

PGCPB No. 02-56

File No. DSP-02001

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 March 21, 2002, regarding Detailed Site Plan DSP-02001 for Fairwood, Phase I, Part Two, the Planning Board finds:

1. This Detailed Site Plan for Infrastructure is for a portion of Part 2 of Phase I of Fairwood. (Detailed Site Plan for Infrastructure, DSP-99052 for Phase I Part 1, which included 223.7 acres of Phase I, was approved by the Planning Board on March 23, 2000, and was adopted on April 13, 2000, PGCPB #00-37.) This submission encompasses 30.2 acres out of a total of 247.3 acres included in Part 2 of Phase I and is limited to the proposed grading of the site, the installation of utilities, streets and the stormwater management ponds for a portion of Phase I, Part 2. Included with the application is the proposed Tree Conservation Plan, TCPII/12/00. The ultimate development of the site will include approximately 169 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 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 234.06 acres of land in the M-X-C Zone.
3. The Preliminary Plan for the subject property, Fairwood 4-00057, was approved with conditions by the Planning Board on January 4, 2001 (resolution adopted on January 25, 2001, PGCPB No. 01-07). Conditions of the Preliminary Plan applicable to the subject Detailed Site Plan are as follows:
 6. **Trails on lands to be conveyed to M-NCPPC shall be designed and constructed in accordance with the Parks and Recreation Facilities Guidelines and as follows:**
 - a. **All pedestrian and hiker/biker trails on park property shall be paved.**
 - b. **The master plan trail and major connector trails on park property which provide service access to and around stormwater management ponds on park property shall be a minimum 10 feet wide with asphalt surfacing.**
 - c. **Trail connectors to the neighborhoods which are located on park**

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property shall be a minimum 6 feet wide with asphalt surfacing.

- d. Trail slopes shall comply with the handicapped accessibility requirements of that portion of Title 2, United States Code, which is applicable.**

Comment: The Department of Parks and Recreation (DPR) provided no comment pertaining to the above condition. However, DPR will review subsequent Detailed Site Plans to ensure conformance with Condition 6 of Preliminary Plan 4-00057.

- 7. In accordance with Section 24-134 and 24-135 of the Subdivision Regulations, the applicant, his heirs, successors and or assigns shall dedicate to the Maryland-National Capital Park and Planning Commission 23.21 acres. Lands to be dedicated shall be subject to the following . . . (The condition includes DPR=s standard conditions for dedication.)**

Comment: The Department Parks and Recreation have found the plans acceptable as submitted. However, the Department of Parks and Recreation will review subsequent Detailed Site Plans to ensure conformance with Condition 7 of Preliminary Plan 4-00057.

- 8. At the time of Detailed Site Plan the applicant shall provide alternative alignment and construction options that evaluate the proposed PMA impacts on Lots 1 and 2, Block K due to driveway construction.**

Comment: The submitted plan does not include Lots 1 and 2 of Block K.

- 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 following conditions of CP-9504 require comment:**

- 1c. A minimum lot size of 40,000 square feet or a 25-foot undisturbed tree or landscape buffer shall be provided adjacent to all R-E Zoned land, except for that portion of the Robert=s property R-E Zoned land located immediately south of that section of road AA@ which abuts the Robert=s property.**

Comment: The only portion of the Robert=s property that is adjacent to the subject property is located immediately south of road AA.@ Therefore, minimum lot sizes and a 25-foot undisturbed tree or landscape buffer do not apply to this submission.

- 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**

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the area.

Comment: Church Road is not part of this submission.

5. The Final Development Plan for the subject property, Fairwood FDP-0001, was approved with conditions by the Planning Board on January 4, 2001, and adopted January 25, 2001 (PGCPB No. 01-09). The following conditions pertain to this application:
 2. **The applicant shall include with the submittal of the Detailed Site Plan that is associated with this FDP, a Phase II Noise Study for Lots 49-55, Block >M = and any other residential lots located within the 65 dBA noise contour. The report shall identify all adverse noise impacts to residential areas along the realigned Church Road and include recommendations for noise attenuation measures. The proposed noise attenuation measures shall be clearly reflected on the Detailed Site Plan. If the proposed attenuation measures include the use of structural components, the Detailed Site Plan shall include architectural drawings that reflect the materials to be used and the manufacturers's STC (sound transmission class) rating for the structural component in accordance with the recommendation of the noise report.**

Comment: Because the subject site is internal to the Fairwood project as a whole and some distance from any major roads, it is not impacted by transportation-related noise generators (See Finding 7).

