

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 7, 2004 regarding Detailed Site Plan DSP-03068/01 for Fairwood Phase II/Part 1-B, the Planning Board finds:

1. **Request:** The subject application is a plan for detailed site amenities, architectural models, and house siting on 19 lots adjacent to Fairview and Cemetery (Historic Site 71A-013) in the M-X-C Zone.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	M-X-C	M-X-C
Use(s)	Single-family residential	Single-family residential
Acreage	11.89	11.89
Lots	19	19

Architectural Model Data**Builder—Nu-Homes**

Name	* Living Area (square feet)
Riverhill	2,754–3,016
Riverhill II	3,340–3,500
Millwood	1,880–2,061
Millwood II	2,617–2,665
Cambridge	3,100–3,386
Cambridge II	3,674–3,950
Somerset	2,365–3,179
Chrisfield II	2,206–2,805

Builder—Williamsburg

Name	* Living Area (square feet)
Dorchester II	3,649–3,821
The Huntington	4,116–4,468

Builder—Mid-Atlantic

Name	* Living Area (square feet)
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Monticello	3,919–4,271
Amherst 1200 Series	4,118–5,408
Somerset, Somerset 500	3,309–4,861
Windsor, Windsor 1400 and 1408	3,392–3,508

Note: * Square footage shows both the base finished area and maximum area including all finished livable areas. Area of garage is not included in square footage. Basement is not included in square footage.

3. **Location:** The subject detailed site plan covers a portion of land around the site of Fairview and Cemetery (Historic Site 71A-013) within Phase II, Part 1B of the Fairwood project as included in infrastructure Detailed Site Plan DSP-03068, which is located southwest of Fairwood Vista Drive, west of the PEPCO easement, and north of John Hanson Highway (US 50).
4. **Surroundings and Use:** The site is a portion of the property within Part 1-B, Phase II of the Fairwood project that surrounds Fairview and Cemetery (Historic Site 71A-013). The subject property is bounded to the south, west and east by the lots in DSP-03068 in the M-X-C Zone and to the north by the site of Fairview and Cemetery (Historic Site 71A-013).
5. **Previous Approvals:** The subject site is within Phase II, Part 1, of a larger development with a total of 1,057.69 acres known as Fairwood, which was rezoned from R-E to M-X-C through Zoning Map Amendment A-9894-C for 1,799 dwelling units, 100,000 square feet of retail service, 250,000 square feet of office/service/institutional uses, and some other “community space,” approved by the District Council on May 9, 1994. The M-X-C Zone requires a multistep review and approval. On January 17, 2002, Comprehensive Sketch Plan CP-0101, including the subject site, was approved by the Planning Board [Resolution PGCPB No. 02-17(C)] for Phase II of the Fairwood development, consisting of 586.69 acres of land and approximately 1,000 units. On June 6, 2002, Final Development Plan FDP-0201 was approved by the Planning Board (Resolution PGCPB No. 02-128) for Phase II, Part 1, consisting of 254.55 acres of land and Phase I, Part 3, consisting of 8.7 acres of land. On June 6, 2002, Preliminary Plan 4-02023, including a Type I Tree Conservation Plan TCPI/19/02, was approved by the Planning Board (Resolution PGCPB No. 02-126) for 266.33 acres of land known as Fairwood, Phase II, Part 1, Phase I, Part 3, and a portion of Part 2, with a total of 292 single-family lots and 25 parcels. On February 19, 2004, the Planning Board (Resolution PGCPB No. 04-29) approved infrastructure Detailed Site Plan DSP-03068 that covers Part 1B, Phase II of the Fairwood Project. The subject DSP is a portion of DSP-03068 that is located around the site of Fairview and Cemetery (Historic Site 71A-013).

In addition to the above approvals, two previous approvals that cover the entire Fairwood site and are applicable to the review of this case are DSP-99034 and DSP-01046. DSP-99034 is a comprehensive signage program for the entire Fairwood project and was approved by the Planning Board (Resolution PGCPB No. 99-243) on January 6, 2000. DSP-01046 is an umbrella architecture scheme for the Fairwood project and was approved by the Planning Board on December 20, 2001 (Resolution PGCPB No. 01-258). The site also has two approved stormwater management concept plans, #2338-2004 and 26551-2003.

