upon full construction of Phase II	90 spaces in excess of base requirement 4 spaces in excess of Tanger's needs

In this case, the applicant seeks to provide more parking than required by Section 27-568. Given that there is no specific language that establishes the base requirement as anything but a minimum parking requirement in the M-X-T Zone, the Planning Board finds that the parking justification is deemed to be acceptable. The base requirement for the site is estimated at 1,585 parking spaces, and the applicant's revised plan proposes to provide 1,675 parking spaces.

The applicant has also provided additional contextual information regarding the parking proposal.

**Applicant's Response:** The applicant has designed, built, managed, operated, and maintained many similar facilities. The parking needs based on historical data are at 4.2 spaces per thousand square feet of gross floor area (GFA). This application proposes 4.21 spaces per thousand square feet of GFA for the

integrated shopping center portion of the proposal, including the 12,000-square-foot expansion. This nets only four more spaces than minimally required by the applicant and only 90 more spaces than the base requirement.

Given the operator's needs, it seems apparent that the number of spaces provided (1,675 total spaces) barely meets the requirement of the site for successful operation. Any reduction of the parking begins to threaten the economic viability of the center and frustrates consumers by detracting from the shopping experience.

The Planning Board finds that the parking justification and analysis are deemed acceptable to meet the minimum requirements of Section 27-574.

- e. The Planning Board finds that the application requires a departure from Section 27-558(a) of the Zoning Ordinance due to a nonstandard parking space size proposed (9 feet by 18 feet). On May 17, 2012 the Prince George's County Planning Board approved Departure from Design Standards DDS-614 to allow a reduced non parallel parking space size of 9 feet in width by 18 feet in length to be used for all of the provided parking spaces (PGCPB Resolution No. 12-41).
- f. The Planning Board finds that, as approved with conditions, the subject application complies with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a detailed site plan in the M-X-T Zone, as follows:

**(1) The proposed development is in conformance with the purposes and other provisions of this Division:**

The purposes of the M-X-T Zone as stated in Section 27-542(a) of the Zoning Ordinance include the following:

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

The site is situated at a major intersection, between Oxon Hill Road and Indian Head Highway (MD 210), at what could become a future gateway into the National Harbor metropolitan center. The Planning Board finds that the approval of the subject application will result in the development of a property in the vicinity of major transit routes. It will enhance the economic status of the county by creating a regionally-competitive retail center that will complement the

existing retail, convention, and hotel uses within National Harbor. The proposal will create jobs within the county.

- (2) **To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The applicant envisions that the subject proposal will provide a “destination resort style of shopping” that will implement the following recommendation of the 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* (page 51):

**Design future land uses surrounding the waterfront center to complement its distinctive character, to be compatible with the neighboring community, and to provide a suitable gateway to this unique project** [the National Harbor Metropolitan Center].

The Planning Board concurs that the proposed uses are a complement to National Harbor. The application shall be designed compatibly with the adjacent community, and the design shall be high in quality in order to ensure that the mixed-use development is a suitable gateway into National Harbor. The architectural elevations provided in Applicant Exhibit 1 for the outlet center indicate that a high quality architectural product will be provided.

- (3) **To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

The Planning Board finds that the value of the land has been conserved by maximizing the floor area ratio of the development on this land to the extent feasible for this type of development. The location of the property in the vicinity of major interchanges, the interstate highway system, and within proximity to National Harbor maximizes the development potential of the subject property.

- (4) **To promote the effective and optimum use of transit and other major transportation systems;**

The Planning Board finds that the proposal promotes the effective use of existing transit. The project will benefit from its location along Oxon Hill Road, which is a priority DPW&T Capital Improvement Project. Oxon Hill Road is also designated as a master plan bikeway/trails corridor, and the existing Potomac Heritage Trail in National Harbor intersects with Oxon Hill Road directly across

from the subject site at Harborview Avenue. Improvements to Oxon Hill Road will include improvements to these trail and bikeway corridors.

The applicant also indicates that there is a possibility for existing hotels in National Harbor to provide shuttle services to the proposed center for the resort shoppers.

- (5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

The existing office building promotes activity from early morning into the evening hours, Monday through Friday. The Planning Board finds that a retail center with hotel would provide a wider variety of functions and activity beyond standard office hours. The proximity to National Harbor also helps promote the desired 24-hour environment.

- (6) To encourage diverse land uses which blend together harmoniously;**

The subject proposal indicates a horizontal mix of uses. The Planning Board finds that the uses within the outlet center will include retail, office, and restaurant development, which will be highly compatible. A hotel to support the center will create a harmonious blend of proposed uses.

- (7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**

The office workers in the larger office building and professional offices will patronize the retail and restaurants. The retail stores, offices, and restaurants will also be patronized by the surrounding residential uses, tourists, and residents of National Harbor. In addition, the location of the center will make it convenient for those exiting the Capital Beltway (I-95/495) traveling southward to take care of shopping and convenience needs on their way home. Therefore, the Planning Board finds that dynamic, functional relationships among individual uses will be created. A distinctive visual character and identity for the center shall be provided by the use of quality architectural, landscape, and design features.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**

The Planning Board finds that the proximity of the proposed uses provides for a more energy-efficient and convenient design. The outlet center proposes space

for approximately 80 tenants that will offer retail, office, and restaurant uses. The clustering of approximately 80 individual businesses and one hotel on the subject site will provide energy and cost savings to the proposed tenants. It will also provide the businesses superior access to patrons.

**(9) To permit a flexible response to the market; and**

The applicant indicates that the subject application is responding to a market that is being created in part by the adjacent National Harbor, yet is also supported by a regional demand for more diverse retail and dining options, which the subject outlet proposal could satisfy. In light of this, the Planning Board finds that the proposal permits a flexible response to the market.

**(10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The Planning Board finds that the subject application has been afforded freedom in architectural design. Similar to an enclosed mall, much of the project's exterior architecture that will be visible to the passing public has been designed and shown as part of the DSP. The remaining interior corridors (comparable to a mall's interior space) that will be visible to and enjoyed by the public that ventures into the outlet retail venue are not definitively designed until the majority of tenants are known and deemed final for the individual blocks. This architecture will be impacted by tenant placement which is premised on a variety of issues, e.g. similar merchandise, specific brands that need to be proximate, anchor stores, single-sex venues, etc. The front exterior door architecture, signage, pedestrian space, landscape, hardscape, lighting, and other amenities within the interior corridors of the outlet mall will vary in specific detail, but still be harmonious with the theme and design quality that have been approved.

This detailed site plan review allows for illustrative descriptions, design guidelines, and architectural prototypes to be submitted in addition to detailed building elevations for each building façade within the corridors of the center, which can only be seen in the interior to the outlet center itself. The Planning Board finds that this flexibility in architectural design and in the review and approval process has been permitted in this instance and expects high-quality development standards and construction to be the outcome of this process.

**(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The Planning Board finds that the DSP is not subject to this requirement because the property was not placed in the M-X-T Zone through a sectional map amendment.

**(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

While the shopping experience is largely internal to the center with parking proposed on the outside of the center, the Planning Board finds that the applicant has provided additional measures to demonstrate that the project will have a positive outward orientation that visually integrates with the adjacent development. The proposed landscaping along Oxon Hill Road will assist in providing an attractive front to the community. A mix of attractive ornamental grasses, shrubs, ornamental trees, and shade trees are proposed in the 28- to 56-foot-wide landscape strip. The application also proposes an interpretive plaza at the southeast corner of the site with access from Oxon Hill Road. This public amenity proposes the use of foundation stones from the historic site, plaques, interpretive signage, garden, and crushed granite walk lined with stones. This plaza includes a walk from Oxon Hill Road to the outlet center. The indicated improvements along the site's frontage physically integrate with adjacent development and encourage community improvement.

The Planning Board finds that the subject development will provide a quality architectural front to the community. Architectural improvements are required along the main outward-facing outlet center elevations, with special attention to those facing Harborview Avenue and Oxon Hill Road, consistent with Applicant Exhibit 1. Plazas are proposed at major entrances into the center in order to encourage visibility into the center and highlight activity occurring in those areas, creating interest within the community.

**(4) The proposed development is compatible with existing and proposed development in the vicinity;**

The Planning Board finds that the subject application will be compatible and complementary with the existing office building and the adjacent National Harbor development. Additional review sensitivity has been required to encourage compatibility with all of the adjacent development including the residential, historic, and institutional sites in the vicinity. The applicant has provided, and the Planning Board adopts, the following justification regarding the site's compatibility with existing and proposed development in the vicinity, in particular, the adjacent residential, historic, and institutional sites in the vicinity:

“The subject site is zoned mixed use, transportation oriented (M-X-T). The Zoning Ordinance requires a mix of uses to maintain a 24 hour environment. The uses allowed in an M-X-T zoned site include Retail businesses, Office, research,



or industrial uses and Dwellings, hotel, or motel. The 2006 Master Plan notes the need to develop uses that will ‘compliment’ National Harbor and also notes the lack of retail to serve the area. The Applicant’s research determined that no new retail center of significant size (100,000 plus square feet) has been developed within the area applicable to the ‘Centers and Corridors’ area designation of the 2006 Master Plan. No area retail exists that would encompass the quality associated with Tanger Outlet Centers.

“The rezoning of the property to MXT and reaffirmation of that zoning in the 2006 Master Plan is indication of the District Council’s policy of the appropriateness of the zoning and allowance of denser development proximate to the surrounding uses. While the Applicant does seek to reduce buffers, its proposed buffering to surrounding uses exceeds minimum requirements of the County’s Comprehensive Landscape Manual for the adjacent residential, historic and institutional uses in the vicinity. Additionally, the Applicant’s proposal conforms to the trip capacity requirements imposed upon the property at the time of zoning. These are two significant aspects relevant to compatibility inasmuch as this evidences ‘harmony’ amongst the existing and new uses. Other design criteria has been implemented to provide compatibility and harmony with existing uses, e.g. lighting that does not spill over, primary ingress/egress site traffic away from the adjacent uses, lower height buildings, protection and/or mitigation of viewsheds for existing uses. There is also a significant elevation difference between the sites, which is uphill to the adjacent existing residential properties. The elevation change, in some cases up to 40 vertical feet, reduces the visibility impact and contributes to adjacent site compatibility by minimizing combined proximity. Horizontally, the nearest adjacent multifamily residential structure is 170’ from the closest parking lot on the subject property and the existing school property is buffered from the proposed development.

“Although single family residential uses and office would, conceivably, be as ‘compatible’ with the existing adjacent uses, neither use would ‘compliment’ National Harbor or help alleviate the existing dearth of ‘quality retail’ in the Planning Area. National Harbor has a large compliment of office approved—particularly in the area of the very proximate Beltway Parcel—and over 2500 dwelling units approved with less than one-third constructed to date. A number of hotel rooms exist at National Harbor and there is another hotel within a quarter of a mile outside of National Harbor. Nevertheless the addition of a smaller hotel which business model will likely be centered on excursion trips to the Outlet Center makes for more compatibility then additional office or single family residential. Additionally, both of these uses generate lesser AM trips and provide for more compatible traffic flow with the existing uses as well.