3. **The ultimate use for Parcel A, Block Q shall be determined at the time of Detailed Site Plan. At that time the use proposed will be evaluated by the Environmental Planning Section to ensure that the use is consistent with the scenic and historic nature of Church Road. The use shall be screened and buffered with plantings and/or fencing in order to maintain and protect the scenic and historic view shed of Church Road.**

Comment: Church Road is not part of this submission. At the time a Detailed Site Plan is submitted for review that includes Parcel A, Block Q, it will be reviewed by the Environmental Planning Section and the proposed use will be evaluated to ensure its compatibility with the scenic and historic nature of Church Road. In addition the use will be screened and buffered with plantings and/or fencing to maintain and protect the viewshed of historic Church Road.

4. **A master plan trail shall be provided along the Church Road realignment at the time of road improvement. The type of trail will depend upon whether the road is an open or closed section and upon future discussions between the applicant and the Department of Public Works and Transportation.**

Comment: Church Road is not part of this submission.

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7. **Some of the existing farm lanes shall be preserved as multi-use trails, and included as part of the internal trail system through the subject property. This trail system shall be dedicated to a homeowners= association. These roadways shall supplement and in some cases replace an extensive sidewalk system. These farm lanes which will be preserved shall be designated on the Detailed Site Plan for Infrastructure.**

Comment: The submitted Detailed Site Plan for Infrastructure is in conformance with the above condition.

8. **Vehicular crossings of the farm lanes shall be limited to preserve the integrity of its overall character and implied pedestrian use.**

Comment: Vehicular crossings of the existing farm lanes have been limited to preserve the overall character and pedestrian use of the subject site.

6. Section 27-546.07(c) of the Zoning Ordinance requires that, 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 structure; preservation of significant open spaces.**

Comment: This submission is for infrastructure only and does not reflect development standards which include varying lot sizes that will encourage a wide spectrum of dwelling types, which in turn will encourage dwelling types that will attract a wide spectrum of incomes, ages, and family structure and preservation of open spaces. Required subsequent Detailed Site Plans will address this finding.

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: The submitted plans show only a general lotting pattern of the residential area. At the time subsequent Detailed Site Plans are submitted, the arrangement and design of commercial/retail buildings and open space uses will be carefully reviewed for conformance to this finding.

3. **The pedestrian system is convenient and is comprehensively designed to**

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encourage pedestrian activity within the development.

Comment: The submitted plan in combination with previously approved infrastructure and Detailed Site Plans provides a pedestrian system that is designed to encourage pedestrian activity through provision of sidewalks and an extensive trail system. Subsequent infrastructure and/or Detailed Site Plans will continue to ensure that a comprehensively designed pedestrian system is provided.

- 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 indicates that future Detailed Site Plans will provide for and create intimate gathering places as well as a Village Activity Center for the residents and general public to enjoy. Inasmuch as this submission is for infrastructure only, human scale, the quality of urban design, and other amenities have not been addressed in the detail that will be necessary in final Detailed Site Plans. However, subsequent Detailed Site Plans that are required to be submitted will ensure that adequate attention has been paid to the aforementioned required finding.

- 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 Infrastructure Plan is in general conformance with Final Development Plan FDP-0001 in terms of the location of residential and community uses.

