

July 30, 2009

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Elizabeth Whitmore, Senior Planner

SUBJECT: Fairwood
Final Development Plan, FDP-0001

INTRODUCTION

The Development Review Division of the Prince George's County Planning Department has coordinated a review of the subject application with all offices that have any planning activities that might be affected by the proposed development. This staff report documents that process, and presents findings and a recommendation to be acted upon by the Prince George's County Planning Board.

RECOMMENDATION SUMMARY

The staff recommends APPROVAL of the Final Development Plan, FDP-0001 with conditions.

THE MIXED-USE-COMMUNITY (M-X-C) ZONE

The M-X-C Zone is similar to a Comprehensive Design Zone in that the development regulations are at the same time more flexible and more rigid than are those of other zones in Prince George's County. The zones are more flexible in terms of permitted uses, residential densities and building intensities. They are more rigid because commitments made by the developer carry the force and effect of law upon approval by the Planning Board. The intent is to create a development which will result in a better quality residential, commercial and industrial environment.

THE FINAL DEVELOPMENT PLAN

The Final Development Plan (FDP) is the third phase of the four-phase M-X-C Zone process. The FDP is intended to establish the locations and configurations of all the individual land use areas and to establish criteria regarding setbacks, height limitations, lot coverage limitations, etc. (in conformance with those approved previously in the Comprehensive Sketch Plan) which will constitute the bulk regulations governing development of Fairwood. The FDP-0001 submission includes a text which describes and illustrates the basis for the bulk regulations. It also includes a series of plat-size (18 inches x 24 inches) sheets which represent the proposed land use areas with metes and bounds descriptions and pre-

cise areas. These plan sheets and additional sheets on which the bulk regulations will be inscribed will be recorded by the applicant in the Prince George's County Land Records after they are approved.

EVALUATION CRITERIA

This Final Development Plan was reviewed and evaluated for compliance with the following criteria:

1. Conformance with the approved Preliminary Development Plan and Zoning Map Amendment A-9894-C.
2. Conformance with the approved Comprehensive Sketch Plan CP-9504.
3. Conformance with the requirements of the Zoning Ordinance in the M-X-C Zone.
4. Referral agency comments.

FINDINGS

Based upon evaluation and analysis of the subject application, the Urban Design Review Section recommends the following findings. Findings 10-12 below are required by Section 27-546.06(d) before the Planning Board may approve a Final Design Plan.

1. The 1,057.69-acre Fairwood site is located on the south side of MD 450, east of the intersection with MD 193, north of US 50 and east and west of the intersection with Church Road. The Fairwood Turf Farm was rezoned to the M-X-C Zone by the District Council on May 24, 1994 when it approved Zoning Map Amendment A-9894-C (Zoning Ordinance No. 24-1994) and the accompanying Preliminary Development Plan.
2. Previously approved Comprehensive Sketch Plan CP-9504 constitutes Phase I of Fairwood and consists of 471 acres in the northwestern corner of the site. CP-9504 was approved by the District Council on February 24, 1997.
3. Previously approved Final Development Plan, FDP-9701, constitutes Part One of Phase I and encompasses 223.7 acres (a little less than half) of the land area approved under Comprehensive Sketch Plan CP-9504. FDP-9701 was approved by the District Council on May 11, 1998.
4. DSP-99034 (comprehensive signage program for the entire Fairwood development) was approved by the Planning Board on January 6, 2000 (Res. No. 99-243).
5. DSP-99052, an Infrastructure Plan for Part I of Phase I, was approved by the Planning Board on April 13, 2000 (Res. No. 00-37).
6. The subject Final Development Plan, FDP-0001, constitutes Part Two of Phase I and encompasses 211.40 acres (a little less than half) of the land area approved under Comprehensive Sketch Plan CP-9504. The site data development chart represents the running tabulations for Part I and Part II of Phase I of the subject site and are as follows:

Zone M-X-C

Land Use	FDP Acreage		Proposed Use	
	Phase I, Part I	Phase I, Part II	Phase I, Part I	Phase I, Part II
Single Family Low Density (SF-LD)	34.6 acres	34.3 acres	72 residential lots	35 residential lots
Single Family Medium Density (SF-MD)	38.0 acres	0 acres	97 residential lots	0 residential lots
Other Residential (OR)				
Area A	22.8 acres	25.39 acres	168 dwelling units (max.)	214 multi-family dwelling units (max.)
Area B	9.9 acres	13.43 acres	75 dwelling units (max.)	86 single-family attached* dwelling units
Area C		18.62 acres		40 single-family detached units
Area D		27.25 acres		28 single-family detached lots and 131 single-family attached* dwelling units (max.)
Area E		2.86 acres		Public street right-of-way
Subtotal	32.7 acres	87.55 acres		
Non-Residential (NR)				
Area A	30.2 acres	6.11 acres	Max. 100,000 sf Retail and 125,000 sf Institutional/office/other permitted uses	Max. 125,000 sf Institutional/Office and other permitted uses.
Area B	5.6 acres	2.36 acres	Future R.O.W.	
Area C	7.5 acres	7.44 acres	Future R.O.W.	
Subtotal	38.3 acres	15.91 acres		
Community Use (CU)				
Area A	3.7 acres	18.30 acres	Open Space	Open Space to be dedicated to Maryland National Capital Park and Planning Commission
Area B	5.9 acres	15.00 acres	Open Space	School Site

