

C O R R E C T E D R E S O L U T I O N

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 December 6, 2007 regarding Detailed Site Plan DSP-06048 for Good Luck Condominiums, the Planning Board finds:

1. **Request:** The subject application is for approval of a 112-unit age-restricted (age 55 and older) multifamily condominium project to be contained in seven buildings of 16 units each, a community building, and attendant fencing, signage, and recreational facilities.

2. **Development Data Summary:**

	Existing	Proposed
Zone	C-O	C-O
Uses	Vacant	Age-restricted multifamily residential use
Acreage	* [9.33] 11	* [9.33] 11

3. **Location:** The subject project is located on the eastern side of Good Luck Road, approximately 650 feet south of its intersection with Greenbelt Road. It also located in Council District 3, Planning Area 70, and the Developing Tier.
4. **Surroundings and Use:** The subject site is surrounded to the north by existing commercial land use (offices and an assisted living facility); to the southeast and south by multifamily residential land use; and to the west by Good Luck Road, with Duval High School beyond.
5. **Previous Approvals:** The proposed project is subject to the requirements of Preliminary Plan of Subdivision 4-01080, TCPII/063/99, and Final Plat 5-04080. The property is also subject to the requirements of stormwater management concept approval 8011890-1999-01, dated June 12, 2006, and remaining valid for three years or until June 12, 2009.
6. **Design Features:** The project is proposed to be accessed exclusively from Good Luck Road and vehicular access is provided in generally a loop configuration serving all seven residential buildings in the development, with a community building located centrally. Pedestrian circulation is assisted by a network of sidewalks located almost entirely around the site at the periphery of the paved areas, leading up to all buildings, approaching the community building from several directions and connecting to the main recreational facilities for the development.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

Outdoor recreational facilities include a 1,000-foot-long and five-foot-wide asphalt trail looping on the eastern end of the side of the site with 13 fitness stations, a picnic area with tables and grills, and three gazebos. The trail is located in an area with significant topography, where stormwater management will be provided for the site and trees conserved. A detail of the proposed 10-foot by 10-foot vinyl octagon gazebo, of which three will be included in the project, is provided on the plans. Seven of the 9.3 acres on the site are proposed to meet and exceed the 6.6-acre green area requirement.

Parking at a rate of .67 spaces per unit is provided in lots in front of and in some cases beside the buildings. Additional parking is located in the center of the project, proximate and intended to serve the community building for the development. Each of the seven buildings in the development is proposed to contain 16 units, for a total of 112. The buildings will be approximately 49 feet in height.

The architecture of the buildings on the front and rear elevations provides an aesthetically pleasing massing and fenestration, utilizing a mix of architectural materials (predominantly brick) and detailing that create visual interest. The side elevations, however, are plain and have no massing nor relief work on the facades, with a single window/vent feature in the pediment and a regular pattern of window placement and design. Therefore, staff is recommending a condition below that would bring the quality of the side elevations up to that of the front and rear.

The architecture of the community center suffers from a somewhat disjointed appearance because brick is used on most of the front façade but only on a low water table elsewhere. Furthermore, the community center is not visually harmonious with the residential buildings, which have considerably more detail. The facades are well massed and articulated with fenestration, and standing seam metal provides an attractive roofing material. The building is in the center of the project, however, and will be viewed from all sides. Not enough attention has been paid to the appearance of the sides and rear. A condition below would require use of considerably more brick on all sides of the community building in a balanced composition.