“The historic site, Oxon Hill Manor, is located across a Oxon Hill Road, which has been slated to be upgraded to wider right of way with 4 to 6 lanes and a wider pedestrian/bike area in the vicinity of the entrances into the subject site and

the Manor. Nevertheless, approximately 400' feet of vegetated forested buffer will remain between the Manor and the expanded roadway. The Applicant's proposed buffer, inclusive of its proposed landscape treatment ensures a further reduction or elimination of negative visual impact to the historic site from the commercial uses on the property. This adds to the compatibility of the two uses. Although one use is a historic site, it is one of the primary area venues within the Centers and Corridors area for commercial and social events. The historic aspect of the Manor will compliment the historic aspects of the Salubria property which commemorative interpretation is being addressed within the Salubria property with the assistance and guidance of two leading historic groups within the County. Part of this effort is premised on attracting the patrons to the Outlet Center and providing an interest to also have those patrons spend time exploring and being educated on the historical significance of the Salubria site and other historic sites in the area. The possibility or likelihood of that patrons of one site may patronize or be exposed to the other is further evidence and benefit of the compatibility of the new and existing use and is what is generally envisioned, if not desired, by most planning."

**(5) The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The Planning Board is satisfied with the proposed mix of uses and the arrangement of the buildings in consideration of the proposed uses. Tanger has a reputation as a premier national outlet developer. This reputation will aid in marketing the project and sustaining an environment of quality and stability.

**(6) If the development is staged, each building phase is designed as a self sufficient entity, while allowing for effective integration of subsequent phases;**

The Planning Board finds that the project will be phased. The outlet proposal is phase one and the hotel proposal is the second phase. The phases are proposed on separate portions of the property divided by Harborview Avenue; therefore, the Planning Board finds that there is no practical challenge regarding the integration of the phasing plans.

**(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

The Planning Board finds that the outlet center is largely a pedestrian-centered concept. Shoppers will have a partially open-air pedestrian experience. The Planning Board also requires that the applicant investigate the feasibility of an additional pedestrian route through the parking lot to the storefront entrance on the west side of Building 2. The Planning Board finds the pedestrian system to be comprehensively designed.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

Approximately eight public open spaces are provided internal to the outlet center. These spaces are connected by a system of pedestrian walkways with planting beds. A courtyard concept plan has been provided to indicate the general design and material quality employed in the public spaces/plaza areas. The submitted courtyard concept plan indicates little visual variety in the type of public spaces proposed, although a plan note indicates that focal areas in the public spaces are to include public art, decorative mast, a clock tower, and fountains, or to be an open-area gathering spot. Prior to certificate approval of the detailed site plan, the applicant shall provide details of the focal points which shall be incorporated in the major public spaces including public art, sculpture or fountains, seating areas, decorative mast, a clock tower, raised planters with masonry seating, or equivalent options. The Planning Board finds that adequate attention has been paid to human scale, and on-site amenities.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

The Planning Board finds that the subject application is a detailed site plan. This requirement is not applicable to the subject approval.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be approved by the applicant.**

The Planning Board finds that a finding of adequacy was made at the time of preliminary plan of subdivision, less than six years ago. No additional finding is required at this time.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 548.**

The Planning Board finds that the subject site contains 43.79 acres and is not a mixed-use planned community. Therefore, this DSP is not subject to this requirement.

9. **Zoning Map Amendment A-9882-C:** The District Council approved Zoning Map Amendment A-9882-C, which rezoned approximately 54.7 acres of land in the I-3 and R-R Zones to the M-X-T Zone on May 24, 1994, with 16 conditions.

An amendment of Conditions 2 and 3 of A-9882-C is pending. That application requires evaluation by the Zoning Hearing Examiner prior to its consideration by the District Council. At the time of the writing of the subject resolution, no final decision has been reached regarding the proposed modifications of Conditions 2 and 3. Pursuant to Section 27-276(c)(1), Planning Board Procedures, of the Zoning Ordinance, the Planning Board must take action on a detailed site plan within 70 days of its submittal, unless the review time limit is waived by the applicant. As the applicant has not waived this 70-day limit, the subject resolution shall be processed prior to a final decision on the status of the above-referenced conditions.

The following conditions are pertinent to the review of this detailed site plan:

- 1. Any residential housing on the site shall be restricted to single-family detached and/or attached units.**

The Planning Board finds that no residential use has been proposed in this application.

- 2. Any hotel/motel or retail development shall be designed to be integrated with the existing office building through a common off-street parking plan and a compatible architectural theme. A common pedestrian path system shall be designed to link all segments of the proposed development. Any retail segment shall not be designed as a typical strip shopping center or large single-use pad site.**

The applicant is currently in the process of requesting an amendment of the above condition. The Planning Board's recommendation regarding that request is provided in PGCPB Resolution No. 12-04(C). Additional discussion as it relates to the Planning Board's review of the subject detailed site plan is provided in Finding 10.

*The final decision-making authority on the amendment request lies with the District Council. No building permits may be issued until the permit plan conforms to the requirements of the rezoning, or the applicable conditions are modified. [emphasis added]*

3. **A 100-foot-wide landscaped buffer (as required by CR-45-1985) shall be provided along Oxon Hill Road and the southern boundary.**

The applicant is currently in the process of requesting that the above condition be eliminated. At time of conceptual site plan, the Planning Board determined that:

**Where existing woodland still remains along Oxon Hill Road, the Planning Board encourages its retention, as it is an opportunity not only to preserve the rural character of the adjacent historic site, but to provide additional woodland preservation on the subject property. While the Planning Board encourages the retention of existing trees along Oxon Hill Road, the Planning Board recognizes that preservation of existing woodlands along the roadway may not be feasible for the subject proposal. The Planning Board finds that a 20 to 35-foot-wide landscape strip shall be provided along Oxon Hill Road in accordance with the specifications of Section 4.6, Buffering Development from Streets, of the 2010 Prince George's County Landscape Manual, which provides guidance for scenic road treatments and buffering from roads; or as otherwise determined by the District Council in its review of the amendment request.**

The Planning Board's full recommendation regarding that request is provided in PGCPB Resolution No. 12-04(C). Additional discussion as it relates to the Planning Board's review of the subject detailed site plan is provided in Finding 10.

*The final decision-making authority on the amendment request lies with the District Council. No building permits may be issued until the permit plan conforms to the requirements of the rezoning, or the applicable conditions are modified. [emphasis added]*

4. **The Historic Site status of Salubria, as well as the extent of the environmental setting, shall be noted on all plans and other documents submitted for this site.**

The Planning Board finds that Historic Site 80-002, Salubria, is noted on the detailed site plan.

5. **All subsequent submittals for this site shall be referred to the Historic Preservation Section staff and the Historic Preservation Commission for their review and comment prior to approval.**

The Planning Board finds that the subject DSP application was referred to the Historic Preservation Commission (HPC) for its review and comment as required by the above condition. Comment from the HPC was not provided for the subject DSP. At a previous public meeting held on January 4, 2012, for the conceptual site plan the HPC moved to eliminate the 2.7-acre

environmental setting and historic site designation, subject to two conditions. Until those conditions are satisfied and the environmental setting is removed, HPC review will continue to be required on subsequent plan submissions.

**6. Any plans within the environmental setting must be approved by the Historic Preservation Commission through the Historic Area Work Permit process.**

The Planning Board finds that the above condition remains in effect. At its February 24, 2012 meeting, the HPC moved to allow staff to review and approve a revision to Historic Area Work Permit (HAWP) 14-11 to allow Phase III archeological investigations within the Salubria historic site environmental setting, subject to two conditions: that the work will not begin until a decision of the District Council for the appeal of the HPC's decision to eliminate the environmental setting of Salubria and its historic site status has been rendered; and that the applicant save intact salvageable historic stone elements from the foundation that could be potentially reused in interpretive measures to be installed on the property to commemorate the history and significance of Salubria. The Planning Board finds that any plans within the environmental setting must be approved by HPC through the HAWP process, until the time the environmental setting is removed.

**12. Development on the site shall not produce a greater number of vehicle trips than that identified in the previous approval for Salubria Office Park (SP-88069) and shall be subject to the same transportation conditions and improvements.**

Detailed Site Plan SP-88069 is a detailed site plan for Salubria Office Park in the I-3 Zone. The detailed site plan was approved by the Planning Board on September 1, 1988, subject to two conditions. Condition 2 of SP-08069 carried all transportation facilities-related conditions of approval of Preliminary Plan of Subdivision 4-88087 as follows:

- (6) The construction of the ultimate road network as shown on Exhibit 2 must be financially committed prior to issuance of any building permits.**
- (7) The applicant shall enter into a bond or letter of credit or some other financial arrangement acceptable to The Maryland-National Capital Park and Planning Commission prior to record plat guaranteeing construction of the "triple intersection" improvements along Oxon Hill Road in the vicinity of the proposed Road I for PortAmerica and the installation of traffic signals with proper signal timing progression.**
- (8) No building permit shall be issued for any building or buildings in excess of 300,000 square feet of office space or 520,000 square feet of light industrial space (which may include some office, as per an approved I-3 concept plan) except as provided in the following conditions.**

- (9) The applicant may be issued permits for any building or buildings not to exceed 250,000 square feet of office space or 520,000 square feet of light industrial space without construction of the improvement described in Condition 7 (the “triple intersection”), so long as no building permits in excess of 500,000 square feet of office space have been issued for the PortAmerica project. Once permits for 500,000 square feet of office space for building or buildings have been issued at PortAmerica, the applicant’s bond shall be used to construct the “triple intersection” improvement. The bond shall also be used to construct the “triple intersection” prior to the applicant being issued permits for building or buildings in excess of 250,000 square feet of office space or 530,000 feet of light industrial space.**
- (10) The applicant may be issued permits in excess of 300,000 square feet of office space or 520,000 square feet of light industrial space based on a program of transportation systems management techniques to be submitted and approved by the Transportation Planning Division of The Maryland-National Capital Park and Planning Commission.**
- (11) Should any improvements to the intersection beyond these already programmed and approved by the Maryland State Highway Administration of Route 414/Route 210 be constructed, the applicant will be permitted to be issued building permits for building and buildings in excess of 300,000 square feet of office space or 520,000 square feet of light industrial space, to the extent otherwise permitted by law, rules or regulations, for as many square feet as it contributes to the costs of construction of the improvement based on a pro rata share of traffic capacity created at the intersection by the improvement.**
- (12) The applicant shall improve Oxon Hill Road south of the proposed Road I and in the vicinity of the proposed access road for the site to be consistent with lane configuration assumed by the submitted traffic study dated March 1988 (see attached Figure 20) and the memo report dated May 1988 prior to the issuance of any building permits.**
- (13) The Salubria site entrance at Oxon Hill Road should be signalized at the applicant’s cost and when deemed necessary by the Prince George’s County Department of Public Works and Transportation.**

The transportation-related conditions referenced above have largely been constructed as a part of the National Harbor development and the Woodrow Wilson Bridge project; in any regard, a new adequacy finding has been required pursuant to a preliminary plan of subdivision.

The Planning Board finds that the trip cap is to be met by the proposal. For additional information regarding trips generated by the subject property, see Finding 11.

- 13. Within 60 days after this approval becomes final, the applicant shall submit a stabilization and maintenance plan to the Historic Preservation Commission, which plan must be implemented within 90 days after its approval by the Historic Preservation Commission unless the Historic Preservation Commission allows a longer time for implementation.**

Subsequent to approval of the above condition, a Demolition by Neglect violation for the Salubria historic site was issued by the Department of Environmental Resources (DER) on August 24, 1994. On June 20, 1995, HPC reviewed development cases SP-95020 and 4-95043 that contained the Salubria historic site and HAWP 12-95 to demolish the Salubria house and several outbuildings. HPC moved to reduce the Salubria environmental setting to 2.7 acres and to require mitigation measures for the demolition of the Salubria historic site. Because the conditions of SP-95020 were not fully met by the previous developer whose proposal was abandoned, a final HPC decision for HAWP 12-95 was never issued. The buildings were not demolished under HAWP 12-95.