6. **Design Features:** This DSP is a revision to DSP-03068 in order to fulfill Condition 4 of approval for DSP-03068 that requires detailed site plan review for lots surrounding the historic site of Fairview and Cemetery. This DSP includes detailed site amenities with landscaping and trails connections, such as one entrance area design at the intersection of Fairview Vista Drive and Goodloes Promise Drive; and two squares—Heritage Square, adjacent to the barn foundation site, and Brentwood Square, at the intersection of Plummers Promise Drive and Quanders Promise Lane and recreational facilities. This DSP also shows architectural models and house siting on 19 lots that are located adjacent to the site of Fairview and Cemetery. Since the detailed amenities have been laid out, this application also involves some minor revisions to the approved Type II Tree Conservation Plan TCPH/185/03, that was approved with the infrastructure Detailed Site Plan DSP-03068.

The architectural models submitted with the site plan are two-story in height and have a two-car garage as a standard feature. The 15 models are the models included in DSP-01046 and its revisions. Since the approved DSP-03015 established special criteria for selecting models regarding design and materials on the 19 lots included in the subject DSP, the Historic Preservation staff will review the models prior to issuance of building permits.

This DSP also includes directional signs for the proposed trails and two squares, entrance sign piers for The Promise at Fairwood at the intersection of Fairview Vista Drive and Goodloes Promise Drive, and one interpretive historic sign at the proposed Heritage Square.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9894-C and the accompanying preliminary development plan:** Zoning Map Amendment A-9894-C and the accompanying preliminary development plan were approved by the District Council on May 9, 1994, subject to 22 conditions. Except for Condition 18 (b), which requires the dedication of ten acres to M-NCPPC for public parkland to be located along the southwestern border of the site in accordance with master plan recommendations for the Collington West Community Park, none of the other conditions is specifically applicable to the review of this detailed site plan. See Finding 9 below for a detailed discussion.
8. **Comprehensive Sketch Map CP-0101:** Comprehensive Sketch Map CP-0101 was approved by the Planning Board on January 24, 2002, subject to 15 conditions, of which the following conditions are pertinent to the review of this detailed site plan:
 6. **At the time of the applicable Detailed Site Plans, brick or stamped asphalt crosswalks, raised pavement markings, and/or other strategies which are appropriate to the function of the roadway shall be considered at two or three key locations along Church Road within the Fairwood property subject to approval of the Department of Public Works and Transportation and acceptance of maintenance responsibility by the Department of Public Works and Transportation.**

Comment: This detailed site plan covers a site west of the PEPCO easement that is some distance from Church Road. The condition is not applicable to this DSP.

- 9. All conditions relevant to Historic Area Work Permit (HAWP) #12-01 imposed by the Historic Preservation Commission shall be carried out prior to the approval of the relevant Detailed Site Plan which includes the frame and brick barn located in Phase II of the Fairwood development.**

Comment: This condition was fulfilled at the time of infrastructure Detailed Site Plan DSP-03068 review. For reference only, the Historic Preservation Commission approved historic area work permit #12-01 in July 2001, including the following conditions that are relevant to DSP-03068 as follows:

- (2a) *HABS quality documentation of the barn should be provided to the Historic Preservation office.*
- (2b) *The stone foundation and the footprint of the barn should be retained for interpretive purposes. A portion of the masonry foundation [should] be retained, preferably the long wall and one short wall at approximately 2 feet high. The remaining wall and piers from the stable portion could be represented by brick pavers.*
- (2e) *Materials from the barn should be offered to the Parks Department for their use, or the Newel Post.*

- 10. Prior to approval of all relevant Detailed Site Plan(s), the applicant shall demonstrate that sight lines and viewsheds from the cemetery to the house and from the house to the cemetery will be maintained despite the presence of the Fairview Drive. Street trees and other landscaping materials shall be planted so as not to block this view.**

Comment: The applicant submitted sight line drawings from the cemetery to the house during the review of Preliminary Plan 4-02023 that demonstrate conformance with this condition.