Area C	32.5 acres	3.04 acres	Open Space	Open Space
Area D	34.4 acres	2.25 acres	Open Space	Open Space
Area E	2.7 acres	6.32 acres	Open Space	Open Space
Area F	0.9 acres	1.52 acres	Open Space	Open Space
Area G		1.94 acres		Open Space
Area H		12.11 acres		Open Space
Area I		0.78 acres		Open Space
Area J		0.43 acres		Open Space
Area K		0.90 acres		Open Space
Area L		1.32 acres		Open Space
Area M		0.49 acres		Open Space
Subtotal	80.1 acres	64.40 acres		
Grand Total	223.7 acres	211.40 acres		

* (attached units are limited to townhouses)

7. FDP-0001 is located in the central part of the project. The main access to the development, Fairwood Parkway, enters the site from MD 450 and continues through Part II of the subject site and terminates at the proposed realigned Church Road.

Condition 2. h of the CSP -9504 states the following:

“The Preliminary Plat of Subdivision and Final Development Plan which includes the area designated as the future school site, shall precisely delineate the 15± acre parcel which is to be dedicated to the Board of Education. The responsibility for stormwater management and woodland conservation requirements for the school site shall be determined at the time of approval of the Final Development Plan.”

The Board of Education in a memorandum dated November 6, 2000 (Lee to Whitmore) offered the following comment:

“The proposed Development Plan will not impact any existing public school facility from a physical standpoint. The school system has been working with the developer on a location for a “to be dedicated” future elementary school site within the development. We have reached a tentative agreement on a location and site which is reflected in the Final Development Plan No. FDP-0001.”

In regard to responsibility for the stormwater management and woodland conservation requirement, please refer to Finding 10.

Another large open space area along the Collington Branch will also be set aside as park land. An 18.30-acre parcel will be dedicated to M-NCPPC as part of the master-plan

Collington Branch Stream Valley Park. This park runs basically west to east along a portion of the northern boundary of the eastern half of FDP-0001.

Seven distinct areas of residential development are identified in the Final Development Plan. Six of the seven areas have been identified as “Other Residential” areas. Four of these areas are located south and southwest of the school site; one is located to the north of the proposed school site. The sixth “Other Residential” area is located to the north-west of the school site. Section 27-546.02 of the Zoning Ordinance defines “Other residential areas” as “An area...consisting primarily of the following types of residential dwellings: multifamily dwellings, semi-detached dwellings, three-family dwellings, triple-attached dwellings, two-family dwellings, townhouses, or any combination of the foregoing” and “Single Family - Low Density” area as “An area, utilized in the M-X-C Zone, which consists of primarily of one-family detached dwellings.” The applicant does not state in FDP-0001 how the 243 “Other Residential” units proposed will be distributed among the allowed unit types.

A 34.6-acre area of “Single-Family - Low Density” detached homes will be located south of Fairwood Parkway in the southwest corner of the Final Development Plan.

8. FDP-0001 is in substantial conformance with the layout and design concepts expressed in the approved Preliminary Development Plan and with all applicable conditions of approval of Zoning Map Amendment A-9894-C, with one minor exception. Condition 21 states the following:

Throughout the development review process and especially at the time of the Final Development Plan, the applicant shall incorporate concepts and techniques which will encourage the use of transit and other non-vehicular modes to reduce reliance upon single occupancy vehicle trips.

The FDP contains a significant amount of information concerning how pedestrian and bicycle travel will be fostered, but there does not appear to be any information supplied on concepts and techniques which will encourage the use of transit. Staff is of the opinion that compliance with the above referenced condition must be an on-going process. The Urban Design Section will continue to monitor the feasibility of mass transit through the Detailed Site Plan process as more information becomes available about bus routes..

9. FDP-0001 is in compliance with the requirements of the Zoning Ordinance governing development in the M-X-C Zone. It should be noted that on p. 34 of the Final Development Plan text (Section 6.7 - Buffering Incompatible Uses), a statement is made that “The landscape program for Fairwood will fully comply with the buffer requirements specified in the Landscape Manual.” The applicant may comply voluntarily with the standards of Section 4.7 of the Landscape Manual (“Buffering Incompatible Uses”) and the staff would encourage such voluntary compliance. However, Section 27-546.04(f) explicitly states that Section 4.7 does not apply within the boundaries of the M-X-C Zone. It only applies “along the exterior boundaries of the M-X-C Zone where a use within the M-X-C Zone is contiguous to a use which is outside the zone.”