The applicant has specified lighting for the site as HadCO V-2701 and an unnamed lesser-wattage light to be utilized in the landscaping, but has not provided a detail for either on the plans. A signage plan indicates two gateway signs at the entrance to the development and includes a detail of the signs at 20-scale. The material specified for the sign is cast stone, which will be mounted on a pre-cast concrete wall.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Preliminary Plan of Subdivision 4-01080:** Greenbelt Commercial Condominium, intended for office use, was approved via Preliminary Plan of Subdivision 4-01080 on February 28, 2002. Resolution 02-43 was then adopted by the Planning Board on March 26, 2002, and mailed to all parties of record on March 26, 2002. In response to the Subdivision Section's initial opinion that

the applicant would need to pursue a new preliminary plan of subdivision in order to change the proposed land use on the property from office to multifamily residential, the applicant has proffered payment of the equivalent of the public safety surcharge (currently \$6,371 per unit for FY 2008 for property outside of the Developed Tier.) A condition below would ensure payment of that fee. The requirements of the original preliminary plan of subdivision (4-01080) remain applicable. Therefore, staff has listed each relevant condition below in **bold** type, followed by staff comment:

1. **Total development of the subject property shall be limited to the equivalent of 86,000 gross square feet of commercial office development or any other permitted uses which generate no more than 172 AM and 159 PM peak hour vehicle trips. Any development that generates more peak hour trips than identified herein shall require an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.**

Staff Comment: In comments dated May 23, 2007, the Transportation Planning Section stated that this condition established a trip cap of 172 AM peak-hour trips and 159 PM peak-hour trips. Further, they stated that because the subject application proposes the construction of 112 age-restricted multifamily condominiums and, based on trip rates from the Institute of Transportation Engineer's Trip Generation Manual, the proposed development will not exceed the trip cap conditions of the Planning Board.

2. **The following improvements shall be bonded for construction prior to the issuance of any building permits:**
 - a. **Reconfiguration of the eastbound and westbound approaches of MD 193 at its intersection with Good Luck Road to provide the following lane configuration for each approach, respectively:**
 - **Eastbound: an exclusive left turn lane, two through and a shared through and right turn lane.**
 - **Westbound: two exclusive left turn lanes, two through lanes and a shared through and right-turn lane.**

Provision of these improvements may require additional widening of MD 193 to receive the additional through lane in each direction and modification to the existing traffic signal to accommodate these changes, and any other modifications as deemed necessary by SHA and/or the Prince George's County DPW&T.

3. **Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall bond for construction bus shelters on both sides of MD 193 at its intersection with Good Luck Road in accordance with county and/or Washington Metropolitan Area Transit Authority requirements.**

- 4. The applicant, his heirs, successors and/or assignees shall construct an eight-foot wide, asphalt, multiuse trail along the subject property's entire road frontage of Good Luck Road. Construction will be required at the time of road improvements. If the Department of Public Works and Transportation does not allow this trail in the right-of-way, this condition shall be void.**

Staff Comment: In a memorandum dated May 23, 2007, the Transportation Planning Section stated that, regarding the status of conditions 2, 3, and 4, staff has seen no evidence indicating that those conditions have been fulfilled. Therefore, they recommended that they be carried forward as conditions of approval for the subject application, but that will not be necessary as the conditions are still valid and fully enforceable based on the preliminary plan approval. Additionally, with respect to site layout and access, the Transportation Planning Section noted that the proposed dwelling units' single access on Good Luck Road, a proposed master plan collector (C-103), would provide adequate access to the site and that the internal circulation layout, both vehicular and pedestrian, was acceptable.

- 5. The parcel shall be platted as a lot.**

Staff Comment: The parcel was platted as Lot 4.

- 6. Development shall be in conformance with the approved stormwater concept plan, Concept #8011890-1999-01, or any revisions thereto.**

Staff Comment: In an e-mail dated May 30, 2007, the Department of Public Works and Transportation stated that the proposed project is designed in accordance with the requirements of stormwater management concept 8011890-1999-01.

8. **Final Plat 5-04080**—Final Plat 5-04080 is consistent with the preliminary plan approved by the Planning Board on May 20, 2004, and was recorded in Plat Book 200, Plat 68, on June 11, 2004.
9. **Zoning Ordinance:** The subject detailed site plan is in general compliance with Sections 27-461, Uses Permitted in Commercial Zones as amended by CB-85-2003. CB-85-2003 states that Multifamily condominium or rental units may be permitted in the C-O Zone under certain circumstances. Staff has included each of the circumstances cited in bold face type below and followed it by staff comment demonstrating the conformance of the subject application.

