

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 October 25, 2001, regarding Detailed Site Plan SP-01031/01 for Fairwood Phase I - Part One, the Planning Board finds:

1. This Detailed Site Plan for Infrastructure is limited to a portion of the land to be dedicated to the Homeowners Association in Phase I, Part I in the Fairwood Development, which includes landscaping, signage, and the pocket park located in The Prospect at Fairwood. No single-family, townhouse, or commercial components are included in this submission nor any land to be dedicated to the Department of Parks and Recreation. Included with the application is the proposed Tree Conservation Plan, TCPII/12/00. The ultimate development of the site for Phase I, Part I, will include approximately 471 acres, the above-referenced single-family lots, other residential (townhouse or townhouse/single-family mixed) totaling 243 lots, 100,000 square feet of retail and 125,000 square feet of Institutional/Office/other permitted uses, and approximately 80 acres of open space.
2. The subject property is located on the south side of MD 450, approximately 1,400 feet east of MD 193. The property consists of 234 acres of land in the M-X-C Zone.
3. The Preliminary Plat for the subject property, Fairwood 4-97024, was approved with conditions by the Planning Board on July 17, 1997 (adopted on July 31, 1997, PGCPB No. 97-194). The Detailed Site Plan is in general conformance with the Preliminary Plan. The following conditions of the Preliminary Plan require discussion:
  3. **Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan, concept #978004830; and prior to Final Plat, a fee-in-lieu of \$9,435 shall be paid to the Department of Environmental Resources (DER) for on-site attenuation control measures.**

Comment: Detailed Site Plan DSP-99052 for Infrastructure was approved by the Planning Board on March 23, 2000 (adopted on April 13, 2000, PGCPB No. 00-37) which included the Stormwater Management Facilities.

4. **Prior to approval of the Final Plat, in accordance with Section 24-134 and 24-135 of the Subdivision Regulations of the Prince George's County Code, the Planning Board, on the recommendation of the Department of Parks and Recreation, required of the applicant, his heirs, successors and/or assigns, that land to be dedicated to the M-NCPPC (82.13 +/- acres) shall be subject**

to the following:

- c. **The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits which include such property.**

Comment: The Final Plats (5-01075 - 5-01085) for Phase I, Part I, were approved by the Planning Board on October 11, 2001. The Subdivision Section has confirmed that the deed for conveyance of land to M-NCPPC has been submitted.

- e. **Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. The DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.**

Comment: The Department of Parks and Recreation did not identify any problems with proposed stormdrain outfalls.

**6. At the time of Detailed Site Plan, the following conditions shall be applied:**

- a. **The area between the southern boundary of the Westwood development and the northern edge of Livingstone=s Endeavor and Jordan=s Endeavor rights-of-way shall be addressed by either: a) change of grade of at least six feet; b) a berm at least six feet in height, or c) a six foot brick masonry wall.**
- b. **Prior to the issuance of the building permit for the 18<sup>th</sup> single-family home located within the Robert=s Prospect area, construction of the private park within this area shall be completed.**
- c. **At least 50 percent of the houses (on lots less than 10,000 square feet), shall contain single family dwellings with a minimum 2,250 square feet of living area.**

Comment: The subject application does not include the Homeowners Association land between Westwood and Fairwood. Detailed Site Plan DSP-01031 reviewed concurrently and presented to the Planning Board on October 25, 2001, addressed the above concerns.

- 9a. **The existing farm lane with hedge row shall be preserved for a multi-use trail, and included as part of the internal trail system through the subject property. This trail system shall be dedicated to a homeowners= association.**
- 9b. **The farm lane/hedgerow/gravel roadways shall be utilized for an internal trail network where they exist through the property. They shall supplement**

**and in some cases replace an extensive sidewalk system.**

- 9d. At the time of detailed site plan review, the types of trails need to be identified on the plan with respect to surface materials and the trail width.**

Comment: The submitted plans indicate that the existing farm lane and hedgerows have been preserved and included as a part of the internal trail system. The main promenade from MD 450 extending into the property parallel to Fairwood Parkway does not indicate the surface materials. The plans should be revised to include the proposed surface materials.

