

Case No. SP-07066

Applicant: Harmony Place Assoc., LLC

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, including a remand by the District Council to the Planning Board and a second Planning Board hearing, that the decision of the Planning Board in PGCPB No. 08-60(A), to approve with conditions a detailed site plan for the construction of 286 multifamily residential units, for a project referred to as Harmony Place, described as approximately 15.44 acres of land in the R-18 and R-80 zones, in the northwestern quadrant of the intersection of MD 197 and Northview Drive, Bowie, 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, as follows:

A. The District Council adopts as its own the Planning Board's findings and conclusions as to compliance of the applicant's most recent revised site plan, after the Council's remand, with applicable site design requirements, except as stated in paragraphs B and C.

B. The detailed site plan approved herein is the revised plan, referred to in remand proceedings as "Plan A," which is subject to several departures from parking design standards. Those parking departures are to be approved, as provided in the Zoning Ordinance and the Bowie City Code, by the City Council or other appropriate authority of the City of Bowie.

C. The District Council does not approve the plan referred to in remand proceedings as "Plan B," an alternate site and building design not subject to departures from parking design

standards. The Zoning Ordinance does not authorize Planning Board or District Council approval of alternate detailed site plans in the same case at the same time.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall revise plans for the project as follows and/or submit the required documentation:
 - a. The TCP II shall be revised as follows:
 - (1) Change the label "forest conservation" to "woodland preservation" in the plan and legend where it is applicable.
 - (2) Provide a more visible property line for the site.
 - (3) Correctly label the proposed sewer easements located on the south side of Health Center Drive as "proposed 20-foot sewer easement."
 - (4) Correctly identify afforestation area 5 on the plan.
 - (5) Provide the required protection fencing for the reforestation/afforestation areas and add the required details to the plan.
 - (6) Provide a section of chain-link fence along the area where the exterior stairs on the western end of the building bring that section of the building within ten feet of the woodland conservation area. A detail for the chain-link fence shall be included and a symbol indicating it must be added to the plans.
 - (7) Add locations and details for the additional signage, to explain the purpose and maintenance of the bio-retention areas and the afforestation areas.
 - (8) Locate the unmitigated 65 dBA Ldn noise contour with a corresponding symbol in the plan's legend.
 - (9) After these revisions have been made, have the qualified professional who prepared the plan sign and date it.
 - b. The detailed site plan shall be revised and additional documentation shall be submitted as follows:
 - (1) The detailed site plan shall reflect the recommendations of the Phase II noise study with regard to the inclusion of a description of the construction materials needed to mitigate noise levels to 45 dBA Ldn or less in the interiors of all residential units on the detailed site plan.

- (2) A six-foot-wide trail or sidewalk connection from the subject site to the existing master plan trail along Northview Drive shall be indicated on the detailed site plan as per the illustration provided by the trails coordinator. Design and placement of such crosswalk shall be approved by the trails coordinator and Urban Design Section as designees of the Planning Board.
- (3) The plan shall provide crosswalks on all roadways crossed by the six-foot-wide internal sidewalk connection between Building 1 and Building 2. The crosswalks' design and exact location shall be approved by the trails coordinator and the Urban Design Section as designees of the Planning Board.
- (4) A parking ratio shall be provided in the parking schedule.
- (5) The clubhouse uses shall be broken down by use and the parking requirements shall be expressed per use in the parking schedule.
- (6) Split zoning line shall be clearly indicated throughout the plans for the project.
- (7) The applicant shall provide the top and bottom elevations on all retaining walls.
- (8) Details regarding gates and all fencing shall be provided, including heights on the plans.
- (9) The height of the garage shall be included on the plans.
- (10) The applicant shall provide to staff a writing from DPW&T stating that it has reviewed the revised project plans and concluded that the findings and recommendations contained in the submitted final subsurface evaluation have been duly incorporated into the plans.
- (11) The applicant shall submit to staff written confirmation from a representative of the City of Bowie that the design of the subject project conforms to approved Stormwater Management Concept Plan 01-0807-0807-13, approved by the City of Bowie on August 24, 2007.
- (12) The applicant shall incorporate a 400-square-foot passive recreational area suitable for seniors, a tot lot measuring at least 2,400 square feet and a preteen play area measuring at least 5,000 square feet into the design of the project to be located in the area adjacent to the southeastern and southwestern sides of the parking lot for Building 2 as indicated by cross hatching on Staff's Exhibit 1, currently slated for afforestation. The TCP II shall be revised to include any afforestation area displaced by the above

in the calculation of off-site afforestation. Such recreational amenities shall be well coordinated with the natural features and the trail connection to be provided on the site. Final amenities design shall be approved by the Urban Design Section as designee of the Planning Board. A note shall be added to the plans that all recreational facilities shall be designed in accordance with the standards in the *Parks and Recreation Facilities Guidelines*, the Americans with Disabilities Act and its regulations, and applicable safety standards.