Another HAWP was submitted in 2003 by the Peterson Companies to demolish all of the standing structures inside the Salubria environmental setting, except for the dairy building, which was to be moved later to another location. All standing structures within the Salubria environmental setting were demolished under HAWP 13-03 in 2003 except for the dairy building. Restoration of the historic site is not currently proposed.

- 14. Prior to approval of a Conceptual Site Plan, the applicant shall submit a restoration plan for the Historic Site for approval by the Historic Preservation Commission.**

The current 2.7-acre environmental setting of the Salubria historic site was established in 1995 when the HPC recommended approval by the Planning Board of a conceptual site plan for Salubria Office Park. All standing structures within the environmental setting, except the dairy building, were removed in 2003 through an HPC-approved HAWP application (HAWP 13-03). Restoration of the historic site is not currently proposed.

- 15. Prior to the issuance of any building permits, the applicant shall fund or implement the restoration plan for the Historic Site, to allow restoration to occur simultaneously with build-out of any development.**

Restoration of the historic site is not currently proposed. Most standing structures within the environmental setting were demolished under HAWP 13-03 in 2003.

- 16. Prior to the issuance of any building permits, the owner shall agree to provide reasonable access to the Historic Preservation Commission or other expert groups or individuals recognized by the Historic Preservation Commission for the purposes of conducting archeological exploration on the Historic Site, at no expense to the owner.**



The applicant has completed Phase I (HAWP 16-03) and Phase II (HAWP 14-11) archeological investigations on the subject property. The applicant has submitted a Phase III work plan to Historic Preservation staff as a revision to HAWP 14-11 to satisfy Condition 5 of PGCPB Resolution No. 12-04 for CSP-11006, Salubria Center. Archeological investigations are now required under Sections 24-121 and 24-135.01 of the Subdivision Regulations and are the responsibility of the applicant. Historic Preservation staff approved the revisions to HAWP 14-11 for Phase III archeological investigations within the 2.7-acre environmental setting of the Salubria historic site (#80-002) and issued the permit on March 14, 2012 with two conditions. This condition will be satisfied when the Phase III archeological investigations are complete.

10. **Conceptual Site Plan CSP-11006:** Conceptual Site Plan CSP-11006 was approved by the Planning Board on January 12, 2012 (PGCPB Resolution No. 12-04(C)). At the time of the writing of this report, the District Council review of the CSP is pending; therefore, the Planning Board's decision is not final. The following conditions are relevant to the subject detailed site plan. The conditions are provided below in **bold** followed by staff comment.

1. **Prior to certificate of approval of the conceptual site plan, the following revisions shall be made, or information shall be provided.**

- f. **The conceptual landscape plan shall be revised as follows:**

**All future development plans for the subject property shall show buffering along Oxon Hill Road and the southern boundary of the site consistent with the following unless the conditions of Zoning Map Amendment A-9882-C are amended to provide a different buffer, in which case those zoning conditions will apply:**

- (1) **A 20 to 35-foot-wide landscape strip shall be provided along Oxon Hill Road in accordance with the specifications of Section 4.6 of the 2010 Prince George's County Landscape Manual, which shall be reviewed and approved at the time of detailed site plan.**

The Planning Board finds that the applicant's proposal complies with the above condition. The applicant's revised plans show a landscaped buffer of approximately 28 to 56 feet, thereby exceeding the minimum width for the landscaped strip pursuant to CSP Condition 1.f(1). Much of the increase is in the area of the Oxon Hill Road entrance across from the new Oxon Hill Manor entrance. This was done by eliminating approximately 34 parking spaces in the parking lot. The Planning Board finds that the plant units provided exceed the minimum requirement of Section 4.6, Buffering Development from Streets, of the 2010 *Prince George's County Landscape Manual*, which provides guidance for scenic road treatments and buffering from roads.

*Note:* While the Section 4.6 standard was applied, Oxon Hill Road is not categorized as a scenic road.

- (2) A minimum 100-foot woodland preservation area shall be provided along the southern boundary to act as a buffer between the proposed development and the residences to the south.**

The Planning Board finds that this is provided on the subject DSP.

**If no amendment of Condition 3 of Zoning Map Amendment A-9882-C occurs, then the application shall be revised to provide the required 100-foot buffer.**

Until such time as the District Council makes a decision on the applicant's requested change, the applicant is required to provide the minimum buffer required by the Planning Board in its approval of the CSP.

**2. At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:**

- a. Comprehensive sign details for freestanding signs, and sign guidelines for future sign proposals in the outlet center shall be provided for review and approval. Any proposed sign along Oxon Hill Road across from Oxon Hill Manor shall be modest in design and restricted in height (a maximum of ten feet) so as not to detract from the adjacent historic site.**

The Planning Board finds that the applicant has provided a sign package that includes heights, materials, and lettering sizes for proposed building-mounted and freestanding signs. At the outlet center entrance along Oxon Hill Road, adjacent to the new Oxon Hill Manor entrance, the applicant's sign is within the 10-foot height limit and uses materials that are brick-like in appearance. The Planning Board finds that the proposed sign is modest in design as required by the above condition. The materials of this sign shall be clearly labeled prior to certificate approval of the plans.

- b. Views of expanses of surface parking from the rights-of-way shall be reduced by providing a street treatment that provides partial screening of the parking lot. The applicant shall provide a detail of an attractive low masonry wall that may be provided along the Oxon Hill Road frontage, for the consideration of staff and the Planning Board.**

The applicant provided an example of the masonry wall pursuant to the requirement in the above condition, but believes the wall is less effective than screening with plant units due to the changes in grade along the Oxon Hill Road right-of-way. The Planning Board agrees with the applicant's assertion that no low masonry wall is necessary or appropriate

given the indicated grade changes. The landscaping proposed is attractively designed and will mitigate views of the parking lot.

- c. All reasonable effort shall be made to reduce the number of loading areas on the north and west sides of the outlet center.**

No reduction in the quantity of loading areas has occurred. The applicant asserts that the loading areas are located appropriately and have been sized to function appropriately for the outlet center. The Planning Board finds that the application complies with the above requirement.

- d. Loading areas shall be screened by a mix of decorative walls that are aesthetically harmonious with the building façade. The walls shall be designed a minimum of ten feet in height to adequately screen loading trucks. The appearance of the screening walls shall also be softened through the use of evergreen trees and shrubs.**

The Planning Board finds that Applicant Exhibit 1 indicates conformance with the above condition.

- e. A photometric plan shall be provided for the property. The photometric plan shall indicate no, or minimal, lighting spillover on adjacent residential properties.**

The Planning Board finds that this plan is provided and evidences no spillover lighting to the adjacent residential properties.

- f. Details of lighting fixtures shall be provided. Details of lamp posts within the parking lot shall be provided in order to indicate that the height of the fixtures is not designed to extend above 30 feet and include downward lighting and no spillover that would affect the visibility of lighting on adjacent properties. The design and layout of the fixtures shall provide visual continuity throughout the site.**

The Planning Board finds that this information has been provided by the applicant and complies with the requirements of the condition.

- g. The coordination of the design of light fixtures, benches, trash receptacles, bicycle racks and street furniture shall be required. Details of the site amenities shall be provided for review.**

The Planning Board finds that these features with details are shown on the landscape plan and appropriately match the style and materials of the outlet center design while adding to the pedestrian experience throughout the center.

**h. The retaining wall shall be designed to appear as naturalistic as possible from adjacent residential properties.**

Existing elevations for the property are such that the site is generally higher than the surrounding residential neighborhoods. Thus, the retaining wall would rise above much of the adjacent neighborhoods and is built to retain primary management area (PMA). The retaining wall construction, reinforced soil slope, is built from folded geogrid overlain with reinforced fill material. The face of the wall is then planted with vegetation forming a green living wall that faces the woodland to be maintained and the adjacent residential neighborhood. The Planning Board finds that the proposed type of wall construction presents a relatively natural appearance. The existing woodland to be preserved will further screen the reinforced slope and provide a more naturalistic appearance, in conformance with the above condition.

A minimum four-foot-tall, durable fence or wall shall be provided at the top of the retaining wall to address safety concerns. At its maximum height, the wall will be 48 feet tall.

**i. The applicant shall review opportunities for maintaining or creating naturalistic contours on the site as viewed from the roadway to the extent feasible.**

The Planning Board finds that as the landscape strip along Oxon Hill Road has been widened, more naturalistic contours are currently proposed along Oxon Hill Road.

**j. The detailed site plan shall identify at least two public spaces within the outlet center proposal, of appropriate gathering size, for which a high level of detail shall be provided at time of detailed site plan. These identified public spaces shall minimally include a focal point in the space such as public art, sculpture or fountains; seating areas; specialty landscaping; and specialty paving materials for the benefit of users on the site. If deemed appropriate by the Planning Board, these spaces shall include features to commemorate the history of the Salubria site.**

The applicant has identified two public areas, Center Courtyards A and C, and provided exhibits that include design, paving, and planting detail. These two public areas are the most centrally located in the outlet center, essentially serving as the major two “pedestrian movement intersections” on the east and west portions of the center. A significant number of patrons will traverse these areas and the applicant has created detail through the use of paving materials, plantings, walkways, and the potential focal elements. The areas are sufficient in size to allow for inclusion of focal points, including the possible historical elements of Salubria. The applicant has indicated that the historic groups with whom the applicant has been working have proposed a different area for the

primary historical elements and interpretation as shown on the applicant's commemorative features exhibit. Based upon the foregoing, the Planning Board finds that the DSP indicates substantial conformance with the above condition.

**k. The feasibility of reductions in surface parking on the site shall be evaluated.**

Surface parking reductions have been encouraged to reduce the development's proposed impacts on environmental features and high-quality, woodland areas. The Planning Board finds that parking has been reduced by 34 spaces along Oxon Hill Road. This reduction has allowed for the widening of the landscape buffer along Oxon Hill Road. Any further reductions in parking will likely affect the feasibility of a future 12,000-square-foot building expansion within the center.

**l. Illustrative descriptions, design guidelines, and architectural prototypes may be submitted in lieu of detailed building elevations for each building façade within the corridors of the outlet center, which can only be seen interior to the outlet center itself.**

The applicant has provided illustrative design details for the buildings that are located in the outlet center's interior. These illustrations evidence the proposed quality of the building architecture, façades and walkway materials, roof lines, window treatments, and pedestrian pathways. Additionally, the applicant has provided material boards and has engaged with staff in a discussion of newer material products and finishes which the applicant explains are durable and generate fewer maintenance issues while providing a high-quality appearance desired by tenants and patrons, and required by the design guidelines and conditions of the CSP. The collection of materials includes (1) "Reflectit" form of specialty Dryvit in a variety of colors; (2) masonry materials such as brick, cast stone, precast concrete, cast-in-place concrete, and smooth face block in a variety of colors; (3) metal accent panels in two styles and a variety of colors; (4) decorative accent panels in faux wrought iron and antique silver; and (5) information on the translucent roofing, lighting, glass, fabric, mast, and awning finishes. The roofing element, where utilized in certain pedestrian corridors, will incorporate tinted or translucent panels.

The application shall be revised to indicate that non-signature building façades will have some visual interest. One perspective image submitted indicates a long internal corridor with little architectural articulation or apparent variety in proposed building materials. An additional exhibit shall be provided that illustrates a representative sample of architectural features which will be utilized on, and within the area of, the non-signature building façades.