4. The Comprehensive Sketch Plan for the subject property, Fairwood CP-9504, was approved with conditions by the District Council on February 24, 1997. The Detailed Site Plan is in general conformance to the CP. The following conditions of CP-9504 require comment:

- 1d. The Infrastructure Plan shall be revised to show a pedestrian/bike trail along relocated Church Road. The trail is in accordance with the Master Plan which identifies realigned Church Road as constructed with an open section roadway with seven to ten foot wide shoulders (not sidewalks) designed to accommodate cyclists and which promote the rural character of the area.**

Comment: Church Road is not part of this submission.

5. The Final Development Plan for the subject property, Fairwood FDP-9701, was approved with conditions by the District Council on May 11, 1998. Condition 2 of that approval is as follows:

- 2. Prior to submission of the first Detailed Site Plan, the applicant shall obtain approval from the Planning Board for a Detailed Site Plan for a comprehensive program governing signage throughout the entire Fairwood development as set forth in Section 27-546.04(i) of the Zoning Ordinance.**

Comment: This condition was met per DSP-99034 approved by the Planning Board on December 16, 1999 (adopted January 6, 2000, PGCPB No. 99-243). The Detailed Site Plan is in general conformance with the approved Final Development Plan (FDP-9701).

6. **In addition to the findings required for the Planning Board to approve a Detailed Site Plan (Part 3, Division 9) the Planning Board shall also find:**

- 1. The proposed development is in conformance with the purposes and other provisions of the M-X-C Zone which include but are not limited to: a comprehensively planned community with a balanced mix of residential, commercial, recreational and public uses; a system of flexible development**

**standards; varying lot sizes that will encourage dwelling types so as to provide housing for a spectrum of incomes, ages, and family structures; preservation of environmentally sensitive areas and significant natural features; provide a network of substantial open space tracts superior to what could be obtained under conventional development techniques to serve a variety of scenic, recreational, and environmental conservation purposes; arrange land uses to be in physical proximity, and link these uses with pedestrian trails and sidewalks;**

Comment: The subject application includes a portion of land to be dedicated to the homeowners association which encompasses the pocket park located in the Robert=s Prospect area; location of signage and associated landscaping; the main promenade; furnishings, including, but not limited to, benches, lighting, trash receptacles; crosswalks; and the proposed landscaping for the berm adjacent to MD 450. Detailed Site Plan DSP-01031 was reviewed concurrently with the subject application, which included 162 single-family lots, and associated landscaping. Both of the above-referenced detailed site plans provide the groundwork for creating a mixed-use community that will ultimately provide a mix of residential, commercial, recreational and public uses. Proposed lot sizes vary from 6,000 square feet to over 60,000 square feet, which will provide dwelling types for a wide range of incomes, ages, and family structures. A subsequent Detailed Site Plan has been required, per approval of DSP-01031, that will encompass the remaining land to be dedicated to the HOA, which will address the remaining open spaces. Approximately 80 acres in Phase I, Part I, is to be dedicated to the Department of Parks and Recreation for preservation of significant open spaces.

**2. The arrangement and design of buildings and other improvements and the mix of uses reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.**

Comment: Detailed Site Plan DSP-01031 for 162 single-family lots was the first step and the subject Detailed Site Plan is the second step in setting the stage for a cohesive development. Subsequent detailed site plans, which will include the commercial component, the remaining HOA land and the revised master plan trail, will ultimately create an independent environment of continuing quality and stability.

**3. The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.**

Comment: The pedestrian system has been designed to allow residents and citizens the capability of walking, biking, etc., in a safe manner throughout the site. Private and public parks are located throughout the site inviting the residents and the public to enjoy the recreational amenities on the site. The applicant has indicated to staff that the Master Plan Trail located on land to be dedicated to the Department of Parks and Recreation is being realigned. Detailed Site Plan DSP-01031 addressed the requirement of the applicant resubmitting a revised Detailed Site Plan for Infrastructure, DSP-99052, for

review by the Planning Board or the Department of Parks and Recreation (DPR) as the Planning Board's designee.