- 11. At the time of the appropriate Detailed Site Plan, should it be determined that landscaping or fencing is required to protect the Environmental Setting, the applicant shall provide historically-compatible landscaping or fencing to be approved by HPC or staff through the HAWP process.**

Comment: According to the review by the Historic Preservation Commission of the landscape plan submitted with this DSP, the applicant has provided extensive landscaping within the community use area that surrounds the 9.9-acre portion of the Fairwood Historic Site's environmental setting. The landscaping includes a mix of native and nonnative shade trees, evergreens, and shrubs. The applicant has retained the roadbed for the farm lane at the curve near the Bowie horse barn, including the steep slopes and vegetation.

- 12. Prior to the approval of all relevant Detailed Site Plan(s), site plans and**

architectural drawings for those lots identified at Preliminary Plan shall be referred to the Historic Preservation Commission staff for their comments regarding compatibility with Fairview and its setting (in regard to siting, massing, rooflines, materials) for buildings on those lots.

Comment: Seventeen of the 20 lots that were identified at preliminary plan are within the subject application. At the time of Detailed Site Plan DSP-03068 review, 19 lots that are directly contiguous to the historic site lots were shown and approved due to the layout revision in order to address the requirements of CB-51-2002, an ordinance concerning general aviation airports and aviation policy areas. Condition 4 attached to the approval of infrastructure DSP-03068 requires that specific architecture for each of the lots be further reviewed. This DSP was filed in order to fulfill Condition 4. The site plans and architectural models on those 19 lots have been referred to the HPC for their comments regarding compatibility with Fairview and its setting (in regard to siting, massing, rooflines, materials) for buildings on those lots. The HPC recommends approval of the subject DSP, subject to nine conditions that have been incorporated into the recommendation section of this report.

- 13. In the context of the approval of the relevant Detailed Site Plan(s), as part of the community use as shown on the conceptual element plan, the roadbed for the farm lane at the curve near the barn shall be retained, including the steep slopes and the vegetation.**

Comment: This condition has been fulfilled at the time of DSP-03068 review.

- 15. At the time of all appropriate Detailed Site Plans, noise mitigation measures shall be provided for all impacted residential areas to reduce noise impacts to 65 dBA or less in outdoor activity areas.**

Comment: The residential areas within the limits of this detailed site plan are located outside of the 65 dBA Ldn noise corridor associated with John Hanson Highway (US 50). According to the review by the Environmental Planning Section (Markovich to Zhang, July 21, 2004), a Phase II noise study is not required and no mitigation measures are required.

- 9. Preliminary Plan of Subdivision 4-02023:** The Planning Board approved Preliminary Plan of Subdivision 4-02023 on July 11, 2002, subject to 26 conditions; those applicable to this DSP review are as follows:

- 4. Prior to approval of the final plat(s) of subdivision or the Detailed Site Plan, whichever occurs first, which includes the following street(s) the applicant shall:**
- c. Show Goodloes Promise Drive as a 60-foot right-of-way between Fairview Vista Drive and the proposed park access point near Seatons Promise Drive. This requirement will be revised or waived with the approval by DPW&T of a revised cross-section, which will allow safe two-way vehicular access along**

this section. This may be incorporated with a different pavement width or a partial prohibition of on-street parking, or other means which may be determined in consultation between the applicant and DPW&T.

Comment: The above condition was fulfilled at the time of DSP-03069 review. The subject DSP shows conformance with the width requirement. As the condition indicates, this requirement will be subject to the final approval of DPW&T at time of the permit.

- 9. At the time of the applicable Detailed Site Plans, brick or stamped asphalt crosswalks, raised pavement markings, and/or other strategies which are appropriate to the function of the roadway should be considered at two or three key locations along Church Road within the Fairwood property subject to the approval of the county Department of Public Works and Transportation and acceptance of maintenance responsibility by the same agency**

Comment: See Finding 8 above.

