

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 July 8, 2004, regarding Detailed Site Plan DSP-04025 for The Delight at Fairwood, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for 213 residential condominium units.

2. **Development Data Summary:**

	REQUIRED	PROPOSED
Zone(s)	M-X-C	M-X-C
Use(s)	Vacant	Other Residential Use
Acreage	14.08	14.08
Area of 100 year flood plain	0	0
Net tract area	14.08	14.08
Parcels	2	2
Number of dwelling unit	N/A	213 (44 villas, 52 coach units and 117 apartment units)

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total Parking Spaces	612	619
Of which Townhouse Villas (3BR) (3.0 / DU)	132	132 (88 garage spaces)
Coach Units (2-3 BR) (3.0 / DU)	147	147 (104 garage spaces)
Apartment Units (2BR) (2.5 / DU)	333	333 (123 garage spaces)
Standard Spaces	N/A	578
Compact Spaces	N/A	24
Handicapped Spaces	11	17 (4 van spaces)
Number of Buildings		
Of which Townhouse villa	N/A	7
Coach unit building	N/A	4
Apartment building	N/A	3

ARCHITECTURAL MODEL DATA

Unit Type	No. of Units	Livable Space (Sq.Ft.)	Garage (Sq.Ft.)
Villa Unit A (3BR/3 BA)	22	1,770	415
Villa Unit B (3BR/3 BA)	22	2,040	460
Coach Unit A Uphill (3BR/2 1/2 BA)	26	2,360	480
Coach Unit B Downhill (2BR/2 1/2 BA)	18	1,800	480
Coach Unit C Downhill (3BR/2 1/2 BA)	8	1,800	480
Apartment Unit A (2 BR/ 2 BA)	24	1,434	*
Apartment Unit B (2 BR/ 2 BA w/ Den)	12	1,478	*
Apartment Unit C (2 BR/ 2 BA w/ Den)	18	1,591	*
Apartment Unit D (2 BR/ 2 BA w/ Den)	48	1,960	*
Apartment Unit E (2 BR/ 2 BA w/ Den)	9	1,654	*
Apartment Unit F (2 BR/ 2 BA w/ Den)	6	2,008	*

Note: Garage has been shown on the ground floor of each apartment building.

- Location:** The subject detailed site plan covers a portion of land within Phase I, Part 2A, of the Fairwood Project, which is located east of Barons Delight Drive, north of Fairwood Parkway, and west of the PEPCO easement, in Planning Area 71A and Council District 6.
- Surroundings and Use:** The Final Development Plan FDP-0001 designated the subject property as “Other Residential Use.” The site is bounded on west and south sides by the rights-of-way of Barons Delight Drive and Fairwood Parkway. Further across Barons Delight Drive is the Sycamore Club and the Fairwood Community Center, and across Fairwood Parkway is the Robert’s Property in the R-E Zone. To the east and north of the site is the parkland dedicated to M-NCPPC.
- Previous Approvals:** The subject site is a part of a larger development with a total acreage of 1,057.69 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, and 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 multistep review and approval. On September 5, 1996, a comprehensive sketch plan, CP-9504, for Phase I of the Fairwood development was approved by the Planning Board (Resolution PGCPB No. 96-241), consisting of 471 acres of land and approximately 1,000 units and 100,000 square feet of retail space and 250,000 square feet of office/service/institutional uses. On January 17, 2002, a comprehensive sketch plan, CP-0101, 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. The preliminary plan covering the subject property, 4-00057, Fairwood, Phase I, Part 2, was approved with 22 conditions by the Planning Board on January 4, 2001 (resolution adopted on January 25, 2001, PGCPB No. 01-07). The final development plan for the subject property, FDP-0001, Phase I, Part 2, was approved with 10 conditions by the

Planning Board on January 4, 2001 (resolution adopted on January 25, 2001, PGCPB No. 01-09). The site also has an infrastructure detailed site plan, DSP-02001. (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 the resolution was adopted on April 13, 2000, PGCPB No. 00-37.) DSP-02001 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, including a tree conservation plan, TCPII/12/00. The Planning Board approved DSP-02001 on March 21, 2002 (resolution adopted on April 11, 2002, PGCPB #02-56), subject to one condition.

In addition, two previous approvals cover the entire Fairwood site and are still valid. DSP-01046 is an umbrella architecture scheme for all single-family detached houses in Fairwood, which was approved by the Planning Board on December 20, 2001 (Resolution PGCPB No. 01-258). Because the subject DSP is for other residential use, the conditions of DSP-01046 is not applicable to the review of this case. The other approval is DSP-99034 (a comprehensive signage plan), which was approved by the Planning Board (Resolution PGCPB No. 99-243) on January 6, 2000. The site also has an approved stormwater management concept plan, #7214-2004-00, which is good through March 23, 2006.