Findings Required by Section 27-546.06(d) of the Zoning Ordinance (Findings 10-12 below)

10. **“The proposed plan generally conforms to the Comprehensive Sketch Plan.”**

FDP-0001 is in substantial conformance with the layout and design concepts expressed in approved Comprehensive Sketch Plan CP-9504 and with the applicable conditions of approval, with the following qualifications:

Condition 2.h.: “ ...Final Development Plan which includes the area designated as the future school site, shall precisely delineate the 15± acre parcel which is to be dedicated to the Board of Education. The responsibility for stormwater management and woodland conservation requirements for the school site shall be determined at the time of approval of the Final Development Plan.”

Findings 7 and 10 discuss the above referenced condition.

Condition 3.a.: “. . . The FDP shall also include a description and show a general location of the projected unit type(s) and the approximate density or intensity for each land use area . . .”

The applicant has failed to provide sufficient information to completely fulfill this condition. The general location of all single-family detached areas is clearly defined, but proposed densities of those areas do not appear to have been provided. In the Other Residential Areas, where a wide variety of attached and multifamily unit types is allowed, the applicant has not specified which type of unit will be located where or what the approximate densities will be.

The applicant has maintained that the provisions of the M-X-C Zone do not require such detailed information about the breakdown of the Other Residential areas to be provided until the time of Detailed Site Plan. In support of this point of view, the applicant could cite Sec. 27-546.01(a)(10) which states that one of the purposes of the M-X-C Zone is to “Permit a flexible response to the market,” and Sec. 27-546.05(c)(2)(H)(i) which states that “Uses may be designated on the Comprehensive Sketch Plan and the Final Development Plan either as specific uses or general uses. If the criteria in the plan stipulate a general use, any one of the uses within that category is permitted, and the specific use need not be specified until the Detailed Site Plan is approved...” While the staff has some sympathy with the contention that the letter of the M-X-C Zone regulations may allow the applicant to postpone identifying a breakdown of the Other Residential areas by unit type until Detailed Site Plan, it is clear that the District Council decision, as reflected in Condition 3.a. of CP-9504, demands more detail at an earlier point in the approval process, namely at Final Development Plan.

Condition 3.a.: “. . . In addition, the text shall include sections on the following: ...Circulation and Parking”

The FDP text (p. 19) contains substantial language in fulfillment of this condition with the exception of the realignment of Church Road. Existing Church Road is not part of this submission; it will be contained in Part III of Phase I. However, Part II of Phase I includes the realigned segment of Church Road. Staff has concerns with the proposed stub-street located at the northernmost terminus of realigned Church Road. Staff is of the opinion that the details of the Church Road realignment should be confirmed prior to submission of Part III of Phase I.

Condition 3.a.: “. . . In addition, the text shall include sections on the following:

Recreational Facilities”

The FDP states that two “pocket parks” are planned at key locations specifically to incorporate the existing hedgerows into green space, but no specific commitments are made concerning the type and location of recreation facilities to be provided in Part II of Phase I. These parks are to provide active/and or passive recreational uses. Condition 1.o below is proposed to remedy this omission.

Condition 3.a.: “. . . In addition, the text shall include sections on the following: Signage”

The Fairwood Community Signage Program was approved by the Prince George’s County Planning Board on January 27, 2000 (Res. No. 99-243) in accordance with Subtitle 27, Part 3, Division 9 of the Prince George’s County Code.

The above referenced signage program will ensure that a consistent sign treatment is provided throughout the development. Three sign categories were approved which include Community-Wide, Residential and Non-Residential signage. Community-wide signage includes gateway signs, street signs, directional signs, traffic regulatory signs and recreational signs. Residential signage includes neighborhood gateway treatments and landscaping. Non-Residential signage consists of both commercial and office/institutional signs and is further divided into gateway, freestanding, identification and building mounted signage.

Condition 3.b.: “A tracking table shall be submitted with each Final Development Plan which shows the cumulative number of dwelling units approved on the Preliminary Plat of Subdivision and the maximum permitted under the approved Plan.”

Because the Preliminary Plat of Subdivision (4-00057) is not scheduled for Planning Board action until January 4, 2001, the same day as the Final Development Plan, it is not possible yet to provide final numbers of approved units from the Preliminary Plat of Subdivision. Phase I contains three (3) parts with Part I being approved with 412 residential units, and Part II proposes 530 residential units, for a projected combined total of 946 residential units approved to date for the entire project. The maximum permitted townhouses allowed per CB-56-1996 (“In no event shall the number of townhouses exceed 25% of the total number of dwellings in the [M-X-C] Zone...”) for the entire development is 25% of 1,799 or 449 units. However, the Tracking Table, provided by the applicant on page 10 of the FDP text, proposes 450 townhouse units. It should be noted that in Phase I, Part I, 243 townhouse units were approved; this application proposes 217 townhouse units in Part II of Phase I for a total of 460 units. The footnote on page 10 of the FDP clarifies that the applicant shall not build more than 449 units. The applicant seeks the flexibility to float the location of the townhouses in order to achieve the best possible layout for the development.