The community is located on a minimum of five acres and a maximum of eleven acres.

Staff Comment: The site measures *~~9.3~~ 11 acres, which meets the above requirements.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

The property is located within a center or a corridor designated by the General Plan.

Staff Comment: The subject property is located within the University Boulevard Corridor, as defined in the General Plan. Therefore, the project meets this requirement.

The property upon which the community is located shall be adjacent to property, also zoned C-O, which includes medical offices, an assisted living facility, adult day care center, and/or other facility designed for senior citizens, but in no event shall the use be deemed nonconforming if the adjacent C-O property is no longer occupied by one of the aforementioned uses.

Staff Comment: The subject property is located adjacent to C-O zoned property occupied by medical offices. Therefore, the project meets this requirement.

Each multifamily building shall consist of at least three stories, and shall be served by an elevator.

Staff Comment: Each of the seven multifamily buildings consists of at least three stories and is served by an elevator. Therefore, the project meets this requirement.

The community shall include a clubhouse consisting of at least 5,000 square feet.

Staff Comment: Since the clubhouse includes 5,480 square feet of community space, the project meets this requirement.

At least one resident of each household shall be at least 55 years old and no permanent resident of the retirement community shall be under eighteen.

Staff Comment: Staff is in receipt of covenants stating that at least one resident of each household shall be at least 55 years old and no permanent resident of the retirement community shall be under 18. Additionally, this provision is required to be added to the general notes for the project by a recommended condition below. Therefore, this requirement has been met.

A detailed site plan shall be approved in accordance with Part 3, Division 9 of this Subtitle.

Staff Comment: Should the subject detailed site plan be approved for the project, it may be said that the application has met this requirement.

Covenants setting forth the minimum age of the residents shall be submitted with the detailed site plan application. The covenants shall run to the benefit of The Maryland-National Capital Park and Planning Commission.

Staff Comment: Staff is in receipt of such covenants. Therefore, this requirement has been met.

Development of the community is subject to the regulations of the R-18C Zone for multifamily dwellings.

Staff Comment: Staff has reviewed the project against the regulations applicable in the R-18C Zone and finds the project to be in conformance. Therefore, this requirement is met.

10. **Landscape Manual:** The proposed project is subject to the requirements of Section 4.1, Residential Requirements; Section 4.3c, Interior Parking Lot Landscaping; Section 4.3b, Parking Lot Perimeter Area Landscaping; and Section 4.7, Buffering Incompatible Uses of the *Landscape Manual*. Staff has reviewed the submitted plans in accordance with the applicable sections of the *Landscape Manual* and found the application to comply with those sections.
11. **Woodland Conservation Ordinance:** The site is subject to the Woodland Conservation and Tree Preservation Ordinance because there is a previously approved Type II Tree Conservation Plan, TCPII/063/99, associated with the original 6.67 acres. The existing woodland totals 7.42 acres and contains no areas of 100-year floodplain. The site has a woodland conservation threshold (WCT) of 2.20 acres and a woodland conservation requirement of 3.44 acres. This requirement is proposed to be met with 2.43 acres of on-site preservation and 2.17 acres of off-site mitigation at another location. The Environmental Planning Section has reviewed the submitted TCPII and is recommending approval with conditions. Therefore, it may be said that the proposed project is in conformance with the requirements of the Woodland Conservation Ordinance.
12. **Referral Comments:** The subject application was referred to concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—In comments dated May 18, 2007, the Historic Preservation Section stated that the subject detailed site plan application for a senior condominium development would have no effect on historic resources in the vicinity of the project site.
 - b. **Archeological Review**—In a memorandum dated May 10, 2007, the staff archeologist stated that a Phase I archeological survey would not be recommended for the project as the site has been recently graded and it would, therefore, be unlikely that any undisturbed archeological sites would be identified. She pointed out, however, that the applicant should be aware that three archeological and two historic sites are located within a one-mile radius of the subject project. In closing, she noted that Section 106 of the National Historic Preservation Act may require archeological survey for state or federal agencies as it requires them to take into account the effects of their undertakings on historic and/or archeological sites and requires review when state or federal monies or federal permits are required for a project.
 - c. **Community Planning**—In a memorandum dated May 9, 2007, staff of the Community

Planning Division stated that while the subject application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier, it is inconsistent with recommendations of the 1993 *Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity* for commercial office use. However, CB-85-2003 may permit the proposed age-restricted multifamily residential project.

