

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 4, 2003, regarding Detailed Site Plan DSP-02015/08 for Fairwood, Phase I, Part 2B, Area 25, the Planning Board finds:

1. **Request:**

The subject application is for signage, landscaping, hiker/biker trail and entrance features on the west side of Fairview Vista Drive, extending from the north of Fairwood Parkway to the south of My Mollies Pride.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	M-X-C	M-X-C
	(Mixed-Use Community)	
Use(s)	Single-family Residential	Single-family Residential
Acreage	5.68	5.68
Parcels	3	3
Building Square Footage/GFA	NA	NA

3. **Location:** The site is in Planning Area 71A, Council District 4. More specifically, the subject detailed site plan is for site improvements along the west side of Fairview Vista Drive, extending from the north of Fairwood Parkway to the south of My Mollies Pride.
4. **Surroundings and Use:** The proposed amenities are located within a property in Part 2B, Phase I, of Fairwood. The site is bounded on the north and west by the rights-of-way of Fairwood Parkway and Fairview Vista Drive. To the south of the property is Phase II of Fairwood and to the east of the property is the PEPCO right-of-way.
5. **Previous Approvals:** The site is part of Part 2, Phase I of Fairwood, which was first approved in Amended Basic Plan A-9894-C. The site has also an approved Comprehensive Sketch Plan, CP-9504; a Preliminary Plan, 4-00057; a Final Development Plan, FDP-0001; and Detailed Site Plans DSP-02015 and DSP-99034. The subject revision to Detailed Site Plan DSP-02015/08 is for site improvements on the approved Detailed Site Plan, DSP-02015, for infrastructure. Detailed Site Plan DSP-02015 was for a portion of Part 2 of Phase I of Fairwood, consisting of 179.11 acres out of a total of 247.3 acres included in Part 2 of Phase I. The detailed site plan was limited to the proposed grading of the site and the installation of utilities, streets and the

stormwater management ponds for a portion of Phase I, Part 2. The Type II Tree Conservation Plan, TCPH/4/02-01, was also reviewed along with the detailed site plan application. Detailed Site Plan DSP-02015 was approved by the Planning Board on September 10, 2002 (PGCPB No. 02-157). Staff, as the Planning Board's designee, approved a revision to Detailed Site Plan DSP-02015/01 to add seven lots along Dickens Pride for Phase I, Part 2B. The Planning Board approved a revision to the Detailed Site Plan DSP-02015/02 for house sitings for 111 single-family residential lots and to DSP-02015/03 for entrance improvements. Staff, as the Planning Board's designee, also approved revisions to Detailed Site Plan DSP-02015/04 to 07 for various house sitings on the detailed site plan for the approved architectural models.

6. **Design Features:** The proposal includes the following:
 - a. An eight-foot-wide hiker/biker trail and planting along Fairview Vista Drive
 - b. Decorative gates, decorative fencing, signs identifying the community, special paving and bands, four-foot-wide concrete sidewalks, four-foot-wide concrete bands, and associated planting along the My Mollies Pride entrance and the Odens Bequest Drive entrance.

Landscape treatments, site construction, and signage details are included in the detailed site plan application packet. The proposed amenities are in general conformance with the previous approved plans in design, color and materials.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Amended Basic Plan A-9894-C:** The District Council approved Amended Basic Plan A-9894-C with 22 conditions through the adoption of Zoning Ordinance No. 24-1994. The detailed site plan is in general conformance with the amended basic plan. No condition is applicable to the review of the subject detailed site plan.
8. **Comprehensive Sketch Plan CP-9504:** On February 24, 1997, the District Council affirmed the Planning Board's decision in Resolution PGCPB No. 96-241, which contains ten conditions of approval. No condition is applicable to the review of the subject detailed site plan.
9. **Preliminary Plan 4-00057 and Final Plat REP 196@15 and 16:** The Planning Board's decision on 4-00057 was embodied in Resolution PGCPB No. 01-07(C), which approved the above-noted preliminary plan with 22 conditions. No condition is applicable to the review of the subject detailed site plan.
10. **Final Development Plan FDP-0001:** The final development plan for the subject property, Fairwood FDP-0001, was approved with ten conditions by the Planning Board on January 4, 2001, and the resolution was adopted on January 25, 2001 (PGCPB No. 01-09). No condition is applicable to the review of the subject detailed site plan.
11. **Detailed Site Plan DSP-99034:** At time of approval of Final Development Plan FDP-9701,

which covers Part One of Phase I and encompasses 223.7 acres, by the District Council on May 11, 1998, Condition 2, which requires a detailed site plan for a comprehensive program governing signage through the entire Fairwood development as set forth in Section 27-546.04(i), was attached. Per Condition 2 of FDP-9701, the detailed site plan for signage, DSP-99034 was filed and approved by the District Council for the entire Fairwood project, which encompasses 1,057.69 acres.

This detailed site plan sets out specific design standards for all types of signage in the Fairwood project. The Planning Board approved DSP-99034 on January 6, 2000, subject to three conditions. The detailed site plan has been reviewed for conformance with the standards. The detailed site plan is in general conformance with DSP-99034. Of the three conditions of approval for DSP-99034, two conditions are applicable to this detailed site plan review and discussed as follows:

“2. The applicant shall obtain approval for the proposed street signs from The Department of Public Works and Transportation.”

Comment: This condition will be carried forward as a condition of approval of the subject detailed site plan.

The sign design package included with DSP-99034 states that neighborhood/community entry signs will be monument style, nonilluminated and landscaped. The signage text is limited to the name of the neighborhood, the maximum size of the text area will be 15 square feet, and the maximum height of the sign will be seven feet. The proposed signs are six feet high and the overall text area does not exceed 15 square feet.