**m. Architectural façades of the outward-facing non-storefront elevations of the Outlet Center shall be clad in 100% brick, stone or pre-cast stone along the north and west Outlet Center elevations (not including walls internal to loading areas), and clad in no less than 75% of those materials along the east**

**and south elevations. Different high quality materials may be substituted by the Planning Board at the time of the DSP. Special attention shall be paid to those facing Harborview Avenue and Oxon Hill Road in order to enhance the architectural detail and attractiveness of those highly visible elevations.**

Many of the same materials proposed for the interior building elevations are also proposed for the outward facing façades, including some additional variations of specialty Dryvit, e.g. Tuscan Glaze, Stone Mist, Ameristone, and Terraneo. The different forms of the material evidence a variety of textured and smooth finishes for the products and provide accents that will help provide separation and additional building interest for patrons and views from Harborview Avenue and Oxon Hill Road.

Applicant Exhibit 1 indicates that additional brick be provided along the elevations facing Harborview Avenue and Oxon Hill Road to improve the project's appearance along these most visible sides of the building. The Planning Board finds that the application conforms to the above condition.

**n. Plazas shall be provided at the major entrances into the center.**

The Planning Board finds that plazas are proposed at the Harborview Avenue and Oxon Hill Road entrances, which the applicant asserts will help draw patrons into the various corridors. One plaza near the Oxon Hill Road entrance is labeled temporary, as the future building expansion of Building 6 would encompass this area. The Planning Board finds that the application complies with the above condition.

**o. The applicant shall provide written justification and design support indicating that the development is compatible with existing and proposed development in the vicinity, in particular the adjacent residential, historic, and institutional sites in the vicinity.**

This additional review criterion has been required to ensure that the proposal will be harmonious with existing adjacent developments, which include an office use, a historic site, existing residential, and institutional uses such as a vacant school and the Crescent Cities Jaycees Foundation Community Center. An important aspect of creating a harmonious blend of uses is providing a quality architectural project and landscape treatments that visually enhance the community. The Planning Board finds that special attention has been given to the design of the proposed landscaping, signage, seating, sidewalks, and architectural design of the buildings to ensure that the proposed uses blend harmoniously with each other and the existing community.

The Planning Board finds that the applicant has provided the required written justification. That justification is provided under Finding 8.

- p. **The proposal shall more adequately address the recommended urban design strategies identified in the master plan and shall report in writing how this is being accomplished.**

The Planning Board finds that the applicant has provided, in writing, how this will be accomplished. Master plan strategies are provided in bullet form below followed by the applicant's response. The Planning Board adopts the following:

- **Provide innovative circulation and landscaping design for parking areas to reduce conflict between cars and pedestrians and reduce the amount of impervious surfaces.**

**Applicant's Response:** A recent design reiteration known as the "Race Track" proposes an outlet center that reduces pedestrian and vehicular conflicts. This is done through the creation of an inward-facing retail shopping experience which virtually eliminates vehicular conflict while pedestrians are shopping. Vehicles are allowed no closer than the ring road surrounding the retail buildings. The ring road is crossed at several designated well marked pedestrian crossings. A pedestrian allee through the largest parking area helps to safely move pedestrians through that parking lot to and then past the ring road. These design considerations allow pedestrians to spend the vast amount of their time on-site without concern of pedestrian/vehicular conflict. Vehicles are provided convenient, quickly accessible parking that reduces the amount of time spent in the vehicle seeking parking. Well placed directional signage helps to further reduce pedestrian/vehicular conflict.

- **Provide attractive, landscaping, street trees, and planting strips between the street and sidewalk to enhance the development and streetscape and to increase pedestrian safety by providing a buffer from roadway traffic.**

**Applicant's Response:** The DSP proposes excess attractive, seasonal landscaping, including planting strips, between the internal drive aisles (streets) and the sidewalks, except where pedestrians might cross. Buffering is proposed along the edges of the project common with the public right-of-way for Oxon Hill Road. The landscaping provides enhanced, attractive pedestrian views of the outlet center architecture without overly prominent views of the parking areas.

- **Utilize high quality materials and encourage human-scale architectural detailing, pedestrian amenities such as benches, pedestrian-scaled street lighting fixtures, trash receptacles, bus shelters, bicycle racks, interesting signage and landscaping.**

**Applicant's Response:** The Tanger concept focuses on the creation of a leisurely pedestrian shopping environment within the internal spaces between stores. A variety of building façade materials are used which create and provide for a high quality look, character, and durability. These diverse building materials, which can be done with multiple types of finishes, are detailed on the proposed architectural elevations. Human scale elements and amenities are provided in many places including seating, banners, landscape, trash receptacles, and historical marker information. Bicycle racks are provided to allow for multi-modal transportation and for the convenience of the patrons who elect this mode of transportation. Bus shelters are not provided inasmuch as there is no stop adjacent to the location. Similarly, the materials used create and provide for a high quality look, character, and durability. The outlet center's focus, which is incorporated into its design element, is to provide a pleasurable, leisurely, shopping experience for the customer while they enjoy purchasing high quality fashion at value pricing.

- **Minimize the view of parked automobiles and improve the visual appeal of the streetscape by using a well-articulated combination of low walls and landscaping.**

**Applicant's Response:** The parking lot areas are well screened from the public street by a combination of significant planting, including trees and shrubs and the grade change between the public street and the parking lot. In many locations, the grade slopes downward from the public right-of-way of Oxon Hill Road into the site. The significant change in grade puts a large portion of the parking lot underneath the viewshed of a vehicle passenger along the road. Both high (trees) and low (shrubs) landscape in the buffer help mask the remainder of the parking lot. Street trees planted within the right-of-way as part of the public right-of-way improvement plan assist with this task. Finally, the parking lot itself has many landscape trees which serve to reduce the visual impact of the parking lot as well.

- **Ensure that the development is attractive and enhances the character of the existing community.**

**Applicant's Response:** The outlet center includes many National Harbor architectural elements and materials for its buildings, signage, landscape, and infrastructure improvements. This creates an attractive gateway into the surrounding neighborhood. The style and materials do not conflict with the existing office building. Notwithstanding the site's M-X-T zoning, a larger retention of wooded buffer is proposed adjacent to the southern boundary residential and wider landscaping areas along sections of Oxon Hill Road in order to help maintain the character of the adjacent residential and Oxon Hill Manor.



- **Use Crime Prevention Through Environmental Design (CPTED) principles to ensure that development is safe and comfortable for users.**

**Applicant's Response:** Areas of high pedestrian traffic have expansive visual avenues. Landscaping is sized in a manner so as not to create hidden unsafe areas. Lighting has been situated throughout the site to provide safe access for pedestrians within the store and parking areas. No access is being proposed between the closest proximate residential community, and the site grading makes ingress and egress, other than along defined areas, difficult to occur.

- **Provide gateway feature and wayfinding systems for National Harbor at appropriate locations within the development site.**

**Applicant's Response:** The primary intersection at which the entrance to the outlet center and local access to National Harbor is situated creates a visual gateway to this commercial area that ultimately becomes enhanced with additional development in the northwest quadrant of the intersection. The intersection does provide signage direction to National Harbor and will have a visible prominent feature of a lighthouse character for the outlet center. Within the outlet center, there will be information relative to other area attractions including National Harbor.

As approved with conditions, the Planning Board finds that the subject proposal will address the recommended urban design strategies identified in the master plan.

- q. **The detailed site plan shall reflect the following, or as otherwise amended by the District Council during reconsideration of Condition 2 of Zoning Map Amendment A-9882-C:**

**For that portion of the site south of the freeway ramp, a common pedestrian path system shall be designed to link all segments of the proposed development. Any retail segment shall not be designed as a typical strip shopping center or large single-use pad site.**

The Planning Board finds that, as approved with conditions, a common pedestrian path system will be provided. The subject proposal is not considered a typical strip shopping center or large single-use pad site. The outlet center proposal will likely include multiple uses defined in the Zoning Ordinance.

3. **At the time of detailed site plan for the outlet center, the applicant shall employ one of the following options to ensure that the proposal meets the requirements of Section 27-547(d) of the Zoning Ordinance:**

- a. **The detailed site plan shall include the full development proposal for the secondary, non-retail use;**
- b. **The applicant shall propose a timing mechanism for construction of the non-retail use for approval by the Planning Board; or**
- c. **The detailed site plan proposal shall accommodate a temporary or permanent office use within the outlet center, until the second phase of the development is completed.**

The Planning Board finds that the subject application indicates the use of Option A. The detailed site plan includes the full development proposal for the hotel use and indicates a small amount of office uses within the center.

5. **Prior to Planning Board approval of the associated preliminary plan, the applicant shall submit a limited Phase III archeology work plan for 18PR692 that is designed to recover data from the following archeological and cultural deposits and features: the midden, the slave/tenant house, the main house, the possible garden/gardener's quarters, and the dairy building and area around it. The Phase III work plan shall be approved through a revision to HAWP #14-11.**

The Planning Board finds that on February 2, 2012, the applicant submitted a Phase III work plan to Historic Preservation staff as a revision to HAWP 14-11 to satisfy Condition 5 of PGCPB Resolution No. 12-04 for CSP-11006, Salubria Center. At its February 24, 2012 meeting, the Historic Preservation Commission directed staff to issue the decision for the revision to HAWP 14-11 with two conditions:

- (a) **No work shall commence within the environmental setting so long as the matter of the appeal dated February 17, 2012, filed by Bonnie Bick, et al., is pending before the District Council.**
- (b) **The applicant agrees to retain intact salvageable historic stone elements of the foundation that the applicant determines may be potentially reusable in interpretive measures to be installed on the property to commemorate the history and significance of Salubria. The applicant agrees to retain and safeguard these materials at a mutually agreeable location to be identified to Historic Preservation Section staff at the time of their removal. The applicant shall notify Historic Preservation Section staff of any subsequent relocation of these materials.**

Historic Preservation staff approved the revisions to HAWP 14-11 for Phase III archeological investigations within the 2.7-acre environmental setting of the Salubria historic site (#80-002) and issued the permit on March 14, 2012 with two conditions. Condition 5 of PGCPB Resolution No. 12-04 has been satisfied.

- 6. Prior to Planning Board approval of any detailed site plan the applicant shall:**
  - a. Provide a plan for on-site commemorative/interpretive features and other public outreach measures focused on the history and significance of the Salubria property based on the findings of the Phase I, Phase II, and Phase III archeological investigations and other research on the property. The location and wording of the signage and public outreach measures shall be subject to approval by the Planning Board or its designee and may be subsequently modified at time of certificate approval with concurrence of Historic Preservation Section staff.**

The Planning Board finds that the applicant has submitted a plan for on-site commemorative/interpretive features and other public outreach measures focused on the history and significance of the Salubria property with this detailed site plan. The plan was developed with input from the African American Heritage Preservation Group (AAHPG), the Broad Creek Historic District Local Advisory Committee (BCHDLAC), and Historic Preservation staff. The applicant has identified two sites within the outlet center as locations for interpretive signage providing a general history of the site and of the Salubria plantation. A commemorative area is proposed at the southwest corner of the development. This commemorative area can be accessed from the west by the sidewalk along the east side of Oxon Hill Road or from the east by a sidewalk leading from the southwest corner of the outlet center. A series of eight features are proposed that will incorporate elements of the former Salubria plantation that will be salvaged from the Phase III archeological investigations and provide information on the Salubria plantation, Dr. John Bayne, his family, and his horticultural achievements, on the enslaved laborers, and the story of Judah, an enslaved girl who poisoned three of Dr. Bayne's children. Non-fruit bearing trees, representing the types of fruit trees grown by Dr. Bayne, will be planted throughout the commemorative area. Phase III archeological investigations cannot take place until a final decision is made by the District Council. Additional wording for some of the signage will be provided once the archeological investigations are complete.