- 11. Prior to signature approval, the preliminary plan shall be revised:**

- a. To generally locate the 22-foot-wide vehicular ingress and egress easement, across Parcel B, Block BB, to the 9.90-acre parcel containing the Fairview house, Fairview Historic Site #71A-13. A note shall be added to the preliminary plan that the applicant, his heirs, successors and/or assignees shall construct a curb cut at the driveway apron to DPW&T standards at the time of road construction of Fairview Vista Drive and/or My Mollies Pride. The said easement shall be located on the record plat which includes Parcel B.**
- c. To provide a note that entrance features will be specifically located at the time of Detailed Site Plan.**

- f. To provide a note that access easements to stormwater management facilities features shall be located on the Detailed Site Plan.**

Comment: This condition, including the subconditions, has been fulfilled by DSP-03068.

A main entrance feature has been identified at the intersection of Fairview Vista Drive and Goodloes Promise Drive. The subject DSP also contains other signage including directional signs for the proposed trails and two squares and one interpretive historic sign at the proposed Heritage Square. The proposed signs have been reviewed for compliance with the requirements of DSP-99034. See Finding 11 below.

- 23. As part of the Detailed Site Plan application a Phase II Noise Study shall be submitted to address noise from US 50. The Phase II Noise Study may contain supporting documentation to revise the location of the 65 dBA contour and shall**

contain mitigation measures to reduce noise levels to below 45 dBA Ldn for interior noise and 65 dBA Ldn for exterior noise on residential lots.

Comment: Compliance with this condition is addressed in Finding 8 above.

- 25. Prior to the submittal of the Detailed Site Plan for Phase II, Part One of Fairwood the applicant shall examine alternative alignments for the sewer outfalls and provide documentation to the Environmental Planning Section that the PMA impacts identified as Impacts 2, 5, and 8 have been minimized.**

Comment: According to a review by the Environmental Planning Section (Markovich to Zhang, July 21, 2004), the proposed PMA impacts identified by this condition were evaluated during the review of DSP-03015. No further information is required with respect to the proposed PMA impacts associated with this application.

- 10. Final Development Plan FDP-0201:** Final Development Plan FDP-0201 was approved by the Planning Board on June 27, 2002, subject to seven conditions. The following conditions are pertinent to the review of this DSP.

- 2. At the time of submittal of any Detailed Site Plan that impacts the historic site the applicant shall identify the lots that are directly contiguous to the Fairview Parcel of the Community Use areas surrounding the Fairview parcel which may impact the sight lines from Fairview.**

Comment: The applicant submitted sight line drawings from the cemetery to the house during the review of Preliminary Plan 4-02023 and identified 20 lots that are directly contiguous to the Fairwood Parcel of the community use areas surrounding the Fairview parcel. As a result of lot line adjustment as shown in the subject DSP, 19 lots within the boundary of this DSP are identified by the Historic Preservation staff to require special treatments. Special architectural requirements regarding the design, color and materials have been established in order for the development on the contiguous lots to be harmonious with the building on the historic site. The proposed architectural models on the 19 lots included in this DSP have been reviewed and found to be in general compliance with the architectural requirements.

- 4. Access to the “other residential” area which is Area B within Phase II, Part 1 of the FDP and Parcels F, G, and H on the preliminary plan shall be accomplished through joint-use easements or roadways rather than by means of separate driveways within a short distance. Access to this area shall be reviewed further at the time of Detailed Site Plan.**

Comment: The subject DSP covers only a portion of Phase II, Part I of the FDP. Access to all the residential areas is provided through Fairview Vista Drive. The access to all the residential areas shown on the DSP is acceptable. Parcels F, G, H on the preliminary plan are not included in this DSP.

7. **At the time of the applicable Detailed Site Plans, brick or stamped asphalt crosswalks, raised pavement markings, and/or other strategies which are appropriate to the function of the roadway shall be considered at two or three key locations along Church Road within the Fairwood property subject to the approval of the County Department of Public Works and Transportation and acceptance of maintenance responsibility by the same agency.**

Comment: See Finding 8 above.

11. **Detailed Site Plan DSP-99034:** On January 6, 2000, a comprehensive signage program for the entire Fairwood Project was approved by the Planning Board. DSP-99034 established the development standards for various signage in Fairwood. This DSP includes a main entrance feature located at the intersection of Fairview Vista Drive and Goodloes Promise Drive and several directional signs for the proposed trails and two squares and one interpretive historic sign at the proposed Heritage Square. The proposed entrance feature and directional signage have been reviewed for compliance with the requirements of DSP-99034. The proposed entrance feature and directional signage comply with the approved sign standards.