12. **Detailed Site Plan DSP-02015:** DSP-02015 is an infrastructure site plan for a portion of Part 2 of Phase I, Fairwood. The site plan was subsequently revised twice. No condition of approval is applicable to the review of the subject detailed site plan.
13. **Zoning Ordinance:** The proposal is in general conformance with the following findings required by Section 27-546.07(c) of the Zoning Ordinance for approval of development in the M-X-C Zone.

1. The proposed development is in conformance with the purposes and other provisions of the M-X-C Zone;

Comment: The subject application is for approval of signage, trails, entrance features and landscaping. Compliance with this finding has been addressed in previous detailed site plan approvals.

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 subject detailed site plan does not involve any buildings but does involve signage, trails, entrance features and landscaping. The proposed site improvements are compatible with the design of the site improvements for the overall development. Therefore, the proposal will help in increasing the overall quality of the development.

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

Comment: The proposed trails and sidewalks tie into the convenient and comprehensively designed pedestrian system for the overall development and encourage pedestrian activity within the development.

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 proposed signage, trails, entrance features, landscaping and other amenities such as types and textures of materials, screening and lighting pay adequate attention to the human scale and the quality of urban design. The design of these site improvements is compatible with the design of the site improvements for the overall development.

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-0001 in terms of the location of signage, trails, entrance features and landscaping.

14. **Landscape Manual:** Compliance of the subject development with the requirements of the *Landscape Manual* have been addressed in the previous detailed site plan approvals for the subject development.
15. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area; contains more than 10,000 square feet of woodland; and there are prior tree conservation plan approvals for this site. There is a previously approved Type II Tree Conservation Plan, TCPII/4/02, for the subject site. Compliance with the Woodland Conservation Ordinance has been addressed in the previous detailed site plan approvals for the subject development.
16. **Referral Comments:** The subject application was referred to the concerned agencies and

divisions. The referral comments are summarized as follows:

- a. In a memorandum dated October 17, 2003, the Community Planning Division found that there are no Bowie-Collington-Mitchellville and vicinity master plan issues associated with this detailed site plan revision.
- b. In a memorandum dated October 10, 2003, the Historic Preservation Section has stated that the proposal will not impact the historic site.
- c. In a memorandum dated October 21, 2003, the Subdivision Section has stated that the detailed site plan must be revised to reflect parcel numbers and ownerships and bearings and distances in accordance with the final plats. No landscaping can be placed over ten-foot-wide public utility easements along public rights-of-way. Conditions of approval have been added to require the same.
- d. In a memorandum dated October 20, 2003, the Department of Environmental Resources has stated that the office has no objections to the subject detailed site plan.
- e. In a memorandum dated October 20, 2003, the Washington Suburban Sanitary Commission has stated that the water main locations may affect planting locations.
- f. In a memorandum dated October 9, 2003, the Permit Review Section has requested additional information and minor changes to the site plan drawings. Conditions of approval have been added to require the following:
 - (1) Height of the entrance gates.
 - (2) A note stating that the location of the gateway sign will maintain unobstructed lines of vision for 500 feet in all directions of travel.
 - (3) Written authorization from the District Council for structures within the public rights-of-way according to the requirements of Section 27-259, Permits within proposed rights-of-way of the Zoning Ordinance. Section 27-259 of the Zoning Ordinance states that no building or sign permit may generally be issued for any structure on land located within the right-of-way of a proposed street. However, the District Council may authorize the issuance of the building or sign permit in accordance with this section.
 - (4) Approval from the Department of Public Works and Transportation for all structures within the public rights-of-way.
 - (5) A maintenance agreement approved by the Department of Public Works and Transportation stating that the sign maintenance will be the responsibility of the homeowners association or other entity or designated persons.

- g. In a memorandum dated October 2, 2003, the City of Bowie has stated that they have no comments regarding the proposal.
- h. In a memorandum dated November 19, 2003, the Transportation Planning Section has stated that the subject detailed site plan is in conformance with past detailed site plan applications.

Since the applicant is proposing gating the entrance to patrons of the site and gating dedicated public streets, the applicant must obtain concurrence of the Department of Public Works and Transportation for the gated entrances.

- i. In a memorandum dated November 12, 2003, the Transportation Planning Section stated that the subject detailed site plan reflects an eight-foot-wide trail with connecting sidewalks, which are in conformance with the previous approvals.
17. 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 Detailed Site Plan DSP-02015/08, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan, the applicant shall revise the site and landscape plans to show the following:
 - a. Height of the entrance gates.
 - b. A note stating that the location of the gateway sign will maintain unobstructed lines of vision for 500 feet in all directions of travel.
 - c. Parcel numbers and ownerships and bearings and distances in accordance with the final plats.
 - d. A note stating that no landscaping shall be placed over ten-foot-wide public utility easements along public rights-of-way
 - e. A six-foot-wide connection to the proposed trail on the south of Fairwood parkway up to the crosswalk with Fairwood Parkway and Fairview Vista Drive. If the connection is within the public right-of-way, it shall be subject to the approval of the Department of

Public Water and Transportation.

- f. Trails designed and constructed in accordance with Park and Recreation Facilities Guidelines and ADA accessible.
2. Prior to issuance of building permits, the applicant shall obtain the following:
- a. Written authorization from the Department of Public Works and Transportation and District Council for structures within the public rights-of-way according to the requirements of Section 27-259 of the Zoning Ordinance (unless evidence is provided that legal authorization has been obtained to convert the affected streets to private streets).
 - b. A maintenance agreement approved by the Department of Public Works and Transportation stating that the sign maintenance will be the responsibility of the homeowners association or other entity or designated persons.

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, December 4, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of December 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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