The Planning Board approved CSP-11006 with two considerations as follows:

- 1. The applicant shall provide information regarding the following considerations which will be referred to the Prince George's County Health Department for review and comment:**

The Planning Board finds that the applicant submitted the required information as follows:

- a. Indicate dust and noise control features during the construction phases of the site.**

**Applicant's Response:** The detailed site plan, Note 21, indicates the applicant will adhere to its approved sediment control plan as well as Code of Maryland Regulations (COMAR) to control on-site dust and noise concerns.

- b. Provide for construction vehicle entrances and procedures that do not negatively impact adjacent residential communities.**

**Applicant's Response:** A sediment control entrance (SCE) will be identified on the approved sediment control plan. It will be located on Harborview Avenue and therefore will not impact adjacent residential communities.

- c. Provide information to indicate that the site is in compliance with the county's Watershed Implementation Plan.**

**Applicant's Response:** The project has received an approval of the stormwater management concept plan from DPW&T. The applicant is providing water quality control measures on-site in the form of low impact development (LID) techniques and an off-site stormwater management facility for flood control. With these measures, they will be in conformance with the watershed implementation plan.

- d. Measures shall be taken to abandon the existing well and septic system on the site, in accordance with county regulations and Code of Maryland Regulations (COMAR).**

**Applicant's Response:** All COMAR regulations pertaining to well and septic removal will be followed.

- e. Through its leasing procedures, the applicant should promote that future food establishments in the outlet center offer healthy, nutritionally rich food choices.**

**Applicant's Response:** No final leases have been signed to date, but as with similar retail locations developed by the applicant, there will be diversity of food venues with nutritional food choices among their offerings.

- f. Provide information to indicate that the capacity of the area waste water treatment plant and pumping station are adequate for the proposed development.**

**Applicant's Response:** The Washington Suburban Sanitary Commission (WSSC), the local water and sewer authority that administers and maintains the water and sewer infrastructure, has approved, via a letter of findings dated February 24, 2012 (WSSC Project No. DA3172Z01), the capacity requirements for the project. The WSSC review of

the submitted water and sewer report included a review of the area wastewater treatment plant and pumping station.

2. **The applicant should work with the community, including the African American Heritage Preservation Group (AAHPG) and the Broad Creek Historic District Local Advisory Group (BCHDLAC), in evaluating appropriate on-site commemorative/interpretive features and other public outreach measures focused on the history and significance of the Salubria property.**

The Planning Board finds that the applicant has addressed the above consideration. The Planning Board adopts the following:

**Applicant's Response:** Dating back to April of 2011, the applicant has met with the groups or their representatives and involved the two groups in determining submissions the applicant has made to M-NCPPC (including the Historic Preservation Section). As a result of this input, the applicant has modified its DSP to create Historic Salubria Commemorative Area at the southwest portion of its property across from Oxon Hill Manor. As proposed and refined with input from the groups, the commemorative area will include stations that provide narrative about two important figures associated with the site, Dr. John Bayne and Judah, as well as the perspective on this period in history with regard to the site. The applicant and the groups have decided to also incorporate "intact masonry material," if any, from the Phase III archaeological investigations into the design of the commemorative area. Additionally, the group has done research and provided the applicant with a preferred narrative for two locations with commemorative features near the Harborview Avenue entrance and at a location within one of the pedestrian corridors proximate to the site foundation materials. The applicant continues to work with the groups on efforts to further publicize the historical significance of this and other sites in the area in conjunction of the groups' efforts to attract more historical site tourism to the area.

11. **Preliminary Plan of Subdivision 4-11028:** The site is the subject of approved Preliminary Plan of Subdivision 4-11028 and the resolution was adopted by the Prince George's County Planning Board on April 12, 2012 (PGCPB Resolution No. 12-26). The preliminary plan is valid until April 12, 2014. The preliminary plan has not received signature approval. A final plat for the subject property must be accepted by M-NCPPC before the preliminary plan expires or a new preliminary plan is required. The detailed site plan (DSP) shows three proposed lots. The preliminary plan is approved for eight parcels. The DSP may provide fewer parcels than the approved preliminary plan. The final plat shall reflect the parcel layout on the approved detailed site plan and must conform to the DSP.

The resolution of approval (PGCPB No. 12-26) contains 18 conditions. The following conditions in **bold** relate to the review of this application:

1. **Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:**

The Planning Board finds that the preliminary plan of subdivision has not been signature-approved. The technical corrections do not affect the DSP. The preliminary plan shall be signature-approved before certificate approval of the DSP. The preliminary plan is valid until April 12, 2014.

- 6. Prior to approval of the detailed site plan, the landscape and lighting plans for the development shall show the use of full cut-off optic light fixtures, which shall be used throughout the development and shall be directed downward to reduce glare and light intrusion.**

The Planning Board finds that the landscape and lighting plan includes light fixtures and the provided details indicate the use of full cut-off optic light fixtures. Condition 6 shall be added as a note on the DSP.

- 7. Development of this site shall be in conformance with Stormwater Management Concept Plan 40537-2003-02, and any subsequent revisions.**

The Planning Board finds that General Note 11 on the DSP accurately states that the property has a Stormwater Management Concept Plan (40537-2003-02). The approval date of the stormwater management concept plan should be added to General Note 11.

- 8. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees, shall provide the following:**
  - a. Dedication of a ten-foot-wide public utility easement (PUE) along the public right-of-way as delineated on the approved preliminary plan of subdivision.**

The approved preliminary plan shows a ten-foot-wide public utility easement (PUE) along Oxon Hill Road and Harborview Avenue. The DSP shows a ten-foot-wide PUE along Oxon Hill Road only. The Planning Board finds that the DSP shall show a ten-foot-wide PUE along all public rights-of-way as reflected on the approved preliminary plan.

- b. Dedication of the right-of-way along Oxon Hill Road as reflected in the county Capital Improvement Program (CIP) project for Oxon Hill Road, OR provide the liber/folio of the recorded deed for the right-of-way dedication executed by the CIP project for Oxon Hill Road.**

This condition requires that the final plat either provide dedication along Oxon Hill Road consistent with the Prince George's County Capital Improvement Project (CIP), or indicate executed deed information for the provision of the needed right-of-way. This condition is enforceable at the time of final plat. The Planning Board finds that the right-of-way shown on this plan shall be consistent with the CIP project. The DSP shows the dimension of Oxon Hill Road, as reflected on the preliminary plan.

- c. A note to state that direct vehicular access to Indian Head Highway (MD 210) is denied.**

This condition requires that the final plat include a note stating that direct vehicular access from the site to MD 210 is denied. While this condition is enforceable at the time of final plat, it is noted that this plan does not reflect, in any way, direct driveway access onto MD 210. The Planning Board finds that Condition 8(c) shall be added to the general notes on the detailed site plan.

- d. A note that access is authorized for Parcels 3 through 8 pursuant to Section 24-128(b)(15) of the Subdivision Regulations and provide the liber/folio of the easement agreement on the final plat.**

The preliminary plan is approved for eight parcels; six of the parcels required access easement pursuant to Section 24-128(b)(15) of the Subdivision Regulations. The DSP shows three lots and each lot has frontage and direct access onto a public street; therefore, the Planning Board finds that an access easement is no longer required.

- 10. In conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)*, the 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area*, and approved CSP-11006 (PGCPB Resolution No. 12-04), the applicant and the applicant's heirs, successors, and/or assignees shall provide the following, and reflect the same on the detailed site plan, unless modified by the Department of Public Works and Transportation (DPW&T):**

- a. Provide and maintain the standard sidewalk, landscape strip, and designated bike lanes along the entire frontage of the subject site, as shown on DPW&T's plans for the Oxon Hill Road improvement project.**

The Planning Board finds that the above condition remains in full effect.

- b. Provide appropriate pavement markings and signage for the designated bike lanes per the American Association of State Highway Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, as shown on DPW&T's plans for the Oxon Hill Road improvement project.**

The Planning Board finds that the above condition remains in full effect.

- c. Provide marked crosswalks at all of the site's ingress/egress points along Oxon Hill Road as shown on DPW&T's plans for the Oxon Hill Road improvement project.**

The Planning Board finds that the above condition remains in full effect.

- d. Pedestrian improvements shall be provided across Oxon Hill Road at Harborview Avenue. Appropriate improvements will be recommended at the time of detailed site plan and may involve high-visibility and contrasting crosswalks, pedestrian countdown signals, pedestrian refuges, signage, and other enhancements as shown on the State Highway Administration Oxon Hill Road Phase 2 Plans.**

The at-grade crossing of Oxon Hill Road at Harborview Avenue provides direct access to the Potomac Heritage Trail on the west side of Oxon Hill Road, which connects to the trail over the Woodrow Wilson Bridge. The Planning Board finds that traffic countdown signals and a high-visibility crosswalk shall be provided at this location, as well as the site's southern signalized access point.

- e. Pedestrian improvements shall be provided across at the site's northern access point (labeled on the plans as a 60-foot right-of-way). Appropriate improvements will be recommended at the time of detailed site plan and may involve high-visibility and contrasting crosswalks, pedestrian countdown signals, pedestrian refuges, signage, and other enhancements, as approved by State Highway Administration.**

The Planning Board finds that the crosswalk shown across the site's northern access point is adequate. However, sidewalks are not indicated along both sides of Harborview Avenue. A standard sidewalk along the north side of Harborview Avenue shall be provided along the frontage of Lot 2, unless modified by DPW&T or SHA.

- f. Standard sidewalks shall be provided along one side of ingress/egress roads and the proposed loop road.**

The Planning Board finds that standard sidewalks are indicated on the DSP along one side of ingress/egress roads and the proposed loop road.

- g. Consideration shall be given to providing a trail or sidewalk connection from the subject site to Abbington Place, unless it is determined there are environmental constraints that make this connection unfeasible.**

This potential connection has been reviewed and, due to the presence of a substantial retaining wall and various environmental features and regulated areas, the Planning Board finds that a pedestrian connection is not feasible at this location.

- h. Bicycle parking shall be provided throughout the subject site. Appropriate numbers and locations will be determined at the time of detailed site plan.**

The Planning Board finds that the bicycle racks are evenly distributed throughout the site at relatively convenient locations. Each rack accommodates seven bicycles, and four



racks are shown on the submitted plans, for a total of 28 bicycle parking spaces. This appears to be adequate to meet the needs of the site.

**i. Show the pedestrian walkway required in Condition 1d of CSP-11006 (PGCPB Resolution No. 12-04).**

The Planning Board finds that the above-described connection is indicated on the detailed site plan.

- 11. Prior to approval of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for on-site commemorative/interpretive features and other public outreach measures focused on the history and significance of the Salubria property based on the findings of the Phase I, Phase II, and Phase III archeological investigations and other research on the property. The location and wording of the signage and public outreach measures shall be subject to approval by the Planning Board or its designee.**

The Planning Board finds that the above condition has been addressed. The above condition is largely identical to CSP Condition 6a. An interpretive features package has been provided for review. For additional discussion of the interpretive features see Finding 10.

- 13. At the time of detailed site plan, the Type II tree conservation plan (TCPII) shall show the location of the archeological site.**

The Planning Board finds that this condition has not been addressed. This condition refers to archeological site 18PR809. The Type 2 tree conservation plan (TCP2) shows the location of the environmental setting for the historic site; however, the location of the archeological site is not adequately identified. Prior to certification of the detailed site plan, the TCP2 shall be revised to show the location of archeological site 19PR809 and provide a symbol in the legend.