The FDP provides running cumulative density figures for all of the Single Family - Low Density, Single Family - Medium Density, and Other Residential areas approved to date in relation to the maximum density allowed for each of those categories in Sec. 27-546.04(b).

11. **“The overall design, mix of uses, and other improvements reflect a cohesive development of continuing quality and stability, while allowing for effective integration of subsequent phases.”**

The Urban Design Review Section finds the application in conformance with the above condition excepting the realignment of Church Road.

12. **“Transportation facilities (including streets and public transit), which are existing; which are under construction; or for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be otherwise provided, will be adequate to carry anticipated traffic.”**

The Transportation Planning Section in a memorandum dated December 22, 2000 (Masog to Whitmore), offered the following comments:

“The subject property consists of approximately 211 acres of land in the M-X-C zone. The property is located south of MD 450 near the intersection of Bell Station Road. The application is for a mixed-use development that is proposed to include residential, retail, office and institutional uses. The property is the second portion of the initial phase of a larger planned development. These applications are being processed within the same general time frame.

“For reasons discussed further below, the applicant prepared a very limited traffic impact study. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

“Summary of Traffic Analysis

“When Preliminary Plat of Subdivision 4-97024 and Final Development Plan FDP-9701 were reviewed in 1997, the Planning Board approved conditions that essentially set a large financial contribution toward MD 450 as its entire responsibility for MD 450. As the Phase I traffic impact study done in support of CP-9504 never went beyond MD 450, the transportation staff agreed with the applicant that there was no justification for the submittal of a new traffic study covering a study area similar to that covered by CP-9504. Consequently, the traffic condition contained in the approvals for Phase I, Part One (Condition 4 of the resolution approving FDP-9701) will be carried over and proposed for inclusion in any approvals for Phase I, Part Two.

“Although a major traffic study was not done in support of the subject cases, the applicant did complete a traffic analysis for the on-site

intersection of Church Road and Fairwood Parkway. This was done by conducting traffic counts along existing Church Road at Old Stage Road, reassigning these volumes onto relocated Church Road, considering five years' worth of through traffic growth at five percent per year, and considering the impact of other approved development. Total development assumed within Fairwood (Phase I, Parts One and Two) includes a 400-student school, 205,000 square feet of institutional and retail uses, and 844 residences (a mix of attached, detached, and multi-family units).

“Under total traffic, the analysis shows that the Church Road/Fairwood Parkway intersection would operate as an unsignalized intersection with delays of 12.5 seconds in the AM peak hour and 13.4 seconds in the PM peak hour. According to the Guidelines, unsignalized intersections which operate with delays which do not exceed 45.0 seconds for any movement in any peak hour are operating acceptably. Therefore, we can conclude that the Church Road/Fairwood Parkway intersection will operate acceptably as an unsignalized (i.e., stop-controlled) intersection.

“Plan Issues

“All uses would receive access via Fairwood Parkway, which is now platted. It appears that this phase will be connected to Church Road. The submitted plan will particularly improve connections to the south along Church Road.

“Proposed dedication along Church Road is adequate. The staff had originally raised questions concerning the appropriate right-of-way along Fairwood Parkway. Since the original discussion, the staff has reviewed the approved Comprehensive Sketch Plan for Phase I, and have determined that the right-of-way and proposed cross-section are consistent with prior approvals.

“The transportation staff initially raised questions concerning two local streets, My Mollies Pride and Holy Trinity’s Sanctuary:

1. “My Mollies Pride, which stubs to the southern boundary of Phase I, Part One, is shown on the plan as a 50-foot roadway. The transportation staff has determined that there is no need to increase the size of this roadway, as the development served by this street planned for later phases is minor.
1. “Holy Trinity’s Sanctuary is only a 50-foot street serving 86 townhouses - a marginal situation if parking is permitted on both sides of the street. There is,

furthermore, an issue that the street adjoins a non-residential parcel and a school parcel. Because the uses of these parcels and their access will be determined by a future Detailed Site Plan, the right-of-way and cross-section of Holy Trinity's Sanctuary will be more thoroughly reviewed at that time, and a revised cross-section may be recommended if it is deemed necessary.

"A-9894 and CP-9504 contain a number of transportation-related conditions. It is also important to note two earlier applications, 4-97024 and FDP-9701, along with their associated conditions. The status of these conditions is summarized below:

"A-9894:

"Condition 2: This condition concerns traffic calming to potentially lower the speed of traffic along C-48 through the community. The staff believes that the use of a lesser cross-section as was approved under CP-9504 addresses this issue.

"Condition 3: This condition concerns the staging of the connection of Church Road between the subject property and MD 450. At the time of review of CP-9504, staff concluded that the connection was not needed to serve Phase I of Fairwood. Future Comprehensive Sketch Plans for later phases must address the phasing of Church Road more substantially, however.