- d. **Transportation**—In a memorandum dated May 23, 2007, the Transportation Planning Section noted that Preliminary Plan of Subdivision 4-01080, approved by the Planning Board on October 10, 2001, contained four transportation conditions. For a more detailed discussion of those conditions please refer to Finding 10 above.
- e. **Subdivision**—In a memorandum dated November 1, 2007, the Subdivision Section offered the following:

On October 10, 2001, the Planning Board approved Preliminary Plan of Subdivision 4-01080 for a single parcel on the subject property. The preliminary plan was approved for the equivalent of 86,000 gross square feet of commercial office development or any other permitted use that generates no more than 172 AM and 159 PM peak-hour vehicle trips. A final plat (5-04080) consistent with the preliminary plan was approved by the Planning Board on May 20, 2004, and was recorded in the Prince George's County land records in Plat Book 200, Plat 68, on June 11, 2004.

The applicant now proposes the construction of 112 age-restricted multifamily condominiums rather than the commercial use supposed by the preliminary plan. The change in use from commercial to residential raises questions that must be addressed since the adequacy of public facilities test for residential use differs from that for a commercial use. While the transportation impact would probably be less than the cap imposed in 2001 and the site would be exempt from the schools test due to its age restriction, the question of parkland dedication and public safety facilities (and the imposition of the county surcharge) need to be addressed.

Staff would have ordinarily recommended that the applicant go through the preliminary plan process once again. However, in several similar situations, the District Council has found a proffer to pay the public safety surcharge in lieu of the requirement for a new preliminary plan to be acceptable. If the applicant were to make such a proffer, the Planning Department and District Council would likely find it an appropriate alternative to the additional review process in this instance as well. Upon receipt of the proffer, staff could fashion a condition for approval that would require the payment of the surcharge at the time of building permits.

A proffer to this effect was accepted by the Planning Department on November 6, 2007. Conditions below would require payment of the surcharge for the units prior to the issuance of a building permit that would result in their construction.

- f. **Trails**—In a memorandum dated May 25, 2007, the senior trails planner stated that the approved Glenn Dale-Seabrook-Lanham and Vicinity Master Plan recommends a multiuse trail (side path) along Good Luck Road (master plan, page 98). Further, he stated that a variety of cross sections and road improvements exist along Good Luck Road south of MD 193, with large sections of the road open section with gravel or paved shoulders, while others are closed-section with sidewalks and on-street parking. The Madison Hill development west of the site has an eight-foot-wide sidewalk along its Good Luck Road frontage, which was required when it was developed. The senior trails planner then recommended a side path or wide sidewalk be provided along the subject property's Good Luck Road frontage, consistent with the master plan and Madison Hill development that was previously required by the subject site through a preliminary plan condition. With respect to internal sidewalks, he stated that it is comprehensive and makes all logical connections, but expressed a preference for a six-foot-wide instead of a five-foot-wide asphalt trail, in keeping with current guidelines for private recreation facilities. The senior trails planner's recommendations are included as conditions below.
- g. **Permits**—In a memorandum dated July 25, 2007, the Permit Review Section offered five comments that have been addressed by revisions to the plans.
- h. **Environmental Planning**—In a memorandum dated October 25, 2007, Environmental Planning Section offered the following:
- (1) A detailed forest stand delineation (FSD) was conducted in 1999 for the 6.67-acre portion of the site. The FSD for the original 6.67 acres met the requirements of the Woodland Conservation Ordinance when Preliminary Plan 4-01080 was reviewed. An initial review of plans submitted in May 2007 did not include new information regarding the existing woodland in relation to the additional 4.33 acres.
- The FSD has been re-reviewed and there were no specimen trees mentioned in the text. A simplified FSD must be conducted for the additional woodland, primarily to determine whether there are any specimen trees at this location. The FSD notes and findings should be put on the TCPII. If there are no specimen trees on site it should be noted on the TCPII.
- The Greenbelt Executive Center is encumbered by TCPII/145/95. The revised TCPII shows this area on an adjacent site to the north and this aspect will be discussed in part 2 of the Environmental Review below.
- (2) The site is subject to the Woodland Conservation Ordinance because there is a