6. **Design Features:** The site is bounded on the south and west by the rights-of-way of Fairwood Parkway and Barons Delight Drive. The site has two access points onto each road as approved in preliminary plan of subdivision 4-00057. The main entrance to the site is in the middle of the site frontage on Fairwood Parkway with median. An entrance axis is enforced by the symmetrical placement of two villa sticks and two multifamily apartments. The axis starts with the landscaped median and paved pedestrian crosswalk and ends at the open space of the M-NCPPC park to the north of the site.

Three types of housing have been proposed for this development including townhouse villas, coach units and apartments. Each building type consists of different units as shown in the above architectural model data table. A villa is a variation of a traditional townhouse by combining two units, with one unit having a larger first floor and the other unit having a larger second floor. Each villa household has a two-car garage at the rear. The villa features a pitched roof with cross gables and is finished with a combination of brick, predominantly at the front and sides, and vinyl siding at the rear. The villa is two stories in height.

The coach house has four households in each unit and each household occupies a corner of the unit with its own entrance. The coach also features a pitched roof with cross gables and is finished predominantly with brick on four sides. Each coach household has a two-car garage and looks like a three story townhouse with the garage at the ground floor.

Three apartments are four-story buildings with elevators. Each apartment building comprises 39 units of 5 unit types with a garage at the ground floor. Each apartment building features a hip roof with an accented central entrance pavilion section. The elevation design is full of rich details including oversized face brick in two different colors, brick rustication, precast belt course, decorative door and window heads, balconies at both front and rear with tapered columns, and so on.

A main entrance brick pier that is consistent with other existing Fairwood sections has been proposed with this application. The DSP also shows details of street lights, benches, screening fences, and mailbox stanchions.

7. **Recreational Facilities:** At the time of Preliminary Plan 4-00057 approval, the Department of Parks and Recreation (DPR) recommended dedication of approximately 23.21 acres of land along the Collington Branch Stream Valley. The applicant fulfilled the mandatory dedication requirement by following DPR's recommendation.

The DSP shows sitting areas with benches and decorative pavers in front of each apartment building as well as at the terminus of the main entrance axis in front of the two apartments. No other on-site recreational facilities have been provided because the Fairwood community center with recreational facilities is located across the street of Barons Delight Drive to the west. The DSP also shows the M-NCPPC parkland located to the north of the subject site and two access points to it from the site. No facilities have been constructed to date on the parkland.

The terminus of the main entrance axis in front of apartment buildings 12 and 13 has been envisioned as a main focal point of the site. A review of the plan indicates that the space between the two apartment buildings is also serving as a service area, especially for garbage collection, for the two buildings. In addition, the proposed terminus is six feet higher in elevation than the service area. Even though the landscape plan shows evergreen trees have been put in place, the Urban Design Section believes that a more sight-tight screening measure, preferably, a decorative masonry wall with a public art element, is needed to achieve a high quality outdoor open space at this critical location of the site. A condition of approval has been proposed in the Recommendation section of this report.

COMPLIANCE WITH EVALUATION CRITERIA

8. **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. None of the conditions is specifically applicable to the review of this detailed site plan for other residential uses, except for Condition 6, which establishes a total level of development for the Fairwood Project.
 6. **Total development of this 1,058 acre site shall be limited to 1,799 dwelling units, 100,000 square feet of retail space, and 250,000 square feet of office/service/institutional uses, and such other "community space" determined to be appropriate during subsequent phase of approval.**

The development cap for Fairwood has been further broken down for Phase I at the time of Comprehensive Sketch Plan CP-9504 approval as shown in Condition 6 below.

9. **Comprehensive Sketch Plan CP-9504:** The Planning Board approved Comprehensive Sketch

Plan CP-9504 on September 5, 1996, subject to eight conditions. None of the conditions is specifically applicable to the review of this detailed site plan, except for Condition 6, which sets a total level of development for Phase I.

- 6. Development of the subject property under Phase I shall be limited to a total of 1,000 dwelling units, 100,000 square feet of retail space, and 250,000 square feet of office and institutional uses, or any combination of these or other permitted uses which generate no more than 1145 AM and 1276 PM peak hour trips as determined under the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, as revised in April 1989.**

Comment: The subject DSP proposes 213 residential units and thus is subject to the residential portion of the above cap condition. The Transportation Planning Section thoroughly reviewed all of the approved and pending residential development so far and concludes that with the inclusion of the subject DSP, the development approval is well within the limit on residential development for Fairwood (see Transportation Planning Section memorandum, Masog to Zhang, May 28, 2004, for details).