- 17. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program; (b) have been permitted for construction through the operating agency's permitting process; and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

- a. Oxon Hill Road and site access: A southbound left-turn lane along with the required northbound through/right-turn lane shall be constructed. Construction of the site access driveway shall include a minimum of two outbound lanes, with any needed signal, signage, and pavement marking modifications determined to be required by the Department of Public Works and Transportation (DPW&T). All improvements will be designed and**

**constructed in accordance with the requirements and standards of DPW&T. Any required queuing analyses shall consider Saturday as well as weekday site trip generation.**

- b. Oxon Hill Road and site access: Prior to approval of the initial building permit, the applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Oxon Hill Road and the site access. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the improvements with DPW&T prior to release of any building permits, and complete installation at a time when directed by DPW&T.**
- c. Harborview Avenue and site access: Westbound double left-turn lanes and eastbound double right-turn lanes shall be constructed. The westbound approach of Harborview Avenue will be reconfigured to include one through and a shared right-turn/through lane, and the eastbound approach of Harborview Avenue will maintain a single left-turn lane. Construction of the site access driveway shall include a minimum of two outbound lanes and two inbound lanes, with any needed signal, signage, and pavement marking modifications determined to be required by the Maryland State Highway Administration (SHA). All improvements will be designed and constructed in accordance with the requirements and standards of the Department of Public Works and Transportation (DPW&T). Any required queuing analyses shall consider Saturday as well as weekday site trip generation.**

This three-part condition requires physical improvements at the site access onto Oxon Hill Road, signalization/traffic control improvements at the site access onto Oxon Hill Road, and physical and traffic control improvements at the site access onto Harborview Avenue. All improvements are enforceable at the time of building permit; the Planning Board finds that no actions are required to be concurrent with the subject detailed site plan.

- 18. Total development within the subject property shall be limited to equivalent development which generates no more than 460 AM peak hour, 969 PM peak hour, and 1,289 Saturday peak-hour vehicle trips in consideration of the pass-by travel assumed. Any development generating 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.**

This condition sets a trip cap of 460 AM peak hour trips, 969 PM peak hour trips, and 1,289 Saturday peak hour trips for the site. The proposal, as described in the traffic study done at the time of preliminary plan, includes a 400,000-square-foot retail center, a 100-room hotel, and

100,000 square feet of office space. Using trip generation rates in *Trip Generation* (Institute of Transportation Engineers) for factory outlet center, along with rates in the “Guidelines for the Analysis of the Traffic Impact of Development Proposals,” and also using the methodology in *Trip Generation Handbook* (Institute of Transportation Engineers) to compute internal trips, the following table summarizing trip generation for the site, as proposed on this detailed site plan, was developed:

<b>Trip Generation Summary, 4-11028, Salubria Center</b>					
<b>Land Use</b>	<b>Use Quantity</b>	<b>Metric</b>	<b>Trips Generated by Peak Hour</b>		
			<b>AM</b>	<b>PM</b>	<b>Saturday</b>
Hotel	100	rooms	65	80	72
General Office	3,255	square feet	7	6	1
Retail/Factory Outlet	380,676	square feet	255	872	1443
Less internal trips			-18	-35	-31
Less pass-by for retail	15 percent		-38	-131	-216
<b>Total</b>			<b>309</b>	<b>923</b>	<b>1,269</b>
<b>4-11028 Trip Cap</b>			<b>460</b>	<b>969</b>	<b>1,289</b>
<b>Consistent with Trip Cap?</b>			<b>OK</b>	<b>OK</b>	<b>OK</b>

It shall be noted that a 15 percent pass-by rate for retail trips is assumed; given the nature of the type of retail, it is a significant reduction from the pass-by rates of 40 to 60 percent that are typically assumed for retail. This is assumed in recognition that the outlet center is more of a destination than most retail uses. These assumptions are fully consistent with the preliminary plan assumptions.

As is noted in the final three rows of the above table, the Planning Board finds that the proposal is consistent with the preliminary plan trip cap.

During the Planning Board’s approval of 4-11028 the following finding was made:

**Future development applications for the subject property which require architectural approval shall incorporate green building techniques and the use of environmentally-sensitive building techniques to reduce overall energy consumption to the greatest extent possible. A list of the proposed techniques shall be provided with the DSP application.**

The Planning Board finds that the applicant has provided the required information with regard to green building techniques. Applicant Exhibit 2 indicates use of the following:

1. Alternative Transportation
  - a. Public transportation access
  - b. Bicycle racks and changing rooms (public restrooms)
  - c. Parking spaces for low emitting vehicles
2. Stormwater Design – Quality Control
  - a. Environmental Site Design (ESD) and Best Management Practice (BMP) devices utilized
    - i. Dry wells and under drains
    - ii. Infiltration devices
    - iii. Bio-retention devices
3. Reductions in Heat Island Effect
  - a. White reflective roof
4. Management of Light Pollution and Controllability of Systems
  - a. Net Link Light Control System
  - b. Cut off fixtures on parking lot lights
5. Water Efficient Landscaping
  - a. Drip irrigation where possible
6. Water Use Reduction
  - a. Low flow toilets in Public Restrooms
7. Optimize Energy Performance
  - a. High Seasonal Energy Efficiency Ratio Rooftop Units (SEER RTUs)
  - b. Thermal Pane Glass
8. Construction Waste Management
9. Use of Recycled Content
10. Use of Regional Materials
11. Low Emitting Materials
  - a. Adhesives and Sealant
  - b. Paints
  - c. Carpets
12. Energy Efficient Lighting
  - a. Tenant Lighting
  - b. Site Lighting
  - c. Hardscape Lighting

The Planning Board finds that no further information is required. The above requirement has been satisfied.

12. **Prince George's County Landscape Manual:** Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The Planning Board adopts the following findings:

- a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. The landscape strip may not include any paved area except pedestrian sidewalks or trails that cross the landscape strip (meaning crossing perpendicularly). At least the minimum required landscape strip is required along Oxon Hill Road and Harborview Avenue.

Section 4.2 also allows for the substitution of two ornamental trees for each one required shade tree, where overhead wires exist. Overhead wires currently exist along Oxon Hill Road and, while the DPW&T Capital Improvement Project (CIP) proposes some modification of the existing utility locations, overhead wires will continue to exist along the improved Oxon Hill Road. Therefore, ornamental trees may be permitted in lieu of shade trees along the applicant's Oxon Hill Road frontage pursuant to the requirements of Section 4.2(c)(3)(B) of the Landscape Manual.

The landscape plan has been revised to provide additional landscape materials along Oxon Hill Road, inclusive of shade trees, ornamental trees, and a number of shrubs; however, the Section 4.2 schedule has not been updated. These charts shall reflect the additional plantings prior to signature approval. The landscape plans shall exceed the minimum requirements of Section 4.2.

Section 4.2 applies to both sides of the site's frontage on Harborview Avenue. The required planting strip does not appear to be provided on Lots 2 and 3. An additional Section 4.2 schedule shall be provided for this portion of the site's frontage on Harborview Avenue prior to signature approval of the plans.

- b. **Section 4.3 Parking Lot Requirements**—Section 4.3 specifies that proposed parking lots larger than 7,000 square feet will be subject to Section 4.3. The DSP indicates the location of one large parking compound that encircles the outlet center proposal, and one small parking compound proposed adjacent to the hotel use. Section 4.3 requires that parking lots provide planting islands throughout the parking lot to reduce the impervious area. When these planting islands are planted with shade trees, heat island effect created by large expanses of pavement may be minimized.

The outlet center parking lot provides 15 percent interior green and 381 shade trees in conformance with Section 4.3, and the small parking lot on Lot 3 provides 10 percent interior green and 7 shade trees. Both parking lots meet the requirements of Section 4.3 of the Landscape Manual.

- c. **Section 4.4 Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The screen wall provided for the loading areas meets the requirements of the Landscape Manual.
- d. **Section 4.6 Buffering Development from Streets**—Section 4.6 provides guidance for scenic road treatments and buffering from roads. Oxon Hill Road is not categorized as a scenic or historic road; however, the Planning Board determined, in its review of the conceptual site plan, that the Oxon Hill Road should be planted in accordance with the standards in Section 4.6, unless modified by the District Council. A 20-foot-wide landscape buffer to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings, is the minimum planting requirement for scenic roads in the Developing Tier in accordance with Section 4.6, Buffering Development from Special Roadways. The submitted landscape plan indicates that the proposed plantings exceed the standards contained in Section 4.6 by 591 plant units, which is the equivalent of approximately 59 shade trees.
- e. **Section 4.7 Buffering Incompatible Uses**— The site is subject to Section 4.7. A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transitions between moderately incompatible uses. The detailed site plan graphically indicates preservation of existing wooded area along the southern and eastern boundaries, where the outlet center is adjacent to residentially-zoned properties. The indicated woodland preservation exceeds the requirements of Section 4.7 in these locations. Where woodland conservation is not provided, the site plan indicates the correct amount of proposed plant material.

The landscape plan does not reflect both woodland areas to be cleared to provide the proposed stormwater outfalls. This information shall be provided on the landscape plan in order to ensure conformance with Section 4.7 of the *Prince George's County Landscape Manual*. This inconsistency shall be addressed on the landscape plan prior to signature approval.

- f. **Section 4.9 Sustainable Landscaping Requirements**—The site is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The required schedules demonstrating conformance to Section 4.9 have been provided. Due to plan revisions, the provided schedules shall be updated to reflect the planting proposed on the revised plan.

- g. There are a few technical revisions needed to be made on the submitted landscape plan prior to signature approval, so that it is clearer that the requirements of the Landscape Manual have been met. The project's linear footage along Oxon Hill Road and the number of plant units provided within bufferyards appear to vary depending on the planting schedule analyzed. There also appears to be some drafting errors on the submitted landscape plan. A few trees are shown erroneously in paved areas. These inconsistencies shall be corrected prior to signature approval of the plans.

13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The Planning Board finds that the subject property conforms to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO). The property is greater than 40,000 square feet in size, contains more than 10,000 square feet of existing woodland, and has an approved Type 1 Tree Conservation Plan (TCP1-014-11-01). A Type 2 tree conservation plan (TCP2) has been submitted. The Planning Board adopts the following:

- a. **Type 2 Tree Conservation Plan TCP2-015-12**—The woodland conservation threshold (WCT) for this 43.79-acre property is 15 percent of the net tract area or 6.31 acres. The total woodland conservation requirement based on the amount of clearing proposed is 13.62 acres. The woodland conservation requirement is proposed to be satisfied with 3.02 acres of on-site preservation and 10.60 acres of off-site mitigation.

The Planning Board finds that the revised TCP2 is in conformance with the woodland conservation requirements. In accordance with Section 25-122(a)(6) of the WCO, any approved off-site woodland conservation shall consider the following locations in the order listed: within the same sub-watershed, within the same watershed, within the same river basin, within same growth tier, or within the same county of the subject site. The location of off-site woodland conservation shall be addressed at the time of permit review.

- b. **Variance from Section 25-122(b)(1)(G):** Section 25-122(b)(1)(G) of the WCO requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

A variance request to Section 25-122(b)(1)(G) was received and reviewed with the Conceptual Site Plan (CSP-11006) application for the removal of 38 of 52 specimen trees (Trees 60– 65, 73–84, 167, 171–173, 178–181, and 183–197) located on the subject property. The variance was approved by the Planning Board. No additional information with regard to the removal of specimen trees is required at this time.

14. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that

require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area in tree canopy. The subject property is 43.79 acres in size, resulting in a TCC requirement of 4.38 acres.

The Planning Board finds that the subject application exceeds the requirements of the Tree Canopy Coverage Ordinance using proposed woodland preservation and existing wooded floodplain. A TCC schedule has been provided and indicates the following:

	<b>REQUIRED</b>	<b>APPROVED</b>
Tree Canopy	190,749 sq. ft.	247,992 sq. ft.