7. The Environmental Planning Section, in a memorandum dated February 25, 2002 (Markovich to Whitmore), had the following comments:

A. . . A review of the information available indicates that streams, wetlands, and 100-year floodplains are found to occur on the subject property. No areas of severe slopes or steep slopes with highly erodible soils are found to occur on the subject property. The property is not impacted by transportation-related noise generators. The soils found to occur according to the Prince George=s County Soil Survey include Collington fine sandy loam and Ochlockonee sandy loam, which have no significant limitations with respect to development. Marlboro clays are not found to occur in the vicinity of the property. The sewer and water service categories are S-3 and W-3, respectively. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled >Ecologically Significant Areas in Anne Arundel and Prince George=s Counties,= December 1997, there are no rare, threatened, or

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endangered species found to occur in the vicinity of this property. There are no scenic or historic roads in the vicinity, within 0.4 mile of the parcel (Church Road is the closest historic road). This property is located in the Collington Branch subwatershed of the Patuxent River and in the Developing Tier as reflected in the adopted Biennial Growth Policy Plan.

AA Detailed Forest Stand Delineation (FSD) was previously submitted and found to address the requirements for an FSD in accordance with the Prince George=s County Woodland Conservation and Tree Preservation Technical Manual.

AThis property is subject to the requirements of the Prince George=s County Woodland Conservation and Tree Preservation Ordinance because there is a previously approved Type I Tree Conservation Plan, TCPI/47/00. The overall requirements for Fairwood are being tracked with each TCPII submittal to ensure that the property remains in conformance with the woodland conservation requirements. TCPII/20/02, as submitted with DSP-02001, and date stamped on February 22, 2002, by the Countywide Planning Division, has been reviewed and found to address the requirements of the Prince George=s County Woodland Conservation and Tree Preservation Ordinance.

AThe Patuxent River Primary Management Area (PMA) is found to occur along the northern boundary of this application. This Detailed Site Plan does not propose impacts to the PMA.@

TCPII/20/02 is recommended for approval in conjunction with DSP-02001 subject to conditions as stated in the Recommendation section of this report.

8. Urban DesignCThe Urban Design Section has reviewed the Detailed Site Plan and finds the subject application is acceptable as submitted. It should be noted that landscape plans are not part of this application. Therefore, at the time of submittal of future landscape plans, they will be subject to review to ensure they are in conformance with the requirements of the Prince George=s County *Landscape Manual*. The plans indicate that many elements are existing, including but not limited to, sidewalks, light poles, roads, and curb and gutter. During a recent site visit staff noticed that while grading is occurring in Phase I, Part 1, none of the above-mentioned elements are existing; therefore, these notes should be removed.

9. Site Development Data

Zone M-X-C Zone

Land Use	FDP Acreage *	Proposed Use
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Land Use	FDP Acreage *	Proposed Use
Single Family Low Density (SF-LD)	34.3 acres	72 residential lots**
Single Family Medium Density (SF-MD)	37.1 acres	97 residential lots**
Other Residential (OR)		
Area A	22.4 acres	168 dwelling units (max.)**
Area B	9.8 acres	75 dwelling units (max.)**
Subtotal	32.2 acres	
Non-Residential (NR)		
Area A	29.4 acres	Max. 100,000 sf Retail and 125,000 sf institutional/office/ other permitted uses
Area B	5.4 acres	Future R.O.W.
Area C	2.5 acres	Future R.O.W.
Subtotal	37.3 acres	
Community Use (CU)		
Area A	3.7 acres	Open Space
Area B	5.6 acres	Open Space
Area C	32.2 acres	Open Space
Area D	50.7 acres	Open Space
Area E	1.4 acres	Open Space
Subtotal	93.6 acres	
Grand Total	234.4 acres	

* Approximate acreage

**Approximate dwelling units

10. The State Highway Administration finds the plans acceptable as submitted.

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11. The Transportation Planning Section, in a memorandum dated March 11, 2002 (Masog to Whitmore) provided the following comments:

A. . . prior applications (CP-9504, Preliminary Plan of Subdivision 4-00057) contain a number of transportation-related conditions (FDP-0001 contains no transportation-related conditions that are not contained in the approval for 4-00057). The status of these conditions is as follows:

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 does not indicate proposed development quantities for this site. Previous approvals have not exceeded the cap, and the cap will be reviewed when a future site plan showing quantities is submitted.