- (13) The detail provided for lighting fixtures shall be replaced with one of full cut-off design. Final design choice for light fixtures shall be approved by the Urban Design Section as designee of the Planning Board.
- (14) The three “Directional Signs” included in plans for the project shall be deleted.
- (15) Applicant shall include color elevation drawings with materials labeled for the following plan details, which will include wrought iron and brick compatible and comparable to the brick used on the buildings:
 - entrance gate detail
 - bench
 - pergola
 - pool fence
 - bench on the plans

Such details shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.

- (16) Bottom and top elevations of the retaining walls shall be included on the plans.
- (17) Color elevations for the garage and trash buildings and the dumpster enclosure with materials labeled shall be included on the plans. Sheathing material for these accessory buildings shall be exclusively Cushwa/Georgian brick except for necessary detail, trim or doors which may be constructed of other materials. Final design of and material choices for these structures shall be approved by the Urban Design Section as designee of the Planning Board. All garage doors shall be carriage style and the height of all structures shall be dimensioned on the plans.
- (18) All proposed sidewalks and trails shall be clearly shown on the plans.
- (19) As shown on Staff’s Architectural Exhibit 1, (presented at the Planning Board hearing), the applicant shall revise the architecture as follows:

- Extend the brick upward to include the entire second story façade on Elevations 3, 4, 8, and 9;
- Extend the brick upward to include the entire third story façade on Elevations 10, 11, and 12;
- Extend the brick upward to the eaves where (usually) projecting sections of a façade have a different, especially a pedimented roofline, notably, Elevations 1, 2, 3, 4, 12, 13, 14, 15, and 16 of Building 1, and Elevations 8, 9, 10, and 11 of Building 2.

For highly visible facades, notably Elevations 2, 7, and 12 of Building 1 that are visible from the pool area, applicant shall provide an enhanced treatment. Enhanced treatment is particularly needed in Elevation 3, which is directly visible from Route 197. The brick facing upward shall be extended to the eaves in the three sections of the façade that project and display a hip roof.

In addition, the applicant shall revise the architecture to replace all material labeled as "vinyl siding" on the architectural elevations with cementitious siding, such as HardiPlank. The trash building and the detached garages shall be sheathed entirely in brick, except for necessary detail. Final design of the architecture shall be approved by the Urban Design Section as designee of the Planning Board.

- (20) Revise the width of the sidewalk along Health Center Drive from five to six feet in width (or to a width consistent with the existing sidewalk along the frontage of the adjacent Fire Station), unless modified by the City of Bowie.
- (21) Provide a marked crosswalk and extend the median to serve as a pedestrian refuge along the internal sidewalk (between Buildings 1 and 2) at the subject site's main access point in accordance with staff's exhibit.
- (22) Provide a marked crosswalk along Health Center Drive at the subject site's western access point in accordance with staff's exhibit.
- (23) Provide a marked crosswalk along the internal road at the access point to the parking area west of Building 2 in accordance with staff's exhibit.
- (24) Provide six-foot-wide sidewalks along both sides of the western access road to the subject site, unless modified by the City of Bowie, in accordance with staff's exhibit.

- (25) Provide a marked crosswalk along the internal road at the ingress/egress of the north side of the parking garage (marked in red on the attached plan).
 - (26) The structured parking garage shall be well-lighted with video cameras at all entrances and exits to the garage. Entry into the parking garage shall be through garage doors activated by a control system which restricts access to residents.
 - (27) The clubhouse shall include a fully equipped fitness room as well as rooms for younger children (youths and/or pre-teens) and seniors. The club room shall be served by a kitchen which includes a sink, refrigerator, dishwasher, microwave oven and ample counter space. Near the main lobby there shall be a business and computer center with at least three PC work stations, facsimile, and internet access. The main entrance lobby shall be fully appointed and the reception area shall have a centrally located front desk with concierge services.
2. Prior to the approval of building permits, certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits, stating that building shells of structures within prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA Ldn or less and that the noise recommendations of the Phase II noise study submitted with this application have been addressed.
 3. Prior to the issuance of any permits for work affecting 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. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Preservation Area and all woodland conservation areas, except for areas of 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.”
 5. If the Bowie City Council or other appropriate City agency does not approve the necessary departures from parking design standards, then the applicant shall submit a revised detailed site plan showing that all Zoning Ordinance parking requirements will be met.

Ordered this 26th day of April, 2011, by the following vote:

In Favor: Council Members Campos, Franklin, Harrison, Johnson, Patterson, Toles and Turner.

Opposed:

Abstained:

Absent: Council Member Lehman and Patterson.

Vote: 7-0

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

By: _____
Ingrid M. Turner, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council