The subject DSP also shows a historic interpretive sign at the proposed heritage square. The historic sign was not included in the approved DSP-99034. However, by definition the historic sign can be treated as a recreational sign as included in DSP-99034, which requires the sign to be in conformance with the standard county street signs. The proposed historic sign consists of a 2' 4"-high brick pier and an informational plaque of approximately 2' 4". The Historic Preservation Commission has reviewed the sign package and concluded that the proposed historic sign is appropriate to the site.

12. **Detailed Site Plan DSP-01046:** DSP-01046 is an umbrella architecture approval for the entire Fairwood Project and was approved by the Planning Board on December 20, 2001, subject to six conditions. It has 11 revisions so far and the 12th revision is pending. The proposed architectural models to be built by three builders are the previously approved models.
13. **Infrastructure Detailed Site Plan DSP-03068:** DSP-03068 is an infrastructure detailed site plan for Part 1-B, Phase II, and was approved by the Planning Board on February 19, 2004, subject to five conditions, of which two conditions are applicable to the review of this detailed site plan as follows:
 4. **Prior to issuance of any building permit for the lots noted below, the applicant shall submit a revision to the subject detailed site plan (including architecture and masonry samples) for Lots 1, 2, 3, 9, 10, 95, 96, 97, 98, 99, 100, 107, 108, 109, 143, 144, 145, 146 and 147 to the Urban Design Section and the Historic Preservation and Public Facilities Section, as the designee of the Planning Board, for review and approval. Architectural models and materials shall be in conformance with those previously approved on Lots 1, 5 and 66, Block AA, in DSP-03015. The detailed site plan shall address the compatibility with Fairview and its setting (in regard to siting, massing, rooflines, materials) for buildings on those lots. The buildings on the lots**

shall also observe the following:

- a. No more than two exterior sheathing materials on a single dwelling.
- b. A single masonry material per dwelling for dwellings that employ masonry features.
- c. All chimneys of masonry construction regardless of their location on the dwelling.
- d. Brick colors limited to a traditional “red brick” palette. Non-traditional colors such as beige, white, pink, yellow or brown shall not be used.
- e. Ashlar coursing of rectilinear blocks rather than rubble stone effects for natural or cultured stone exterior finishes to simulate traditional structural masonry.

Comment: The subject DSP has been filed in order to fulfill the above condition. The detailed site plan addresses partially the compatibility with Fairview and its setting (in regard to siting, massing, rooflines, materials) for buildings on those lots. Since the models shown on the DSP are still not the final houses until the issuance of building permits, a condition of approval has been proposed by the Historic Preservation Commission to ensure that the buildings to be built on the 19 lots that surround the historic site are compatible with the historic building.

5. **Prior to the issuance of grading permits for the portion of Fairwood covered by this DSP, the applicant shall determine the extent of the land area covered by this DSP which should be the subject of a Phase I archeological investigation. The applicant’s findings shall be submitted to the staff of M-NCPPC for review and approval. Upon approval of this determination, grading and building permits may be issued for any portion of the property excluded from the scope of the Phase I investigation. No grading permits shall be issued for the area subject to the Phase I investigation until after satisfactory completion of the following:**

- a. **The Phase I investigation is completed and a determination is made by staff of M-NCPPC that no further investigation is needed.**
- b. **If it is determined that archeological resources exist in the project area, the applicant shall provide a plan for (1) avoiding and preserving the resource in place, or (2) devising a plan to mitigate the disturbance of the resource by conducting Phase II and Phase III investigations as needed. Evidence of M-NCPPC staff concurrence with the investigations and/or report must be provided.**

All investigations must be conducted by a qualified archeologist and must follow

***The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines. Two copies of this report must be delivered to M-NCPPC for review: one to Historic Preservation staff of the Planning Department, and one to the Archeology Program of the Department of Parks and Recreation.**

Comment: The applicant completed a preliminary historical and archaeological assessment right after the approval of DSP-03068 for the area covered by the detailed site plan. The report was reviewed by the Historic Preservation Commission and the Department of Parks and Recreation archeology staff and was accepted as complete on March 10, 2004. Staff concurred with the applicant's proposal for additional Phase I investigations of specific portions of the subject property and approved the proposed research design for three areas. The applicant then completed and submitted a report entitled "Phase I Archaeological Investigations for the Fairwood Development Phase II, Part One-B Parcel, Bowie, Prince George's County, Maryland" in July 2004. The investigation was conducted by a qualified archeologist who followed the *Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994). Historic preservation staff received and reviewed this Phase I report on the Phase II, Part I-B parcel of the Fairwood property.