4. **In areas of development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, the quality of urban design, and other amenities, such as types and textures of materials, landscaping and screening, street furniture, and lighting, both natural and artificial.**

Comment: The subject application creates intimate gathering places as well as large sports activity fields for the residents and public to enjoy. Proposed street furnishings, lighting (natural and artificial), and screening create an environment that is inviting for all ages to enjoy. However, the plans indicate that the proposed crosswalks are painted with stripes, but not otherwise enhanced. The Urban Design Section believes that all crosswalks should be paved with contrasting material such as pavers, cobbles, or a combination of brick and concrete. With this texture incorporated into the design program, the quality of materials will be such that the above finding can be made.

5. **The Detailed Site Plan is in general conformance with approved Final Development Plan. Where not defined in an approved Development Plan, the design standards of the zone most compatible with the M-X-C Zone shall be applicable.**

Comment: The subject Detailed Site Plan is in general conformance with Final Development Plan FDP-9701 in terms of the location of open space, signage, landscaping, and recreational amenities.

7. The Environmental Planning Section in a memorandum dated July 30, 2001 (Markovich to Whitmore), had the following comments:

AA Forest Stand Delineation (FSD) was submitted and approved during the review of Preliminary Plan of Subdivision (4-97024).

A This property is subject to the requirements of the Prince George's County Woodland Conservation Ordinance because the gross tract area is over 40,000 square feet, there is more than 10,000 square feet of existing woodland, and there will be more than 5,000 square feet of woodland clearing. A Type I Tree Conservation Plan (TCPI/22/97) was approved in conjunction with Preliminary Plan of Subdivision (4-97024) and a Type II Tree Conservation Plan (TCP II/12/00) was approved in conjunction with Detailed Site Plan (DSP-99052). The Detailed Site Plan was for the initial rough grading and installation of the infrastructure. That TCP II included a limit of disturbance for the rough grading and a limit of disturbance for the anticipated ultimately clearing limits.

ADSP-01031/01 has been evaluated for conformance to the approved TCPII/12/00 and found to be consistent with that approved plan. TCPII/12/00 and DSP-01031 are being reviewed concurrently with this revision to the Detailed Site Plan. That application requires some minor revisions to the DSP or TCP in order for the two plans to be consistent with each other. The revisions required will not affect any portion of the property included with this Detailed Site Plan revision.

ANumerous streams, wetlands, and 100-year floodplains are found to occur on this property. Disturbances proposed have been limited to those approved by the variation request associated with Preliminary Plan of Subdivision (4-97024) and those approved with Detailed Site Plan (DSP-99052).@

Comment: Upon revision of Detailed Site Plan DSP-01031 to remove the grading from Parcel C, Block G, which extends into the tree save area on TCPII/12/00, the subject application will be acceptable as submitted.

8. Urban Design: Only a portion of the land to be dedicated to the homeowners association (HOA) is included with this application. The balance of the HOA land will be included in future applications. In general the Urban Design Section finds the application acceptable as submitted. However, several deficiencies have been identified that should be addressed:
  - a. Sheets 13 and 14 of the subject application indicate that the play area equipment is to be manufactured by Columbia Cascade. The applicant submitted two (2) manufacturer=s cut sheets, TimberForm-2 4616 and TimberForm 4411. The note should be changed on the plan to indicate that the manufacturer is TimberForm. Also the note stating:

AModel to Be Determined By Owner@

should be removed and the correct model number indicated.
  - b. To emphasize the pedestrian-friendly atmosphere and to promote walkability of the development, all proposed crosswalks should be paved. The surface material of the crosswalks should be a contrasting material such as pavers, cobbles, or a combination of brick and concrete.
  - c. The applicant should provide the manufacturer=s cut sheet for all proposed street furniture including, but not limited to, benches, lighting, trash receptacles, and fencing. All notes that state: >To Be Selected By Owner= should be removed and the colors of materials and materials should be selected prior to signature approval.

Private Recreation Facilities are being provided by the applicant. Two (2) tot-lots, six (6)

benches and two (2) bridges are proposed at The Prospect at Fairwood. Prior to release of bonds for the two (2) tot-lots, the entrance feature to the park should be completed including the pathways/trail, associated landscaping, and bridges.

9. The Transportation Planning Section in a memorandum dated September 17, 2001 (Masog to Whitmore), provided the following comments:

AO n site circulation is acceptable. The general plan layout and proposed paving widths of the public street conform to the preliminary plat.