The subject application indicates conformance to the Tree Canopy Coverage Ordinance. During the review of the first permit, the permit plans will be required to demonstrate conformance with Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance. A TCC schedule shall be placed on the landscape plan.

15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The Planning Board adopts the following:

a. **Community Planning**—The Planning Board finds that the application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developing Tier corridor by providing a mix of land uses within the Oxon Hill Transit Corridor. This detailed site plan also conforms to the mixed land use recommendation in the 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area*, and has addressed the urban design strategies of the master plan.

- (1) **2002 Prince George's County Approved General Plan:** The property is located in the Developing Tier—Oxon Hill Transit Corridor. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable.
- (2) **2006 Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment:** The master plan retained the site in the M-X-T Zone.
- (3) The applicant shall consider providing more clearly designated interior pedestrian connectivity through the parking lots, including the parking lot on Lot 3.

b. **Transportation Planning**—The Planning Board adopts the following findings:



- (1) The site has frontage on Oxon Hill Road, which is a master plan collector facility which has detailed plans for improvement under the County's Capital Improvement Program (CIP). The right-of-way and any improvements shown on this plan within the right-of-way should be confirmed by the DPW&T.

Harborview Avenue is an undesignated industrial/commercial roadway with an acceptable right-of-way that varies between 60 and 110 feet.

Access and circulation are very simple. The southern side of the site (which contains the bulk of the proposal) has a single access from each of the two adjacent streets, with a circulating driveway around several buildings that comprise the commercial center. The northern side of the site (which contains the hotel use) will be addressed via an existing driveway from Harborview Avenue and existing driveways adjacent to the site. The Planning Board finds this to be acceptable.

- (2) The Planning Board finds the site plan acceptable from the standpoint of transportation. There is general consistency between the transportation-related conditions on prior plans and the subject plan. The transportation adequacy finding is less than six years old; therefore, adequacy need not be addressed by this plan. Aside from a couple of issues that require trails and/or DPW&T review, there are no outstanding issues posed by this plan.
- (3) The subject application has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.

Both the MPOT and area master plan identify two master plan trails issues in the vicinity of the subject property. Oxon Hill Road is designated as a master plan bikeway/trails corridor, and the existing Potomac Heritage Trail in National Harbor intersects with Oxon Hill Road directly across from the subject site at Harborview Avenue. The MPOT includes the following description for the planned improvements along Oxon Hill Road:

**The MPOT (page 24) recommends the following:**

**Oxon Hill Road Sidewalks and Designated Bike Lanes: These facilities will provide pedestrian and bike access to National Harbor, Oxon Hill Manor, Fort Foote Elementary School, and the Henson Creek Trail. A portion of these improvements are funded through a Department of Public Works and Transportation Capital Improvement Program project. These**

**improvements will also serve as a segment of the Potomac Heritage Trail on-road bicycle route.**

The Department of Public Works and Transportation (DPW&T) has completed initial designs for the Oxon Hill Road improvement project, which includes the frontage of the subject site. These designs incorporate the recommendations contained in the MPOT by providing designated bike lanes within the roadway, a side path along the west side of Oxon Hill Road, and a standard sidewalk along the east side. A median is also proposed along this segment of Oxon Hill Road which will function as a pedestrian refuge for pedestrians crossing the road at one of the signalized intersections. The MPOT designates this segment of Oxon Hill Road as a collector with an 80-foot right-of-way (40 feet from centerline). In order to accommodate the additional space for the four-foot-wide designated bike lane along the site's frontage, an additional four feet of dedication will be necessary, unless modified by DPW&T.

The MPOT also includes several policies related to pedestrian access and the provision of sidewalks within designated centers and corridors, as well as other areas in the Developed and Developing Tiers. The Complete Streets section includes the following policies regarding sidewalk construction and the accommodation of pedestrians:

**POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The Trails, Bikeways, and Pedestrian Mobility chapter of the MPOT also includes the following policy regarding pedestrian connections between and within communities:

**POLICY 9: Provide trail connections within and between communities as development occurs, to the extent feasible and practical.**

Related to Policy 9, the adjacent residential community includes a stub street (Abbington Place), which extends from Abbington Drive and ends at the boundary of the subject property. Consideration has been given to providing a pedestrian connection at this location, and it is determined that no connection is recommended.

- (4) The Planning Board adopts the following recommendations regarding the bicycle and pedestrian features of the plan:
- (a) **Interpretative plaza and walkway:** A historic interpretation plaza is being proposed in the southeast corner of the subject site. It includes foundation stones, historic plaques, interpretive signage, garden, and crushed granite walk lined with stones. This walk connects to Oxon Hill Road, and the applicant has extended a sidewalk connection from the plaza to the front of the shopping center. The feature is an attractive amenity which accommodates an additional pedestrian route.
  - (b) **County Council Bill CB-2-2012:** The County Council passed CB-2-2012 (an act concerning Adequate Public Pedestrian and Bikeway Facilities in Centers and Corridors) on April 24, 2012 by a vote of 9 to 0. This bill includes a provision for the construction of sidewalks or designated walkways through large expanses of surface parking (sub-point (4) under point (d)). Although this legislation will not be effective until June 1, 2013, this provision indicates the intent of the Council to provide these types of walkways in order to improve pedestrian safety.

While the subject DSP generally meets the intent of this pending legislation, there is one area that should be improved. During the review of the DSP, one exterior storefront entrance was noted on the northwest side of the outlet center. This entrance is not served by any direct pedestrian route, as it lies midway between the sidewalk along Harborview Avenue and the sidewalk along the southern access point (a distance of approximately 930 linear feet). An additional pedestrian connection is recommended from Oxon Hill Road to serve this entrance, if feasible.

c. **Environmental Planning**—The Planning Board adopts the following findings:

- (1) **Site Description:** The site is approximately 50 percent wooded. There are streams, wetlands, and floodplain on the property associated with the Henson Creek watershed in the Potomac River Basin. The 2005 *Approved Countywide Green Infrastructure Plan* identifies the site within the designated network as regulated area, evaluation area, and network gap. The soils types found to occur on the subject property according to the *Prince George's County Soil Survey* are Croom, Beltsville, Bibb, Aura, and Fallsington. Marlboro Clay does not occur on the subject property. Based on GIS information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of the site. Oxon Hill Road was designated a master-planned collector roadway in the

2009 *Approved Countywide Master Plan of Transportation* (MPOT). No historic or scenic roads are affected by this proposal. Indian Head Highway (MD 210) is an adjacent source of traffic-generated noise. The proposed use is not expected to be a noise generator. The property is in the Henson Creek watershed of the Potomac River Basin, and in the Developing Tier as reflected in the 2002 *Prince George's County Approved General Plan*.

- (2) An approved Natural Resources Inventory, NRI-075-05/01, was submitted with the review package. The site contains a total of 24.86 acres of woodland. There are regulated streams, adjacent steep slopes of 15 percent or greater, wetlands, and 100-year floodplain on the property that comprise a primary management area (PMA). The PMA has been delineated correctly on the approved NRI. The required information from the approved NRI is correctly shown on the TCP2 and DSP. No further information with regard to the NRI is needed at this time.
- (3) An approved Stormwater Management Concept Plan, 40537-2003-03, dated March 30, 2011 was submitted with the subject application. The plan shows that water quality and quantity will be addressed with multiple micro-bioretenion and infiltration trenches in the parking areas and other locations throughout the site. The existing stormwater management pond on the site, just north of Harborview Avenue, will be removed and multiple infiltration trenches will be installed under the proposed parking to treat one-half inch water quality volume. This will be a direct replacement of the existing pond volume.

d. **Subdivision Review**—The Planning Board adopts the following findings:

- (1) The subject property is located on Tax Map 104 in Grid F-1, in the M-X-T Zone, and is 43.79 acres. The site is currently undeveloped. The applicant is submitting a detailed site plan for the construction of a mixed-use development of retail, office, and hospitality uses of approximately 437,721 square feet for the subject property.
- (2) The site is the subject of approved Preliminary Plan of Subdivision 4-11028 and the resolution was adopted by the Prince George's County Planning Board on April 12, 2012 (PGCPB Resolution No. 12-26). The preliminary plan is valid until April 12, 2014. The preliminary plan has not received signature approval. A final plat for the subject property must be accepted by M-NCPPC before the preliminary plan expires or a new preliminary plan is required. The detailed site plan (DSP) shows three proposed lots. The preliminary plan is approved for eight parcels. The DSP can show fewer parcels than the approved preliminary plan as long as the DSP is in conformance with the conditions of the preliminary plan. The final plat should reflect the parcel layout on the approved detailed site plan and must conform to the DSP.

- (3) The access easement for Lots 2 and 3 through the adjacent properties to the north, which is not part of the DSP, is not in conformance with the approved preliminary plan. The DSP should 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 Zoning Ordinance and Section 24-128 of the Subdivision Regulations.

The applicant shall also 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.

- e. **Historic Preservation**—Details of the commemorative features required by the Historic Preservation Commission as a condition for the removal of the historic designation of Salubria, are provided through this application. Oxon Hill Manor, identified in the Prince George’s County Inventory of Historic Resources as #80-001, is located to the west of and adjacent to the subject property.

The subject property contains Salubria, identified in the Prince George’s County Inventory of Historic Resources as #80-002. The property was designated as a Prince George’s County Historic Site on July 17, 1981. Salubria was built circa 1830 by Dr. John H. Bayne, a prominent physician, agriculturalist, and the first superintendent of the county’s public schools. Salubria was home to five generations of the Bayne family until its sale in 1984.

The Planning Board adopts the following historic preservation-related findings:

- (1) At a public meeting held on January 4, 2012, the Prince George’s County Historic Preservation Commission (HPC) reviewed two items affecting the Salubria Historic Site (#80-002). These items included (1) an Application for a Change to an Environmental Setting and (2) an associated conceptual site plan application, CSP-11006, Salubria Center, for the redevelopment of the historic site, and additional property, as an outlet mall.

At the public hearing, the HPC received a presentation from staff, a presentation from the applicant, and comments from the public. The HPC voted 6-0 in favor of a motion to eliminate the environmental setting and the historic site designation according to the language provided below. As part of its six-hour hearing with substantial public testimony and discussion, the Historic Preservation Commission was able to review only limited information about the associated conceptual site plan application (CSP-11006). Because the HPC did not receive a full staff presentation, testimony from the applicant or comments

from the public on the application, it was unable to make recommendations to the Planning Board on the conceptual site plan application.

The HPC concluded that in its current state, the Salubria historic site and its 2.7-acre environmental setting could no longer be found to meet the historic site designation criteria of Subtitle 29-104. The HPC also concluded that in this case, the value of archeological investigation is enhanced in the face of the complete elimination of the physical evidence of habitation. After the consideration of the application, the staff presentation, the applicant's testimony, and public testimony, the Historic Preservation Commission voted 6-0 in favor of a motion (summarized here) to eliminate the environmental setting and the historic site designation of Salubria (#80-002) with conditions: (1) requiring Phase III archeological investigation before the ultimate destruction of the site, and (2) that the applicant continue to consult with individuals and community organizations interested in commemorating the history of the property, prior to the removal of the property from the Inventory of Historic Resources associated with the Approved Historic Sites and Districts Plan.

