

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 January 23, 2014, regarding Detailed Site Plan DSP-09017/03 for Fairwood, the Planning Board finds:

1. **Request:** The subject application is to add nine new front building elevations to the previously approved single-family detached model, Rome, as included in Umbrella Detailed Site Plan DSP-09017 for single-family detached architecture, to be built by Ryan Homes.
2. **Development Data Summary:***

	EXISTING	APPROVED
Zone	M-X-C	M-X-C
Use	Mixed-Use	Mixed-Use
Acreage	1,059	1,059
Of which Retail Use	-	100,000
Office/Institutional Uses	-	250,000
Total Dwelling Units	-	1,799

Note:*As approved in Zoning Map Amendment A-9894-C.

Model Name	Based Finished Area (exclusive of basement and garage)
Rome	3,060 sq. ft.

3. **Location:** The Fairwood project in general is located south of Annapolis Road (MD 450) and north of John Hanson Highway (US 50), east and west of Church Road, and approximately 1,400 feet east of the intersection of Annapolis Road (MD 450) and Enterprise Road (MD 193), in Planning Area 71A, Council District 6, within the Developing Tier of Prince George's County.
4. **Surrounding Uses:** The project is bounded to the north by existing properties in the Rural Residential (R-R) and Residential Estate (R-E) Zones; to the east by an existing subdivision in the R-R Zone; to the south by John Hanson Highway (US 50) with Freeway Airport and properties in the Residential Agriculture (R-A) and R-E Zones beyond; and to the west by Annapolis Road (MD 450) with existing residential development in the R-R Zone, a convenience store and gas station in the Commercial Miscellaneous (C-M) Zone and office use in the Commercial Office (C-O) Zone.
5. **Previous Approvals:** The Fairwood project has a long approval history with the first Zoning Map Amendment, A-9894-C, covering the entire 1,059-acre site approved in 1994. Since the site is

zoned Mixed Use Community (M-X-C), the project is also subject to a comprehensive sketch plan, a preliminary plan of subdivision, and a final development plan, which must be submitted concurrently with the corresponding preliminary plan prior to obtaining detailed site plan (DSP) approvals. The Fairwood project has two Comprehensive Sketch Plans CSP-9504 and CSP-0101, which were approved in 1997 and 2002 respectively; four Preliminary Plans of Subdivision, 4-03128, 4-02023, 4-00057 and 4-97024; and four Final Development Plans, FDP-0301, FDP-0201, FDP-0001, and FDP-9701, as well as numerous DSP approvals, of which DSP-01046 and DSP-09017 are umbrella DSPs for single-family detached residential architecture. In addition, DSP-99034 was approved by the Prince George's County Planning Board on December 16, 1999 for a comprehensive signage program governing the entire Fairwood project. Among these previous approvals, those relevant to the subject application include:

- The Final Decision of the Prince George's County District Council for amended Zoning Map Amendment A-9894-C on May 9, 1994;
- Umbrella Detailed Site Plan DSP-01046 for single-family detached residential architecture approved by the Planning Board on December 13, 2001 and formalized in PGCPB Resolution 01-258, adopted by the Planning Board on December 20, 2001; and
- Umbrella Detailed Site Plan DSP-09017 for single-family detached residential architecture approved by the Planning Board on April 8, 2010 and affirmed by the District Council on June 23, 2010.

6. **Design Features:** The residential areas of Fairwood fall into five more or less discrete land envelopes which are separated by stream valleys, open space, parks, a commercial/retail area, and a public school site. The project is then further divided into the following neighborhoods:

West of the PEPCO Power Lines, North to South and West to East

- The Endeavor
- The Prospect
- The Bequest (Oden's Bequest and Roberts Property)
- The Vision
- The Hope
- The Pride
- The Trace
- The Greenfields
- The Promise
- The Progress

East of the PEPCO Power Lines, North to South and West to East

- The Chapel (Chapel North and Chapel South)
- The Legacy
- The Discovery
- The Field

- The Folly
- The Reach

While all development east of the PEPCO (Potomac Electric Power Company) power lines is single-family detached, two Detailed Site Plans (DSP-02036 and DSP-03004) west of the PEPCO lines involve townhouses exclusively, while a third (DSP-04025) involved some townhouses together with multifamily condominiums.