previously approved Type II Tree Conservation Plan, TCPII/063/99, associated with the original 6.67 acres. The existing woodland totals 7.42 acres and has no areas of 100-year floodplain. The site has a woodland conservation threshold (WCT) of 2.20 acres and a woodland conservation requirement of 3.44 acres. This requirement is proposed to be met with 2.43 acres of on-site preservation and 2.17 acres of off-site mitigation at another location.

The proposed limit of disturbance (LOD) symbol on the revised TCPII has been compared to the LOD on the revised DSP. The LOD symbol is shown the same on both plans.

Revisions to the plan are required in order to meet the Woodland Conservation Ordinance. General information required on a TCPII is either missing or is incorrectly shown. In the vicinity map on Sheet 1 of 2, the shape of the subject property is different from the shape of the property in this application. Revise the vicinity map on Sheet 1 to show the accurate shape of this site. Sheet 2 of the plan does not have a vicinity map in the upper right-hand corner and it should have one. Sheet 1 of 2 has a revision box; however, it has not been updated with a summary of the revisions made prior to the subject submittal. Sheet 2 of the plan does not have a revision box. The qualified professional who prepared the plan did not include the date of plan completion.

Several aspects regarding the existing site features need to be further addressed. The revised plan does not contain a specimen tree table or a note on the plan stating there are no specimen trees at this location, if the latter is a correct statement. The wetlands on site are identified on the plan and in the legend as having a 25-foot-wide "setback." The wetland setbacks should be relabeled a 25-foot-wide wetland "buffer" in the legend and on the plan. A general note on the plan states DPW&T has determined no 100-year floodplain is found on site; however, no documentation has been included in this submittal to verify this determination. Remove the soils layer and soils table from the plan because these are not required on a TCPII. In the legend there is a graphic symbol for on-site tree preservation on an adjacent site within TCPII/145/95 (Greenbelt Executive Center). Remove the graphic symbol from the legend and the plan for the adjacent site within TCPII/145/95. There is an unidentified symbol on the TCPII in vicinity of proposed Building D that appears to be a second limit of disturbance (LOD) symbol. Either identify this symbol in the legend or remove it from the plan.

Woodland conservation information on the plan needs to be further clarified. The site is split-zoned and a single zone worksheet was used. Revise the worksheet for a split-zone site. On Sheet 2, one of the required standard TCPII notes is shown twice, and the second of these notes should be removed (Note 8). There is a proposed woodland conservation area (for 0.97 acre) shown to count toward the site's requirement located at the northeast portion of the site with a stormdrain

pipe in it. Areas where utilities are proposed cannot be shown to contain woodland treatments for on-site tree preservation and the easement for the utility must be identified for its intended purpose. The proposed edge of Building D is less than 20 feet from the edge of a proposed woodland treatment (for 0.32 acre). Adjust the woodland treatment so there is at least 20 feet of cleared area between the side of Building D and the proposed edge of this woodland treatment and adjust the worksheet accordingly. The legend identifies the “proposed and existing minor and major contours;” however, only the “existing and proposed contours” are required.

