

Case No. SP-06048

Applicant: Heritage Homes Dev. Corp.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION, WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 07-229 (C), to approve with conditions a detailed site plan for construction of a 112-unit, age-restricted (age 55 and older), multifamily condominium development for a project referred to as Good Luck Condominiums, Lot 4, on property described as approximately 9.33 acres of land in the C-O Zone, on the eastern side of Good Luck Road, approximately 650 feet south of its intersection with Greenbelt Road, Lanham, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

Affirmance of the Planning Board's decision is 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 TCP II. If there are conflicts on the concept plan in relation to proposed on-site woodland treatments on the TCP II, 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 TCP II 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 TCP II/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 conservation plan to correctly reflect that the site is zoned Commercial Office (C-O).
- (13) Remove standard TCP II 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.
- (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 TCP II 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 TCP II 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 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 a dark-colored 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. All the brick areas of the building shall be in one color.
  - 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 TCP II/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.
6. The applicant shall substitute cementitious siding (for example, Hardi-Plank) for the vinyl siding.
7. The west side of Building A and the north, south, and west sides of Building G shall have one additional level of brick added, so that the entire second floor level on those sides is brick.
8. Prior to signature approval, the applicant shall add bike racks throughout the development, and additional landscaping along the Good Luck Road frontage (landscaping to include majority of evergreens and native species), which shall be approved by the Urban Design Section as designee of the Planning Board.
9. The applicant shall connect the existing sidewalk on the west side of Good Luck Road (adjacent to the parking lot at DuVal High School) to the Good Luck Road/Greenbelt Road intersection and connect the existing sidewalk on the east side of Good Luck Road to the sidewalk on Greenbelt Road, if existing right-of-way exists for that purpose.
10. The applicant shall complete the crosswalks on the eastern and southern sides of the Greenbelt Road/Good Luck Road intersection and include countdown signals at the crosswalks.

Ordered this 22 day of September, 2008, by the following vote:

In Favor: Council Members Dean, Bland, Dernoga, Exum, Harrison, Knotts, Olson and Turner

Opposed:

Abstained:

Absent: Council Member Campos

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON  
REGIONAL DISTRICT IN PRINCE GEORGE'S  
COUNTY, MARYLAND

By: \_\_\_\_\_  
Samuel H. Dean, Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council