"Condition 20: This condition requires that alignments for several Master Plan roadways be established at the time of Comprehensive Sketch Plan. These alignments, to the extent applicable, were satisfactorily established upon approval of CP-9504.

"Condition 21: This concerns the use of site design to encourage usage of transit and other non-vehicular modes. While the subject application uses good principles of arranging land uses, the potential for accessibility to transit and other modes should be further examined in regard to street layout, lotting patterns, pedestrian and bicycle facility locations, and building locations at the time of Detailed Site Plan.

"CP-9504:

"Condition 4: This condition requires that the feasibility of the realignment of Church Road through the subject property shall be determined prior to Preliminary Plat approval for the eastern portion of Phase I. In fact, there are no fewer than four significant alternates for providing this realignment. All of these alternates are technically feasible but each of them has environmental issues, and each one has varying impacts on nearby properties and the PEPCO right-of-way. These are issues which must be resolved at the design stage, and may be able to be

resolved with vertical and horizontal design agreements, environmental mitigation, and direct negotiation with the community and with neighboring properties. The transportation staff believes that connecting Church Road to the north between Westwood and Stewarts Landing along the Master Plan alignment will be expensive because of the need for a new crossing of the Collington Branch. We have seen no evidence that the connection is infeasible, however.

“Condition 5: This condition requires conformance for the alignment of C-48 (Church Road Relocated) between the subject property and Westwood. As noted above, the staff is aware of no fewer than four alternates for the C-48 connection between Fairwood and Westwood which are consistent with the submitted Fairwood plan as well as the approved record plats for Westwood.

“Condition 6: This condition sets a development cap which includes 1,000 dwelling units, 100,000 square feet of retail space, and 250,000 square feet of other non-residential space. The approval of Phase I, Part Two does not exceed these quantities.

“Condition 7: This condition recommends improvements at the MD 450/Fairwood Parkway intersection. These improvements will be constructed as a part of the improvements to be funded by the applicant with the total \$5.5 million payment required under the FDP/Preliminary Plat.

“4-97024/FDP-9701:

“Condition 10/Condition 4: This condition requires the contribution to the State Highway Administration (SHA) of roadway improvements and cash payments totaling no less than \$5.5 million. The arrangements for any payments or road improvements would be formalized by means of an executed agreement between the applicant and the SHA. The condition states that this contribution shall constitute the applicant’s entire responsibility to contribute toward improvements to MD 450 (covering 1,799 dwelling units and 350,000 square feet of non-residential uses). To staff’s knowledge, the agreement is still under negotiation between the applicant and SHA. The agreement must be finalized prior to approval of a Final Plat of Subdivision.

“In summary, the staff believes that these plans conform to A-9894, Comprehensive Sketch Plan CP-9504, and all other plans.”

Condition 9.b in the Recommendation Section of this report addresses the above referenced concerns.

Referral Responses

- _____13. The Environmental Planning Section in a memorandum dated December 12, 2000 (Markovich to Whitmore), offered the following comment:

“The Environmental Planning Section finds the information provided with this application addresses the environmental issues for Fairwood, Phase I, Part II. The Environmental Planning Section has reviewed the above-referenced Final Development Plan and has the following findings and recommendations.

“This stage of the development process deals primarily with the establishment of specific bulk requirements that will be used during the review of the Detailed Site Plan. No specific information is provided with respect to existing environmental features or proposed environmental impacts.

“Comprehensive Sketch Plan (CP-9504) conditions of approval

“Condition 2a. A detailed Forest Stand Delineation (FSD) shall be submitted for review and approval in conjunction with each Preliminary Plat of Subdivision and Final Development Plan.

“The applicant submitted a detailed FSD with Preliminary Plat of Subdivision 4-00057 which has been reviewed and found to meet the requirements.

“Condition 2b. A noise study shall be submitted for each Preliminary Plat of Subdivision and Final Development Plan which contains land area adjacent to MD 450 and the realigned Church Road. The analysis shall include typical cross sections with the location of the 65 dBA noise contour.

“The application does not include any parcels adjacent to MD 450; there are several parcels adjacent to realigned Church Road. The 65 dBA noise contour has been shown on Preliminary Plat of Subdivision 4-00057. Based on an analysis of the 65 dBA noise contour there will be adverse impacts to Lots 49-55 in Block ‘M’. To address these potential adverse impacts the applicant shall include a Phase II Noise Study with the Detailed Site Plan application. The Noise Report shall include mitigation measures that will be employed to attenuate the adverse noise impacts to these lots.

“Condition 2c. The Type I Tree Conservation Plan (TCPI/27/96) shall be revised in conjunction with each Preliminary Plat of Subdivision and Final Development Plan to provide for on-site afforestation in priority planting areas (PMA), expand the tree save areas where possible, and refine the location of afforestation along US 50 to preserve the viewshed along that road. The Department of Parks and Recreation shall review and approve all Tree Conservation Plans which contain any land to be dedicated for public purposes. Proposed afforestation areas of the site to be dedicated for public park use shall address the guidelines and practices of the Department of Parks and Recreation for afforestation on parkland.