Sheet 2 of the plan has the woodland conservation signage detail; however, the legend on Sheet 1 does not have a corresponding symbol for the proposed signage. In addition, none of the woodland conservation areas on Sheet 1 have the proposed location of the required woodland conservation signage. This signage must be shown on the plan at the appropriate spacing. Sheet 2 also has a detail for a proposed tree protection device (TPD); however, Sheet 1 does not have a corresponding symbol in the legend for the TPDs and these are not shown on the plan in relation to the on-site woodland conservation areas. Two proposed gazebo structures are identified on the DSP with a corresponding symbol in the legend and on the plan; however, the legend on the TCPII does not have a symbol for these structures that are shown on the latter plan. Several proposed outdoor fitness stations with related exercise equipment are shown at the edges of on-site tree preservation areas on the northern portion of the site. These stations are shown as located in proposed on-site woodland treatments in relation to the proposed limit of disturbance (LOD). All of the proposed fitness stations should remain where shown on the plan; however, the plan must show these areas as cleared and the boundaries of the stations must be identified as outside the woodland treatments. In addition, the amount of on-site preservation in these woodland treatments must be adjusted accordingly because some minimal amount of clearing of woodland is necessary to locate these fitness stations as shown. The proposed fitness stations are located along a proposed six-foot-wide asphalt trail system. The trail system is located within proposed on-site woodland treatments. The trail alignment should be staked in the field with the appropriate Countywide Planning Division staff person (from Environmental Planning and the Transportation Planning Sections) to locate it as to avoid unnecessary impacts to existing trees eight inches in caliper and greater. The alignment should be staked in the field prior to the issuance of building permits for proposed Buildings D, E and F. A note should be placed on the TCPII with this stipulation.

After all these revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision boxes on both sheets of the plan.

Conditions are proposed below to address all of the issues identified above.

- (3) The DSP includes a separate landscape and lighting details plan. Sheet 2 of 2 of the plan has a lighting fixture schedule and three general notes for site lighting. The plan does not include light fixture details and the use of full cut-off optic light fixtures is not addressed. Although the Glenn Dale-Seabrook-Lanham and Vicinity Area Master Plan has not undergone a recent update, a sector plan in this planning area was approved in March 2006 (East Glenn Dale Sector Plan). One of the goals in the Environmental Infrastructure chapter of the sector plan addresses the reduction of light pollution with a strategy for the use of full cut-off optic light fixtures for new development. Therefore, the appropriate time to implement this strategy is at DSP review. The landscape and lighting details plan should be revised to provide light fixtures for full cut-off optic lighting in an effort to reduce light pollution from new development.

Urban Design Comment: The Environmental Planning Section's suggestions have been included in the recommendation section of this report.

- i. **Fire Department**—In a memorandum dated June 1, 2007, the Prince George's County Fire and Emergency Medical Services Department offered information on required access for fire apparatuses, the design of private roads and fire lanes and the location and performance of fire hydrants.
- j. **Department of Public Works and Transportation (DPW&T)**—In an e-mail dated May 30, 2007, the Department of Public Works and Transportation stated that the existing pond will be retrofitted as conditioned by approved stormwater management concept 8011890-1999-01. Additionally, they stated that the stormdrain pipe going through Building F has to be relocated to go around the building and that the existing stormdrain easement must be vacated. In conclusion, they stated that the proposed detailed site plan has not been designed in accordance with the conditions of approved stormwater management concept 8011890-1999-01. A recommended condition would require that the detailed site plan be revised prior to signature approval to conform to the requirements of approved stormwater management concept.

In a separate memorandum dated May 24, 2007, DPW&T stated that because Good Luck Road is county-maintained, the following requirements apply:

- All improvements within the public right-of-way as dedicated to the County are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act.
- Sidewalks are required along all proposed roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- All storm drainage systems and facilities are to be designed in accordance with DPW&T's requirements.

- Conformance with street tree and street lighting standards is required.
- An access study shall be conducted by the applicant and reviewed to determine the adequacy of access point(s) and the need for acceleration/deceleration and turning lanes.
- All proposed access points and intersections shall have adequate intersection sight distance in accordance with the latest edition of “A Policy on Geometric Design of Highway and Streets.”
- A soils investigation report, which includes subsurface exploration and a geotechnical engineering evaluation for public streets, is required.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- Full-width, two-inch mill and overlay for all county roadway frontages are required.

Please note that the DPW&T’s requirements are enforced through their separate permitting process.