10. **Final Development Plan FDP-0001:** Final development plan FDP-0001, constituting Part 2, Phase I, and encompassing 211.40 acres (a little less than half) of the land area approved under comprehensive sketch plan CP-9504, was approved by the Planning Board on January 25, 2001, subject to ten conditions. None of the conditions is specifically applicable to the review of this DSP.

FDP-0001 designated a larger area including the subject site, Area A as "Other Residential Use," and set a unit cap of 214 multifamily dwelling units for Area A. The subject DSP proposes 213 residential units and thus is within the unit cap approved in FDP-0001.

11. **Preliminary Plan of Subdivision 4-00057:** Preliminary plan of subdivision 4-00057 was submitted and reviewed concurrently with FDP-0001. The Planning Board approved 4-00057 on January 25, 2001, subject to 22 conditions. The subject property was identified as Parcel A, Block I, with a gross tract area of 649,120 square feet, or 14.9 acres, in preliminary plan of subdivision 4-00057 and has a unit cap for 214 multifamily dwelling units. The following conditions are relevant to the detailed site plan review:

- 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 due to driveway construction.**

Comment: The DSP is for Parcel A, Block I. The above condition is not applicable to this DSP.

- 17. Any building located on part of Block I, Parcel A; Block I, Parcels C, D, E, F, and Block O; Block P; and Block Q, shall be fully sprinklered in accordance with National Fire Protection Association Standard 13D/13/ and all applicable Prince George's County Laws.**

Comment: This condition will be carried forward as a condition of approval of this DSP.

- 20. No permits shall be issued for this subdivision until the projected percentage of capacity at all the affected schools are less than or equal to 130% or four years have elapsed since date of the adoption of the resolution of the approval of this preliminary plat of subdivision.**

Comment: The adequate public facility test has been amended significantly since the approval of preliminary plan of subdivision 4-00057. County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

- 12. Detailed Site Plan DSP-99034:** DSP-99034 is a comprehensive signage program for the entire Fairwood project mandated by Condition 2 attached to the approval of final development plan FDP-9701. DSP-99034 was approved by the Planning Board on January 6, 2000, with requirements on residential signage that are applicable to the review of this DSP as follows:

The neighborhood entry signs will identify the entrances or gateways to the various neighborhoods in Fairwood. Monumental style signage, with landscaping is being proposed by the applicant. The residential signage will not be illuminated. The text will be limited to the name of the neighborhood and maximum size of the text area will be 15 square feet. The maximum height will be seven (7) feet.

Comment: The subject DSP proposed an entry sign pier with the name of the project, “The Delight at Fairwood,” which is consistent with the existing entry signs at Fairwood in both design, color, and material. The proposed size of the text area and the height of the sign pier are within the approved maximum limits. The proposed signage complies with the applicable requirements of DSP-99034.

- 13. 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 213 multifamily dwelling units in Phase I, Part 2A. The proposed development is in conformance with the purposes and other provisions of the M-X-C Zone because the proposed use is a portion of the larger project known as Fairwood. The proposed use and intensity was approved in both final development plan FDP-0001 and preliminary plan of subdivision 4-00057. The proposed development is also in general conformance with the approved final development plan as discussed in Finding 10. The pedestrian system, in this case consisting of sidewalks on both sides of the internal streets, is convenient, is comprehensively designed to encourage pedestrian activity within the development, and is connected to the Fairwood area-wide trails network. 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 paving materials, landscaping and screening, and lighting. The design of the terminus of the main entrance axis in front of apartment buildings 12 and 13 best illustrates the above points.

- 14. ***Landscape Manual:*** The proposed development is subject to Section 4.1, Residential requirements, and Section 4.3, Parking lot requirements, of the *Landscape Manual*.
 - a. Section 4.1(g) requires, for multifamily dwellings in any zone, a minimum of one major shade tree per 1,600 square feet or fraction of green area provided. The landscape plan does not have any reference to this section but calculates the number of shade trees based on all green area provided on the site, including parking lot interior planting areas. A condition of approval has been proposed in the Recommendation section to correct this technical oversight.
 - b. Section 4.3(a) requires a minimum 10-foot-wide landscaped strip to be provided between the right-of-way and the parking lot with a minimum of one shade tree and ten shrubs per 35 linear feet of frontage, excluding driveway openings. The DSP has 270 linear feet parking lot frontage adjacent to public rights-of-way. The landscape plan is in general compliance with the section.