The survey identified archeological site 18PR707 including two remnants of structures that may represent the foundations of slave quarters, as well as 5,020 artifacts. A Phase II archeological investigation is currently in progress. A final strategy to treat the historic sites is yet to be prepared until the completion of Phase II study. A preliminary study by HPC staff indicates that the second historic site within site 18 PR707 is located on Lot 147. The applicant has expressed willingness to preserve the two historic sites through lot line adjustment and to integrate the sites into the amenities plan around the Fairview and Cemetery site to provide an educational opportunity to future residents and tourists alike.

Given the close proximity of the historic sites to Lot 147, a condition of approval additional to the eight recommendations made by HPC has been proposed to require the applicant to delete Lot 147 unless the applicant can show through detailed site design that a reasonable setting for the sites can be achieved by adjusting lot lines; a pedestrian access to the two historic sites can be provided to be connected to the sidewalk of My Mollies Pride Road to the north; and sufficient screening will be provided between the historic sites and adjacent lots.

14. **The Requirements of the M-X-C Zone (Section 27-546.07(b)):** In addition to the findings required for the Planning Board to approve a detailed site plan (Zoning Ordinance, 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;**

- (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;**
- (3) **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**
- (4) **In areas of the 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 the types and textures of materials, landscaping and screening, street furniture, and lighting, both natural and artificial.**
- (5) **The Detailed Site Plan is in general conformance with the 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 application is a DSP for 19 lots and amenities plan around Fairview and Cemetery (Historic Site 71A-013). The proposed development is in conformance with the purposes and other provisions of the M-X-C Zone. The proposed development is also in general conformance with the approved final development plan as discussed in Finding 10.

The plan shows the trail system, which is a portion of a comprehensively designed pedestrian system for the entire Fairwood project, as convenient and encouraging for pedestrian activity within the development. The trail system also makes use of the existing gravel lanes to the extent possible. Adequate attention has been paid to human scale, the quality of urban design, and other amenities such as the types and textures of materials, landscaping and screening, street furniture, signage and lighting. When combined with the numerous other detailed site plans approved previously, the subject plan will contribute to a cohesive development capable of sustaining an independent environment of continuing quality and stability.

15. ***Landscape Manual:*** The DSP is subject to Section 4.1, Residential Requirement, of the *Landscape Manual*.

The Fairwood project has established residential design guidelines for new construction pursuant to Condition 1(c) of DSP-01046, which includes a landscape design chapter that prescribes the planting requirements according to the existing vegetation situations of the lot. The standards, in terms of tree quantities, exceed what is required in Section 4.1 of the *Landscape Manual*. The landscape plan of this DSP shows compliance with the Fairwood residential design guidelines for new construction, but without showing any reference to Section 4.1. A proposed condition of approval requires a note to be put on the landscape plan to indicate that by complying with the Fairwood residential design guidelines, the DSP is in compliance with Section 4.1 of the *Landscape Manual*.

16. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince

George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on site, and there is a previously approved Type I Tree Conservation Plan, TCPI/19/02.

- a. The detailed forest stand delineation (FSD) was submitted and approved during the review of Preliminary Plan of Subdivision 4-02023. No further information is required with this DSP application.
- b. The Type II Tree Conservation Plan TCPII/185/03-01 submitted with this application has been reviewed and was found to address the requirements of the Prince George's County Woodland Conservation Ordinance.

17. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The major referral comments are summarized as follows:

- a. The Environmental Planning Section, in a memorandum dated July 21, 2004, indicated that the plans as submitted have been found to address the environmental constraints for the site. The staff recommended approval of this application subject to one condition that has been incorporated into the recommendation section of this report.
- b. The Historic Preservation and Public Facilities Planning Section, in a memorandum dated September 23, 2004, provided an extensive and detailed discussion on this application because Historic Site 71A-013 is surrounded on three sides by the proposed single-family lots and a Phase I archeological investigation required by the approval of DSP-03068 has been carried out with significant findings. A follow-up study, the Phase II archeological investigation, is currently underway. The staff concluded with eight recommendations that have been incorporated into the recommendation section of this staff report.
- c. The subject application was also referred to the Department of Environmental Resources. In a memorandum dated July 22, 2004, the staff noted that the site plan is consistent with approved stormwater management concept plans #2338-2004 and 26551-2003.
- d. In a memorandum from the Transportation Planning Section dated September 17, 2004, on detailed site plan review for master plan trail compliance, the trails planner provided a comprehensive background introduction on the trails issues in the Fairwood development. The staff supports the sidewalk and trail network as shown on the submitted detailed site plan DSP-03068/01.
- e. The Permit Section, in a memorandum dated August 2, 2004, asked two questions regarding signage and historic review. The staff concludes that there are no zoning issues with this application.

18. As required by Section 27-285(b), 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 Type II Tree Conservation Plan (TCPII/185/03-01) and further APPROVED Detailed Site Plan DSP-03068/01 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall
 - a. Delete Lot 147 and deed the land to the homeowners association, unless the applicant can provide site and landscape plans that indicate to the satisfaction of the Urban Design Section and the Public Facilities and Historic Preservation Section that a reasonable and respectful setting for the sites can be achieved by adjusting lot lines; a pedestrian access to the two historic sites can be provided to be connected to the sidewalk of My Mollies Pride Road to the north; and sufficient screening will be provided between the historic sites and adjacent lots.
 - b. Revise the plans to reflect modified design for the proposed Heritage Square to be consistent with the historic setting of the Bowie horse barn following review and approved by the Historic Preservation Commission at its November 2004 meeting.
 - c. Revise the landscape plan to include native plant materials in the community use area between Goodloe's Promise Drive and the Historic Site, south of the driveway to the Historic Site.
 - d. Provide a note on the landscape plan to indicate that the plan is in conformance with Section 4.1 by virtue of complying with the residential design guidelines.
 - e. Revise site plans to delineate graphically the two sites included in archeological site 18PR707.
2. Prior to issuance of any permits that impact wetlands, wetland buffer, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigated plans.
3. Prior to issuance of any building permits or revisions to building permits for the 19 lots identified for architectural review (Lots 1, 2, 3, 9, 10, 95, 96, 97, 98, 99, 100, 107, 108, 109, 143, 144, 145, 146 and 147), the permits shall be referred to historic preservation staff for review. The permits package shall include drawings of the architectural model selected, as well as the names and color schemes of all exterior sheathing materials chosen.
4. The applicant shall provide evidence to historic preservation staff that the barn foundation shall be reconstructed by a mason who has experience working with historic masonry. The mason shall

prepare a sample board showing how the joints will be struck as well as a sample of how the foundation will be capped for review by the historic preservation staff.

5. The barn foundation shall be rebuilt by June 2005. No other grading or landscaping shall be approved in the area of the barn foundation until reconstruction is complete and has been approved by the historic preservation staff.
6. No work shall occur in Area 1 until the archeological study areas of site 18PR707 are identified and protected in the field by orange blaze fencing and agreed to by staff.
7. The applicant shall undertake a Phase II archeological investigation for the part of Area 1 known as site 18PR707. This area shall remain fenced with protective blaze fencing until completion of all archeological studies. The archeological study area and the management summary describing the Phase II investigations shall be approved by M-NCPPC staff. The Phase II investigation shall be presented in a draft report for review by historic preservation staff. Following approval of the draft report by M-NCPPC Historic Preservation staff, four copies of the final report shall be submitted for evidence of M-NCPPC concurrence by June 2005.
8. The archeological study areas shall be preserved and interpretive signage shall be provided.

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 Harley, seconded by Commissioner Squire, with Commissioners Harley, Squire, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October, 7, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of October 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:rmk