- k. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated May 24, 2007, WSSC stated that a sewer extension may be required. Further, they stated that an on-site plan review package should be submitted and suggested that the applicant contact their Permit Services Unit as a new on-site plan review would be required to replace the previously approved on-site (90OS0145) that was designed for one structure planned previously for the entire shopping center site. Noting that additional right-of-way may be required, they mentioned that the proposed sewer connects to an on-site pipeline that serves an adjacent apartment complex and that an on-site takeover of a portion of the existing six-inch sewer pipeline with an off-site right of way easement may be required.
- l. **State Highway Administration (SHA)**—In a memorandum dated July 18, 2007, SHA stated that they had no objection to the approval of the subject detailed site plan, though they would request that such approval be conditioned on installing sidewalk along its Good Luck Road frontage up to its intersection with MD 193 (Greenbelt Road). Additionally, they stated that when they met with members of the Glenn Dale Community Association on July 17th to discuss slated MD 193 improvements, concerns were raised regarding the lack of sidewalk at this intersection due to its proximity to Duvall High School, convenience stores, shopping centers, and bus stops. At that meeting they were informed that because of the lack of sidewalks in that vicinity, students were forced to walk in the street and on the grass. A recommended condition below would ensure installation of sidewalk along the project’s Good Luck Road frontage.

13. As required by Section 27-285(b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/063/99) and further APPROVED Detailed Site Plan DSP-06048 for the above-described land, subject to the following conditions:

1. Prior to certification of the plans for the project, the following revisions shall be made or additional information submitted:
 - a. Applicant shall include an eight-foot-wide Class II trail along the site's Good Luck Road frontage, unless modified by DPW&T.
 - b. Applicant shall increase the width of the internal HOA trail to a minimum of six feet and shall specify that it be constructed of asphalt, consistent with *Park and Recreation Facility Guidelines*.
 - c. Applicant shall retrofit the existing stormwater management pond in accordance with the relevant condition of approved stormwater management concept 8011890-1999-01.
 - d. Applicant shall relocate the stormdrain pipe going through building F around the building and have the existing stormdrain easement vacated.
 - e. Applicant shall provide staff with proof that the DPW&T has revised their comments to state that the proposed revised detailed site plan is designed in accordance with the requirements of approved stormwater management concept 8011890-1999-01 or any revisions thereto.
 - f. A copy of the approved stormwater management concept plan shall be submitted for review with the revised TCPII. If there are conflicts on the concept plan in relation to proposed on-site woodland treatments on the TCPII, the final technical stormwater management plans shall be revised to eliminate these conflicts.
 - g. The landscape and lighting details plan shall be revised to include the use of full cut-off optic lighting and show the lighting fixture details for this type of lighting on Sheet 2 of 2.
 - h. Prior to certificate approval of DSP-06048, the TCPII shall be revised as follows:
 - (1) In the vicinity map on Sheet 1 of 2, show the shape of the subject property the same as the property in this application.

- (2) Add a vicinity map in the upper right hand corner of Sheet 2 with the same shape of this site as in the vicinity map on Sheet 1.
- (3) Update the revision box on Sheet 1 of 2 with a summary of the revisions made prior to the subject submittal.
- (4) Add a revision box to Sheet 2 of the plan.
- (5) The qualified professional who prepared the plan must include the date of plan completion in the next revision.
- (6) Either add a specimen tree table to the plan with the relevant information or add a note on the plan stating there are no specimen trees at this location, if the latter is a correct statement.
- (7) Relabel the wetlands “setbacks” as a 25-foot-wide wetland “buffer” in the legend and on the plan.
- (8) Update the general note on the plan regarding the DPW&T determination about the status of 100-year floodplain on site and submit documentation from DPW&T to verify this determination.
- (9) Remove the soils layer and soils table from the plan.
- (10) Remove the graphic symbol from the legend and the plan for the adjacent site relating to TCPII/145/95.
- (11) Either identify the second LOD symbol in the legend in the vicinity of proposed Building D or remove it from the plan.
- (12) Revise the tree ~~*[worksheet for a split zone site]~~conservation plan to correctly reflect that the site is zoned Commercial Office (C-O).
- (13) Remove standard TCPII Note 8 to eliminate redundancy with Note 6.
- (14) Identify the proposed utility easement for its purpose and remove the woodland treatment for on-site tree preservation at this location. Adjust the worksheet accordingly.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