Section 4.3(b) requires a minimum five-foot-wide landscaped strip to be provided between the adjacent property line and the parking lot for a site over 10,000 square feet. The subject site is 14.8 acres in gross tract area and thus is subject to this section. Within this landscaped strip, one tree and three shrubs are required. A condition of approval has been proposed in the Recommendation section of this report.

Section 4.3(c) requires a certain percentage of the interior planting area to be provided within the parking lot. The site plan shows a total of 198,007 square feet of parking area, which is larger than 150,000 square feet, and therefore a minimum ten percent of the total area of parking lot should be interior planting area. The landscape plan provides approximately 13 percent of the parking area as interior planting area with the required number of the plant units. The landscape plan is in general conformance with this section.

15. **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/47/00.
 - a. The detailed forest stand delineation (FSD) was submitted and approved during the review of the preliminary plan of subdivision, 4-00057. No further information is required with this DSP application.
 - b. The previously approved Type II tree conservation plan, TCPII/20/02, was found to address the requirements of the Prince George's County Woodland Conservation Ordinance. No revisions to the previously approved plans are required. There are no existing woodlands or woodland conservation areas located within the limits of this application.
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 May 21, 2004, the Community Planning Division noted that the application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier and is also in conformance with the Bowie-Collington-Mitchellville and Vicinity master plan (1991) recommendation for low-suburban density residential land use.
 - b. In a memorandum dated May 19, 2004, the Subdivision Section staff indicated that there are no subdivision issues with this application.
 - c. The subject application was also referred to the Department of Environmental Resources. In a memorandum dated May 18, 2004, the staff noted that the site plan is consistent with approved stormwater management concept plan #7214-2004.
 - d. The Transportation Planning Section in a memorandum dated May 28, 2004, summarized

the applicable conditions attached to previously approved comprehensive sketch plan, final development plan and preliminary plan of subdivision. The staff concluded that the application is in general compliance with the previously approved plans and is within the limit on residential development for Fairwood.

In a separate memorandum from the Transportation Planning Section dated June 16, 2004, on detailed site plan review for master plan trail compliance, the trails planner noted that the sidewalk network conforms to the prior approvals for the subject site.

- e. The Environmental Planning Section, in a memorandum dated May 4, 2004, indicated that the plans as submitted have been found to address the environmental constraints for the site. The previously approved Type II tree conservation plan, TCPH/20/02, does not require any revisions with this plan. The staff recommended approval of this application.
 - f. The Permit Section, in a memorandum dated May 20, 2004, asked several questions regarding the application's compliance with the zoning requirements. The questions either have been addressed in the review process or will be addressed by the conditions of approval that have been proposed in the recommendation section of this report.
 - g. A referral was sent to the City of Bowie. As of the writing of this report, no official response has been received from the city. A letter from the staff of Bowie's Department of Planning and Economic Development was received and was given due consideration.
 - h. The Department of Parks and Recreation (DPR), in a memorandum dated June 23, 2004, summarized the applicable conditions attached to the approval of preliminary plan of subdivision 4-00057. The DPR staff recommends approval of this DSP subject to two conditions that have been incorporated into the Recommendation section of this report.
 - i. The Historic Preservation and Public Facilities Planning Section, in a memorandum dated April 28, 2004, indicated that the development has no impact on historic resources.
 - j. The Department of Public Works and Transportation (DPW&T) had not responded to the referral request at the time the staff report was written.
 - k. The Enterprise Road Corridor Development Review District Commission had not responded to the referral request at the time the staff report was written.
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-04025, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall
 - a. Revise the landscape plan to provide the required 4.1(g) landscape schedule.
 - b. Revise the landscape plan to provide the required 4.3(b) landscaped strip and the respective schedule.
 - c. Provide one loading space on the site plan.
 - d. Provide one additional front elevation design for villa and coach unit buildings to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
 - e. Revise site plans to denote compact parking spaces, lane markings, directional arrows, and/or other traffic related signs on the plans.
 - f. Provide one standard bicycle rack at the rear of each of the three apartment buildings.
 - g. Add a site plan note to indicate a potential location for a public bus stop, to be provided by others, within the right-of-way of Fairwood Parkway at a point along the site's frontage.
2. Prior to issuance of building permit, the applicant shall
 - a. Submit the screening design to screen the sitting area from the service area between apartment buildings 12 and 13 to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
 - b. Have the trail connectors on adjacent parkland graded.
3. Prior to issuance of the building permit for the third apartment building, the applicant shall construct the trail connectors on adjacent parkland.
4. All new structures proposed in this DSP shall be fully sprinklered in accordance with National Fire Protection Standard (NFPA) 13D and all applicable county laws, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
5. The applicant shall provide fully shielded, full cut-off, outdoor light fixtures with timing devices.

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 8, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of July 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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