“The Preliminary Plat of Subdivision application includes a Type I Tree Conservation, TCPI/47/00, which has been reviewed in conjunction with that application. TCPI/47/00 as revised on December 7, 2000 includes additional planting areas in and adjacent to the PMA, expansion of some existing woodland

areas and a reduction in the area of woodland clearing proposed. The TCP will be reviewed and approved in conjunction with Preliminary Plat of Subdivision 4-00057.

“Condition 2e. Preliminary Plats of Subdivision and Final Development Plans which include land area adjacent to the existing Church Road shall include special design techniques which will minimize the impacts to the scenic and historic nature of Church Road.

“This application includes a single parcel of land adjacent to existing Church Road. Parcel “A”, Block “Q” as reflected on the Preliminary Plat of Subdivision is to be a community use area according to this application. The exact use of this site is not certain since the FDP text addresses the other community use areas included in this application. Section 2.3 of the FDP text indicates that community use areas will generally include pocket parks, green spaces and environmentally sensitive areas. If this area is indeed to be a community use area, it would likely be consistent with the scenic and historic setting for existing Church Road. Prior to FDP certification the applicant shall provide an addendum to the FDP text that clearly identifies the proposed use for this parcel and a commitment to designing the use to protect the scenic and historic nature of Church Road.

“Condition 2f. Documentation of approval by the State of Maryland for the proposed stormwater management pond embankment across the Collington Branch shall be submitted.

“The construction of a stormwater management structure across Collington Branch is not proposed by this application. The stormwater management structures are generally located adjacent to the Patuxent River Primary Management Areas (PMA) in order to minimize adverse impacts to the stream, stream buffer and 100-year floodplain.

“Condition 2g. A conceptual Sewer Plan shall be submitted to the Natural Resources Division which shows all proposed off-site sewer alignments for each Preliminary Plat of Subdivision and Final Development Plan. This plan shall include property boundaries, topography, anticipated size of easements and approximate locations of stream and wetland impacts.

“Included with the Preliminary Plat of Subdivision 4-00057 was a Conceptual Water and Sewer Alignment Plan. That plan has been reviewed and found to address the requirements set forth in condition 2g.

“Condition 2h. The Preliminary Plat of Subdivision and Final Development Plan which includes the area designated as the future school site, shall precisely delineate the 15± acres parcel which is to be dedicated to the Board of Education. The responsibility for stormwater management and woodland conservation requirements for the school site shall be determined at the time of approval of the Final Development Plan.

“The Preliminary Plat of Subdivision application has included the area of the proposed school dedication in the calculations for TCPI/47/00. Those

requirements will therefore be addressed by the applicant, and not by the Board of Education, when plans for the proposed school are being prepared. The school site does not have any existing woodlands and does not include proposed afforestation areas. No portion of the Woodland Conservation requirements are proposed to be satisfied on the proposed school site.

“The application does not clearly indicate if the stormwater management pond located near the northeast corner of the proposed school site will be used for the stormwater management requirements of the proposed school. Prior to FDP certification the applicant shall provide documentation to the Urban Design Section regarding how the school stormwater management requirements will be satisfied and who will be responsible for addressing those requirements.

“General Information

“Additional details on the environmental features and proposed impacts will be addressed during the review of the Preliminary Plan of Subdivision and the Detailed Site Plan. Furthermore, it should be noted that failure to identify a specific environmental issue during the review of this plan or any other plan does not preclude the necessity to address environmental issues during the review of subsequent plans. This office has no additional comments with respect to environmental impacts of this plan at this time.”

Conditions 1f, 2, and 3 in the Recommendation Section of this report addresses the above referenced concerns.

14. The Department of Parks and Recreation (DPR) in a memorandum dated December 5, 2000 (Asan to Whitmore), offered the following comments:

“We noted that the area to be conveyed to the Maryland National Capital Park and Planning Commission (MNCPPC) for parkland is labeled as a “Community Use” area. While this is true, we recommend that the plan be more specific by noting that this area shall be conveyed to the MNCPPC for use as parkland.

“Condition 3, of the Comprehensive Sketch Plan CP-9504, states that each Final Development Plan shall include text information and/or illustrate the design concept of the Recreational Facilities including location and types of facilities. Submitted plans do not show any recreational facilities, and the descriptive text (Section 8.1) does not describe the location of proposed facilities.

Conditions 1. i and 1. a, respectively, address the above referenced concerns.

15. The Community Planning Division in a memorandum dated November 9, 2000 (D’Ambrosi to Whitmore), offered the following comments:

“The proposed subdivision incorporates the recommendations of the Master Plan.

“Airport Legislation Project -For informational purposes only, the Planning Board may want to be aware of an ongoing planning department work program item entitled Airport Legislation. The project is evaluating the land use compatibility and risk surrounding general aviation airports in the county. It is

anticipated that recommendations will be forthcoming later in FY01 that will discourage development within designated accident potential areas.