- (15) Adjust the woodland treatment to provide at least 20 feet of cleared area between the side of Building D and the proposed edge of this woodland treatment and adjust the worksheet accordingly.
 - (16) In the legend and on the plan identify only the “existing and proposed contours.”
 - (17) On Sheet 2 of the plan show the woodland conservation symbol for the signage and add a corresponding symbol for the proposed signage in the legend.
 - (18) Show the proposed location of the required woodland conservation signage symbol on the plan at the appropriate spacing.
 - (19) In the legend and on the plan show the corresponding symbol for the proposed tree protection device (TPD) in relation to the woodland treatments.
 - (20) In the legend add a corresponding symbol for the proposed gazebo structures, as these are shown on the plan.
 - (21) Show the proposed outdoor fitness stations within defined boundaries that are outside of the on-site woodland treatments. Adjust the worksheet accordingly to reduce the area within the on-site woodland treatments.
 - (22) Add a note to the plan to read as follows: The trail alignment shall be staked in the field with the appropriate Countywide Planning Division staff person (from Environmental Planning and the Transportation Planning Sections) to locate it to avoid unnecessary impacts to existing trees eight-inches in caliper and greater. The proposed trail alignment shall be staked in the field prior to the issuance of building permits for proposed Buildings D, E and F.
 - (23) After all these revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision boxes on both sheets of the plan.
 - (24) The TCPII shall be revised to include a simplified FSD for the additional 4.33 acres. The notes and findings from the FSD shall be shown on the TCPII and include whether or not any specimen trees are located in-site.
- i. The applicant shall include a detail of the proposed gazebo, as demonstrated as a digital image at the public hearing for the project on the detailed site plan.
 - j. The applicant shall amend elevation drawings for the project to include side elevations as shown on Staff Exhibit “A.” Shutters shall be shown on the two most central rows of windows and an enhanced central element provided similar to that utilized on the front and rear facades partially to accommodate the elevator shaft. Additionally, a combination of light and dark-colored brick shall be used to sheath this central element as well as the

portion of wall containing the two end windows on both the right and left ends of both facades. Final design of the side elevations shall be approved by the Urban Design Section as designee of the Planning Board.

- k. Architecture of the community center building shall be revised to include a minimum of 75 percent brick on each façade in a unified and balanced composition. Final design of the community center building shall be approved by the Urban Design Section as designee of the Planning Board.
 - l. The applicant shall submit a complete materials board for the project, including the two different colors of brick, the standing seam metal roof for the community building, and all other materials to be utilized in the project. Final approval of said materials shall be by the Urban Design Section as designee of the Planning Board and made in accordance with digital images accepted and approved by the Planning Board at their public hearing on the project.
 - m. Covenants regarding age restrictions within the subject subdivision shall be found legally sufficient by the internal legal department of M-NCPPC.
2. Prior to the issuance of the building permit that would allow construction of a particular unit the applicant shall pay the requisite surcharge (\$6,371 per unit for fiscal year 2008) pursuant to applicant's proffer dated November 6, 2007, and accepted by the Planning Department in lieu of the requirement that the applicant pursue approval of a new preliminary plan for the subject property in view of the change in proposed use of the subject property from commercial to residential.
 3. Prior to the issuance of any permits that impact jurisdictional 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.
 4. Prior to the issuance of a grading permit, submit the approved final technical stormwater management plans to demonstrate there are no conflicts on said plan compared to the approved TCPII/063/99-02 and proposed on-site woodland treatments.
 5. At least one person in each household in the subject subdivision shall be age 55 or older and no persons under 18 years of age shall be permanent residents. A note to this effect shall be included in the general notes of the detailed site plan.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, December 6, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of January 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:RG:bjjs