- (2) A public hearing on Preliminary Plan 4-11028, Salubria Center, was held by the Prince George's County Planning Board on March 22, 2012. The Planning Board adopted a number of conditions regarding the disposition of the Salubria historic site, including a condition that reflected the HPC's decision on the matter of the proposed elimination of the Salubria historic site and its environmental setting.
- (3) As part of DSP-11025, the applicant has submitted a plan for on-site commemorative/interpretive features and other public outreach measures focused on the history and significance of the Salubria property. The plan was developed with input from the African American Heritage Preservation Group (AAHPG), the Broad Creek Historic District Local Advisory Committee (BCHDLAC) and Historic Preservation staff. The applicant has identified two sites (General Commemorative Areas B and C) within the outlet center as proposed locations for interpretive signage providing a general history of the site and of the Salubria plantation. A third commemorative area (Historic Salubria Commemorative Area A) is proposed at the southwest corner of the development. This commemorative area can be accessed from the west by the proposed sidewalk along the east side of Oxon Hill Road or from the east by a proposed sidewalk leading from the southwest corner of the outlet center. Within this commemorative area, a series of eight features are proposed that will incorporate elements of the former Salubria plantation that will be salvaged from the Phase III archeological investigations and provide information on the Salubria plantation, Dr. John Bayne, his family, and his horticultural achievements, on the enslaved laborers, and the story of Judah, an enslaved girl who poisoned three of Dr. Bayne's children. Non-fruit bearing trees, representing the types of fruit trees grown by Dr. Bayne, will be planted throughout the commemorative area. Phase III archeological investigations may help inform the content of interpretive measures

within this commemorative area. Phase III investigations cannot take place until a final decision is made by the District Council. Additional wording for some of the signage will be provided once the archeological investigations are completed.

The Planning Board adopts the following archeology-related findings:

- (4) In compliance with the HPC's decision to eliminate the Salubria historic site and environmental setting, a Phase III scope of work for archeological site 18PR692, prepared by Dr. James G. Gibb, was submitted by the applicant on February 8, 2012 as a revision to HAWP #14-11. Historic Preservation staff recommended certain changes to the work plan and a revised plan was submitted by the applicant on February 14, 2012.

At its February 24, 2012 meeting, the Historic Preservation Commission directed staff to issue the decision for the revision to HAWP #14-11 with two conditions:

- (a) No work shall commence within the environmental setting so long as the matter of the appeal dated February 17, 2012, filed by Bonnie Bick, et al., is pending before the District Council.
  - (b) The applicant agrees to retain intact salvageable historic stone elements of the foundation that the applicant determines may be potentially reusable in interpretive measures to be installed on the property to commemorate the history and significance of Salubria. The applicant agrees to retain and safeguard these materials at a mutually agreeable location to be identified to Historic Preservation Section staff at the time of their removal. The applicant shall notify Historic Preservation Section staff of any subsequent relocation of these materials.
- (5) The applicant's intention to preserve-in-place archeological site 18PR809 is appropriate. The site plan indicates that 18PR809 will not be disturbed by construction activities to implement the subject proposal. In general, preservation in place is encouraged when feasible. The applicant shall provide a plan for ensuring the preservation of site 18PR809 in perpetuity, including its ultimate ownership and long-term maintenance.
  - (6) The curated artifact collection and associated documentation of Phase I, II and III studies for sites 18PR692 and 18PR809 shall be deposited at the Maryland Archaeological Conservation Lab at the Jefferson Patterson Park in Calvert County, Maryland. All artifacts should be washed and cataloged according to Technical Update No. 1 of The Standards and Guidelines for Archeological Investigations in Maryland, Collections and Curation Standards (2005).

- (7) The areas of archeological site 18PR692 that will be subject to Phase III investigations shall not be disturbed until the final Phase III report is accepted and approved by Historic Preservation staff. Findings of the Phase III archeological investigations of site 18PR692 shall inform the content of the interpretive measures to be located in proposed commemorative areas A, B, and C.
- f. **Permit Review**—The Permit Review Section identified several revisions that shall be made to the detailed site plan. Those comments have been addressed as conditions of approval.
- g. **The Department of Parks and Recreation (DPR)**—The proposed development is directly across Oxon Hill Road from Oxon Hill Manor, which is one of Prince George’s County’s most significant and important historic resources. The proposed entrance to the outlet center from Oxon Hill Road will be in line with the entrance to Oxon Hill Manor. It will be signalized upon the completion of the Department of Public Works and Transportation (DPW&T) roadway improvements. A standard ten-foot-wide public utility easement (PUE) is required along the public street frontage for the property as noted on the preliminary plan approval. The submitted development proposal also shows an inward pedestrian-oriented design with loading spaces for the retail center facing outwards to the parking fields. Adjacent to the loading area at Building 1, a 70-foot-high tower sign is proposed for the project. The loading spaces for Buildings 1 and 2 face Oxon Hill Road and are sited approximately 13 feet in elevation lower than the Oxon Hill Road entrance. Masonry screen walls have been incorporated in the architecture to screen the loading spaces; however, the loading access points are up to 70 feet in width which seems to be excessive. The development plans currently provide a 28- to 56-foot-wide landscape strip along Oxon Hill Road with more than the required landscape plantings as required per Section 4.6 (Scenic and Historic Roads) of the 2010 *Prince George’s County Landscape Manual*.

At the Subdivision and Development Review Committee (SDRC) meeting, it was suggested that a greater buffer along Oxon Hill Road be provided that includes enhanced landscaping, berming, and low masonry walls, to soften the visual impacts of the development. The applicant has worked to provide a wider buffer along the Oxon Hill Manor frontage and an enhanced landscape treatment.

The Oxon Hill Manor’s historic setting shall be protected from the adverse effects of development to the degree possible without significantly interfering with the proposed development. The value of a historic structure and/or district would be greatly diminished if it is surrounded by incompatible development. A minimal buffer would expose visitors to Oxon Hill Manor to a busy shopping center with its associated traffic and parking, and could detract from the historic character and setting of Oxon Hill Manor.



- h. **The Department of Public Works and Transportation (DPW&T)**—DPW&T provided standard discussion on issues such as right-of-way dedication, frontage improvement, sidewalks, street trees and lighting, storm drainage systems, and facilities in order to be in accordance with the requirements of DPW&T. There is a planned DPW&T Capital Improvement Project (CIP) for Oxon Hill road along the site frontage; therefore, coordination with DPW&T is required.

The site has an approved Stormwater Management Concept Plan (40537-2003-03) dated March 30, 2012. The plan shows that water quality will be done with micro-bioretenion, infiltration, and other environmental site design (ESD) practices and techniques. The hotel proposal is reflected in the site's revised concept plan.

- i. **The Maryland State Highway Administration (SHA)**—SHA had not responded to the detailed site plan referral request at the time of the writing of the subject resolution. Harborview Avenue is a state-maintained roadway; therefore, coordination with SHA is required. SHA provided detailed review comments at the time of preliminary plan of subdivision, and conceptual site plan. SHA recommendations are provided in PGCPB Resolution No. 12-26.

- j. **The Department of Environmental Resources (DER)**—DER provided the following comments:

- (1) The 2008 *Water and Sewer Plan* placed Parcel A in water and sewer Category 3, which will be serviced by public water and sewer. The plan placed Parcel 18 in water and sewer Category 4, which is in the appropriate service area to be served by public systems. Category 3 must be obtained for Parcel 18 for water and sewer through the administrative amendment procedure, prior to recordation of a final plat.
- (2) A water line in Oxon Hill Road at South Port America Grande Boulevard abuts Parcel A, and a segment extending north of Balmoral Drive is in close proximity to Parcel 18. Sewer lines traverse both parcels. Water and sewer line extensions may be required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission (WSSC).

- k. **Washington Suburban Sanitary Commission (WSSC)**—WSSC provided review comments on the subject detailed site plan. WSSC also provided a letter dated February 24, 2012, which indicates that the project has a sanitary sewer service status of "adequate," and that the project is not dependent on the completion of the Broad Creek Wastewater Pumping Station Augmentation Project.

- l. **The Prince George's County Health Department**—The Environmental Engineering Program of the Prince George's County Health Department has provided a health impact assessment for the subject site. Recently enacted County Council Bill CB-41-2011(DR-2)

requires that the Planning Board refer conceptual and detailed site plan proposals to the Health Department for a health impact assessment review in order to identify the health impacts or implications of proposed development on the community. In a referral dated April 13, 2012, the Health Department requested the following information:

- (1) Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- m. **The Prince George's County Police Department**—The Prince George's County Police Department provided comment on the detailed site plan at the Subdivision and Development Review Committee (SDRC) meeting on April 13, 2012 regarding crime prevention through environmental design (CPTED). The Police Department expressed concern that some of the shade trees might be in conflict with light post locations. To address this concern, the Police Department recommended that the applicant provide understory pedestrian-scaled lighting along walkways through the parking lot to meet safety concerns. Locations of under-story lighting shall be indicated along pedestrian walkways from the center to the Oxon Hill Road right-of-way prior to signature approval of the detailed site plan. The Police Department also endorsed the use of benches within the center and along edges of the center to encourage natural surveillance. The Planning Board supports these requests.
  - n. **The Prince George's County Soil Conservation District**—The Prince George's County Soil Conservation District currently has no comment on the subject detailed site plan. The site does not currently have an approved sediment control plan, nor is one required at this time. Review of the technical plan will be required prior to grading permit. The proposed retaining wall will be subject to detailed review by the Prince George's County Soil Conservation District prior to its construction.
  - o. **Verizon**—Verizon provided comment on the detailed site plan at the Subdivision and Development Review Committee (SDRC) meeting on April 13, 2012. The required public utility easement (PUE) shall be provided on both sides of all public roads and, specifically, the parking lot shall be located entirely outside of the PUE on Lot 3.
  - p. **Potomac Electric Power Company (PEPCO)**—In correspondence dated April 24, 2012, PEPCO stated that, in addition to the ten-foot required public utility easement (PUE) along all public rights-of-way, PEPCO may require PUEs along all ingress and egress routes, although this has not been determined.
16. Based on the foregoing and as required by Section 27-285(b) of the Zoning Ordinance, the Planning Board finds that the DSP represents a most 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, if approved with conditions.

17. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a detailed site plan:

**The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.**

The Planning Board finds that the site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible. The on-site regulated environmental features include streams and their associated 75-foot-wide buffers, wetlands and their associated 25-foot-wide buffers, and the 100-year floodplain. Impacts to the regulated environmental features shall be limited to those that are necessary for the development of the property.

A letter of justification and associated exhibits for the proposed impacts, stamped as received by the Environmental Planning Section on December 21, 2011, were reviewed with companion case CSP-11006. The plans and exhibits show the location of two proposed impacts to the PMA in order to install stormwater management outfalls. Per the findings of PGCPB Resolution No. 12-04, the proposed impacts to the stream were found to demonstrate the preservation and restoration of the PMA to the fullest extent possible. The Planning Board finds that no additional impacts are proposed with the subject application.

Prior to issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., the applicant will be required to submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

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 2 Tree Conservation Plan (TCP2-015-12) and further APPROVED Detailed Site Plan DSP-11025 for the above-described land, 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 the proposed hotel, the applicant shall submit a limited detailed site plan for the purpose of providing an improved architectural product to be reviewed and approved by the Planning Board, or its designee, for the following:
- a. The south building elevation (facing the outlet center) shall be designed to appear more like a front elevation with additional architectural features.
  - b. All elevations shall demonstrate a high degree of architectural articulation and quality materials, with a substantial emphasis on quality masonry materials.
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. The Salubria Historic Site, 80-002, and its 2.7-acre environmental setting shall be shown correctly on all plans submitted until final action on the status of the historic site and its environmental setting is taken by the District Council.

10. 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.
11. 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.
12. 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.
13. 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.

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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Squire, Shoaff and Hewlett voting in favor of the motion at its regular meeting held on Thursday, May 17, 2012, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31<sup>st</sup> day of May 2012.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator

PCB:JJ:MF:arj