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.

A4-00057

ACondition 16: 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 the initial Final Plat approval and transportation staff has been notified that the final funding agreement has been executed.

AThe subject property is required to make roadway improvements in the area pursuant to a finding of adequate public facilities made in 2000 for Preliminary Plan of Subdivision 4-00057 and Final Development Plan FDP-0001. 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.@

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12. The Subdivision Section, in a memorandum dated February 12, 2002 (Chellis to Whitmore), provided the following comments:

APGCPB Resolution 01-07(C), File 4-00057, was adopted on January 25, 2001, with 20 conditions. The following apply to the review of this DSP:

ACondition 6 establishes standards for trails located on park property. Conformance to this condition should be determined by the Park Planning and Development Division.

ACondition 7 refers to the disposition of lands to be dedicated to the M-NCPPC and refers to the specific acreage to be dedicated. The DSP should be revised to reflect the acreage of all of the parcels shown on the preliminary plan to allow for a determination of conformance to the approved preliminary plan of subdivision.

AThe Detailed Site Plan should be revised to indicate that it is part of Phase I, Part Two. The approved preliminary plan locates a four-foot-wide sidewalk within the public right-of-way of Fairwood Parkway which is delineated on sheet 1 of 2 of the DSP but is not continued onto sheet 2 of 2. The sidewalk should be shown on sheet 2 of 2.

AThe right-of way of Barons Delight should be noted as a 50-foot-wide, private right-of-way (General Note 19 of the approve preliminary plan). Fairwood Parkway was approved as a 70-foot to 100-foot variable width right-of-way. The Transportation Planning Section should determine the appropriate right-of-way in this location.@

Comment: The Department of Parks and Recreation states that they have Ano comment @ pertaining to this application. However, it should be noted that Conditions 6 and 7 have been addressed in Finding 3. The plans have been revised and show the sidewalk on sheet 2 of 2. Finding 11, contained within this staff report, indicates that the appropriate right-of-way for Fairwood Parkway is shown correctly on the submitted plans.

13. The Department of Public Works and Transportation had numerous comments that included but were not limited to, all improvements within public right-of-ways dedicated to the county will be in conformance with the Americans with Disabilities Act, that dedicated road frontages will be in accordance with DPW&T=s and M-NCPPC=s latest approved Master Plan, and all storm drainage systems and drainage facilities will be in accordance with DPW&T=s and DER=s requirements; conformance with street tree and street lighting standards is required.

Comment: The above-referenced concerns will be addressed at the time of permits by the Department of Public Works and Transportation.

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14. The Department of Parks and Recreation finds the plans acceptable as submitted.
15. The Community Planning Division found that the proposed Detailed Site Plan raised no Master Plan issues.
16. The Transportation Planning Section, Trails Coordinator, has determined that the submitted Detailed Site Plan is in conformance with the prior approval (4-00057) for trail and sidewalk facilities.
17. The City of Bowie, in a memorandum dated January 31, 2002 (Meinert to Whitmore), had the following comment:

AThe City has no comment on this application as the proposed plan has no significant impact on the City.@
18. At the time of writing this staff report, the Enterprise Road Corridor Development Review District had not responded to the referral request.
19. The proposed site plan has an approved Stormwater Concept (#8322664-2000) and this proposal is consistent with that concept.
20. The Prince George=s County Public Schools, in a memorandum dated January 30, 2002 (Lee to Whitmore), provided the following comment:

A. . . referenced Detailed Site Plan DSP-02001 Mixed Use Community, will neither impact any existing public school facility nor affect the operation of Prince George=s County Public Schools from a physical standpoint.@
21. 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 DSP-02001 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 plans shall be revised to indicate that this submission is Phase I, Part 2, >A,= and it should be made clear that Part 2, >A,= includes 30.2 acres

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out of the total 247.3 acres of Phase I, Part 2.

- b. All notes that are located within the public right-of-way that indicate those improvements are existing shall be removed.

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.

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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 Scott, with Commissioners Lowe, Scott, Brown, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 21, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of April 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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