“The portion of the Fairwood-Rouse proposal immediately east of the PEPCO power lines is in such an area of concern due to higher risks associated with its location under flight patterns of Freeway Airport. As such, the applicant should consider transferring densities anticipated in later phases to the areas under review in the subject FDP/preliminary subdivision.

“With respect to the subject proposal, the community use areas located east of the PEPCO power lines, in the southeast corner of Phase I, are within the area that is subject to similar levels of risk and incompatibility as identified above. Community uses such as day care centers of community centers would be incompatible.”

The Community Planning Division presented the above-referenced airport study to the Planning Board on December 14, 2000. The Planning Board released said report for public information, to transmit it to the District Council and County Executive, and to commence the public participation process.

16. The Transportation Planning Section in a memorandum dated November 22, 2000 (Shaffer to Whitmore), offered the following comments pertaining to trails:

“The applicant, and applicant’s heirs, successors, and/or assigns shall designate all master plan trails (except on the PEPCO R-O-W) on all plans. The trail on land to be dedicated to the Parks Department shall be designed in accordance with park and Recreation Design Guidelines. The pedestrian/bicycle network as submitted on the FDP appears to be adequate.

“The farm lane/gravel roadways with hedge rows (which are not part of the master plan trails network, but will be part of the internal bicycle/pedestrian network) are not to be used for access of heavy construction equipment.

“The existing farm lanes shall be preserved as multi-use trails, and include as part of the internal trail system through the subject property. This trail system shall be dedicated to a homeowner’s association. These roadways shall supplement and in some cases replace an extensive sidewalk system.

“Vehicular crossings of the farm lanes shall be restricted to preserve the integrity of its overall character and implied pedestrian use.

“The recommended surface of the farm lanes is asphalt, or a mutually agreeable surface to the applicant, the Parks Department and the Trails Coordinator. Another hard surface may be considered, in keeping with the character of the farm lanes, so long as it can accommodate all users (pedestrians, all bicyclists, roller blades, etc.) and is ADA compatible. The width of the trails on the farm lanes shall be in conformance with prior approvals.

“All necessary RFA and bond requirements shall be submitted to the appropriate departments prior to final record plat approval.

“Sidewalks shall be extended the entire length of Holy Trinity Sanctuary to Fairwood Parkway, as shown on the FDP.

“A master plan trail is also recommended 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, the City of Bowie, and the Department of Public Works and Transportation. This trail shall be reflected on both sides of Church Road realigned.”

17. The Department of Public Works and Transportation provided comments for designated roadway improvements within the right-of-way. The plans should address these comments at the time of the review of permits.
18. The Department of Environmental Resources in a memorandum dated October 24, 2000 (De Guzman to Whitmore), offered the following comment:

“The proposed infrastructure plan does not show all the required stormwater management facilities...the plan should be revised to reflect all of these proposed facilities.”

The Final Development Plans should be revised to include all stormwater management facilities.

19. The Maryland Department of Transportation, State Highway Administration has no objection to the plans as submitted.
20. Finding 12 addresses the required finding pertaining to transportation adequacy. The following is being provided for informational purposes only.

The Planning Board is reviewing the *Draft Regulations to Analyze the Development Impact on Public School Facilities January 2001, and Enrollment Projections for the School's APF Test*. The Planning Board is expected to take final action on projections and regulations on Thursday, January 4, 2001. Once the Planning Board has adopted the regulations, Growth Policy and Public Facilities Planning staff will forward the review of schools APF.

The proposed development is within the service response time for fire engine service except for the following areas:

Block I Parcel C, D, E, F, G; Block O; Block P and Block Q.

The proposed development is within the service response time for ambulance service except for the following areas:

Block I Parcel G and F; Block P; and Block Q.

The existing ladder truck service at Bowie Fire Station, Company 39 located at 15454 Annapolis Road has a service response time of 7.01 minutes, which is beyond the 4.25 minutes response time guideline.

Police Service has been found to adequate to serve the proposed Fairwood - Phase One, Part II development.

21. The City of Bowie and the Enterprise Road Corridor Development District had not responded to the referral request at the time of the writing of the staff report.

Additional Urban Design Concerns

22. The Urban Design Review Section has identified several provisions in the FDP text which require minor revision to improve the clarity and consistency of the FDP standards, as follows:
 - a. On page 7 of the FDP, the graphic of the subject application indicates that Part II of Phase I incorporates the remainder of Phase I not previously approved in the FDP for Part I. This graphic should be revised to delineate Part III of Phase I.
 - b. On page 10 of the FDP the townhouse tracking table should be revised to state that the maximum allowed townhouse units is 449. The accompanying footnote should be revised as follows:
 1. The number 450 appears three (3) times and should be replaced with 449 and the number ten (10) should be replaced with the number eleven (11).