AT he transportation staff=s primary interest in this site involves the alignment of the site entrance of Fairwood Parkway opposite Bell Station Road at MD 450. That issue was addressed during review of DSP-99052, and the subject plans show no modification to that recommendation, other than to provide greater detail. Any variations to county or state standards which occur within the public right-of-way must be approved by the appropriate agencies.

AT he prior applications (CP-9504, Preliminary Plat of Subdivision 4-97024, and FDP-9701) contain a number of transportation-related conditions. The status of these conditions is summarized below:

#### ACP-9504

ACondition 4: This condition requires a determination of the feasibility of the proposed alignment for Church Road. The condition was met at the time of subdivision.

ACondition 5: This condition concerns conformity between the Fairwood plans and the adjacent Westwood plan concerning the alignments for Church Road and Hillmeade Road. The condition was met at the time of subdivision.

ACondition 6: This condition sets a total level of development for Phase I. The subject application conforms to that development cap.

ACondition 7: This condition prescribes improvements at the MD 450/Bell Station Road/site entrance. The phasing of these improvements was determined at the time of Final Development Plan, and their provision will be enforced in accordance with that determination.

#### A4-97024

ACondition 9.e: This three-part condition requires right-of-way, easements and access from the subject property to MD 450. The State Highway Administration must indicate satisfaction with the right-of-way

at the time of Final Plat.

ACondition 10: This condition requires the applicant to reconstruct, as a sole source contractor, the portion of MD 450 from MD 193 to Bell Station Road. This contribution , valued at \$5.5 million in 1997 dollars, shall constitute Fairwood=s entire responsibility to contribute toward road improvements to MD 450. The condition requires that the applicant execute a formal agreement with the State Highway Administration prior to Final Plat approval, and to the transportation staff=s knowledge this is still under discussion between the parties, and has not been completed to date. While this condition is not enforceable at the time of Detailed Site Plan, it will be enforceable at the time of Final Plat, and it must be fully resolved at that time.

#### AFDP-9701

ACondition 4: This condition requires the applicant to reconstruct, as a sole source contractor, the portion of MD 450 and MD 193 Bell Station Road. This contribution , valued at \$5.5 million in 1997 dollars, shall constitute Fairwood=s entire responsibility to contribute toward road improvements to MD 450. The condition requires that the applicant execute a formal agreement with the State Highway Administration prior to Final Plat approval, and to the transportation staff=s knowledge this is still under discussion between the parties, and has not been completed to date. While this condition is not enforceable at the time of Detailed Site Plan, it will be enforceable at the time of Final Plat, and it must be fully resolved at that time.

AThe subject property is required to make roadway improvements in the area pursuant to a finding of adequate public facilities made in 1997 for Preliminary Plat of Subdivision 4-97024 and Final Development Plan FDP-9701. This finding was supported by a traffic study submitted in 1997. Insofar as the basis for that finding is still valid, and in consideration of the materials discussed earlier in this memorandum, the transportation staff can make a finding that the subject property is in general conformance with the approved Final Development Plan, and with other previously approved plans.

AIn making this finding for both above-mentioned plans, the transportation staff notes that there are requirements imposed by conditions placed on previous applications which must be met prior to approval of any associated Final Plats. This statement is intended only to put the applicant on notice of these requirements, however, and these requirements may be addressed after approval of the subject application.@

10. The Transportation Planning Section in a memorandum dated July 31, 2001 (Shaffer to Whitmore), provided the following comments pertaining to trails:



AI In accordance with the Adopted and Approved Bowie-Collington-Mitchellville and Vicinity Master Plan and prior approvals, 4-97024, FDP-9701, CP-9504, and DSP99052, the following is recommended:

AThe master plan trail shall be asphalt and ten feet wide, as shown on the site plan. A painted crosswalk with appropriate warning signs is recommended where the trail crosses Hillmeade Road.

AA six-foot-wide feeder trail to the master plan trail is recommended from the end of Ford=s Endeavor in Parcel C, in conformance with FDP-9701 Condition 3b. This connection should be shown and labeled on the site plan.

AThe provision of sidewalks along all internal roads and along both sides of Hillmeade Road, as shown on the site plan, is in conformance with prior approvals.