RECOMMENDATION

Based on the preceding evaluation, the Urban Design Review Section recommends that the Planning Board adopt the findings of this report and APPROVE FDP-0001 with the following conditions:

1. Prior to certificate approval of the Final Development Plan, the following shall be accomplished or the following information shall be supplied.
 - a. Specific information shall be provided in the FDP concerning the type and location of recreation facilities to be provided in Phase I, Part II of Fairwood.
 - b. Sidewalks shall be extended the entire length of Holy Trinity Sanctuary to Fairwood Parkway, as shown on the FDP.
 - c. The applicant shall designate all master plan trails (except on the PEPCO R-O-W) on all plans. The trail on land to be dedicated to the Parks Department shall be designed in accordance with current Park and Recreation Design Guidelines.
 - d. The FDP p. 10 shall be revised to delineate Part III of Phase I.
 - e. The footnote on p.10 of the FDP shall be revised as follows:
 1. The number 450 shall be replaced with 449 and the number 10 (ten) shall be replaced with the number eleven (11).
 - f. The applicant shall provide the Urban Design Section and the Environmental Planning Section with documentation that clearly states who is responsible for satisfying woodland conservation and stormwater

management requirements associated with the proposed school dedication, the applicant or the Board of Education.

- g. All land to be dedicated to Maryland National Capital Park and Planning Commission shall be labeled as such. The plans and FDP text shall be modified as appropriate to include these areas.
 - h. The FDP shall be revised to make the configurations of all parks and of all other parcels identical to those on the approved Preliminary Plat of Subdivision, except as is necessary to delineate the division of land uses along the center of streets and otherwise observe the conventions of the FDP as an indicator of the division of land uses among the various categories unique to the M-X-C Zone.
 - i. The following revisions shall be made to the text of the FDP in Section 6.0 (Landscape Design):
 - (1) On p. 30 of the FDP , in the second sentence the word *generally* shall be struck. The second sentence shall read as follows:

Landscaping proposed shall exceed applicable standards (including quantity and size) of the Landscape Manual, where determined appropriate.
 - (2) On p. 33 of the FDP text under Residential Streets the last sentence shall read as follows:

Telephone and utility boxes along the roadside shall be effectively screened.
 - j. The FDP shall be revised to provide a description and show the general location of the unit type in the Other Residential Areas.
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 manufacturer's STC (sound transmission class) rating for the structural components in accordance with the recommendations of the noise report.
 3. Upon submittal of any Detailed Site Plans for Parcel "Q" the proposed uses will be evaluated by the Environmental Planning Section to ensure that the proposed use is consistent with the scenic and historic nature of 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.

5. The surface of the farm lanes shall be asphalt, or another surface agreed to by the applicant, the Parks Department and the Trails Coordinator. Another hard surface may be considered, in keeping with the character of the farm lanes, so long as it can accommodate all users (pedestrians, all bicyclists, roller blades, etc.) and is ADA compatible. The width of the trails on the farm lanes shall be in conformance with prior approvals.
6. The use of heavy construction equipment on farm lanes/gravel roadways (which are not part of the master plan trails network, but will be part of the internal bicycle/pedestrian network) shall be minimized.
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.
8. Vehicular crossings of the farm lanes shall be limited to preserve the integrity of its overall character and implied pedestrian use.
9. Prior to Final Plat the following information and/or documents shall be executed:
 - a. All necessary RFA and bond requirements shall be submitted to the appropriate departments prior to final record plat approval.
 - b. The applicant shall participate in providing improvements to MD 450 by contributing to the State Highway Administration a combination of roadway improvements and cash payments, constituting a total value, as determined by Prince George's County, of \$5.5 million. Satisfactory contribution of this amount shall be accomplished by the applicant agreeing with the State Highway Administration to reconstruct, as a sole source contractor, that portion of MD 450 from MD 193 to Bell Station Road. The construction of this improvement shall be accomplished pursuant to and in conformance with plans and specifications provided by the State Highway Administration (SHA Contract No. PG 900B21). It shall be the State Highway Administration's responsibility to ensure all rights-of-way needed for this improvement are provided. The value of these improvements, as determined based upon State Highway Administration estimates, shall be deducted from the value of the applicant's overall contribution responsibility. The balance of the applicant's overall contribution shall be paid to the Department of Public Works and Transportation for Prince George's County on a pro rata share at the time of the issuance of individual building permits for residential units in Phase II of the project and for nonresidential

improvements in Phase I. The proportionate amount of the payment for each residential unit and for each square foot of nonresidential improvements shall be determined by agreement between the applicant and the State Highway Administration.

This total contribution by the applicant shall constitute its entire responsibility to contribute toward road improvements to MD 450. Payment of this sum exceeds the amount required to find adequacy of transportation facilities for Phase I, Part Two, and constitutes a finding of adequate transportation facilities for the entire Fairwood project (1,799 DU's and 350,000 square feet of nonresidential uses). The applicant's commitments are contingent upon the Planning Board's finding consistent with this condition and the execution of a formal agreement with the State Highway Administration finalizing the details prior to the approval of the Final Plat of Subdivision.