ACurb cuts for all trails and sidewalks shall be ramped and handicapped accessible.@

Comment: The subject application is for a portion of the land to be dedicated to the homeowners association. All sidewalks are ramped and handicapped accessible. The six-foot-wide feeder trail to the master plan trail is not part of this application. A subsequent detailed site plan will address this issue.

11. The Subdivision Section in a memorandum dated August 6, 2001 (Chellis to Whitmore), offered the following comment:

AThe applicant is proposing disturbance which is strictly controlled by the Subdivision Regulations. At the time of approval of preliminary plan of subdivision for Phase I, Part I (4-97024), variations were approved for disturbance to the Primary Management Area (PMA). The Environmental Planning Section should determine if the disturbance to the PMA shown on this plan is consistent with that previous approval.@

Comment: The Environmental Planning Section found the application acceptable as submitted.

The Final Plats of Subdivision were approved by the Planning Board on October 11, 2001, prior to approval of the detailed site plans. Therefore, the Subdivision Section determined that the appropriate time to record the Recreational Facilities Agreement (RFA) should be prior to issuance of any building permits for Phase I, Part I.

Comment: Condition 2 in the Recommendation section of this report addresses this concern.

12. The Department of Parks and Recreation had no comments concerning this application.
13. The City of Bowie in a memorandum dated September 20, 2001 (Robinson to Hewlett), offers the following comment:

AAlthough the applicant did review their response to the city staff-recommended conditions on September 18<sup>th</sup>, they could not agree with the City staff recommendations for: house siting, landscaping, hiker-biker trail enhancements, use of 80% native plant species and use of brick pavers or stamped asphalt to better delineate pedestrian crossings within the development. The City Council was very concerned because the developer could not agree to these conditions, which are of the kind typically required during Detailed Site Plan review. At the conclusion of the public hearing, the City Council voted unanimously to recommend DISAPPROVAL of both Detailed Site Plan applications.@

14. The Community Planning Division found that the proposed detailed site plan raised no Master Plan issues.
15. At the time of the writing of this staff report, the Enterprise Road Corridor Development Review District had not responded to the referral request.
16. This Detailed Site Plan for Infrastructure satisfies the site design guidelines as contained in Section 27-274, prevents off-site property damage, and prevents environmental degradation to safeguard the public=s health, safety, welfare and economic well-being for grading, reforestation, woodland conservation, drainage, erosion and pollution discharge.

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/12/00) and further APPROVED Detailed Site Plan SP-01031/01 for the above-described land, subject to the following conditions:

1. Prior to signature approval, the following revisions to the plans shall be made or information supplied:
  - a. The applicant shall provide a clear note stating who the manufacturing company is for the proposed play equipment. The model number of the proposed play equipment shall be place on the appropriate sheets.
  - b. The applicant shall supply to the Urban Design Section a sample of the proposed resilient surface material proposed for the play area.
  - c. The notes on sheets 13 and 14, AModel to Be Determined By Owner,@ shall be removed.

- d. Manufacturer=s cut sheets shall be provided for all street furniture including, but not limited to, benches, street lighting, trash receptacles, and fencing, as well as all play equipment.
  - e. All notes that state, ATo be Selected by Owner,@ shall be removed from the plans.
  - f. The colors of materials and all materials shall be added to the plans.
2. The Recreational Facilities Agreement (RFA) shall be recorded prior to release of the 18<sup>th</sup> building permit and the facility shall be bonded prior to release of the 18<sup>th</sup> building permit.

The RFA includes:

Two (2) tot-lots  
Six (6) benches  
Two (2) bridges

3. Prior to the release of the bond for the two (2) tot-lots, the entrance feature to the park shall be completed (including the pathways/trails).
4. Tot-lot #1 shall be constructed prior to release of the 18<sup>th</sup> building permit for Robert=s Prospect. Tot-lot #2 shall be constructed prior to release of the 69<sup>th</sup> building permit for The Prospect at Fairwood.
5. If approved by DPW&T and accepted for maintenance as part of the public road system, the plan shall be revised to indicate that all crosswalks are paved. The surface material of the crosswalks shall be a contrasting material, such as pavers, cobbles, or a combination of brick and concrete. A detail of the surface material shall be added to the appropriate detail sheet.

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 Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Scott, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 25, 2001, in Upper Marlboro, Maryland.

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Adopted by the Prince George's County Planning Board this 15th day of November 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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