Previously approved DSP-09017 includes only one front elevation for the Rome model. This proposed addition of nine new front building elevations applies exclusively to the Rome model as follows:

- Elevation A with a full stone front
- Elevation B with a stone front and a covered porch
- Elevation C with partial brick/vinyl siding and a full covered porch
- Elevation C with partial brick/vinyl siding and a covered porch
- Elevation C with partial brick/vinyl siding and a full covered porch, alternate
- Elevation C with partial stone/vinyl siding and a covered porch
- Elevation C with a full stone front and a full covered porch
- Elevation C with partial brick/stone and a full covered porch
- Elevation C with partial stone/vinyl siding and a full covered porch.

Because of its limited scope, DSP-09017-03 does not propose any changes to the rest of the previously approved plans.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the M-X-C Zone and Part 10B, Airport Compatibility, of the Zoning Ordinance.
 - a. The subject application is in conformance with Section 27-546.01(a), Purposes of the M-X-C Zone, because it helps accomplish the goal of providing a variety of dwelling types so as to provide housing for a spectrum of incomes, ages, and family structures.
 - b. The subject application is in conformance with the requirements of Section 27-546.03, which governs permitted uses in the M-X-C Zone. Single-family detached residential units are a permitted use in the “single-family” and “other residential” subareas of the M-X-C Zone. All of the existing lots intended for single-family detached houses in the Fairwood development are located in these subareas.
 - c. The proposal is also in conformance with the requirements of Section 27-546.04, Other Regulations, regarding additional regulations for development in the M-X-C Zone. Pursuant to these regulations, the 2010 *Prince George’s County Landscape Manual* is applicable to the site, except that Section 4.7 only applies to the periphery of the project and as modified by the Fairwood Residential Design Guidelines for new construction.

- d. The originally approved DSP-09017 met the requirements of Section 27-546.07(b)(2) regarding the provision of an architectural floor plan in addition to other site plan information. Since this DSP only adds new elevations to the previously approved Rome model, this DSP does not have any impact on the previously approved findings.
- e. The portion of the Fairwood project east of the PEPCO power lines is located within Aviation Policy Area 6 (APA-6) of the Freeway Airport. In accordance with Section 27-548.39(b), all applications should demonstrate compliance with the building height limit. Section 27-548.42(b) limits the maximum building height in APA-4 and APA-6 to 50 feet. The building height of single-family detached houses is usually around 35 feet. Compliance with the maximum building height of 50 feet should not be a problem for this application. A condition has been included in this resolution to require the applicant to provide a site plan note to indicate that the building height of the model will not exceed 50 feet.

Additional findings regarding notification of the airport environment in accordance with Section 27-548.43 have been met by prior approvals. This application does not alter these findings.

- 8. **Zoning Map Amendment A-9894-C and other previous approvals:** Staff has reviewed the requirements of Zoning Map Amendment A-9894-C and other previous approvals (except for two umbrella DSPs that are discussed in detail below) for the Fairwood project and determined that no requirements are directly applicable to the subject DSP for the addition of nine new front building elevations for the Rome model, which was previously approved with DSP-09017.
- 9. **Umbrella Detailed Site Plan DSP-01046:** Detailed Site Plan DSP-01046 is an umbrella DSP approval for single-family detached dwellings in the Fairwood development. The application was approved by the Planning Board on December 13, 2001. The approval includes nine home builders as follows:

Allan Homes (offering 10 units ranging from 2,161 to 3,867 base square feet)

Craftmark Homes (offering 7 units ranging from 2,555 to 5,109 base square feet)

NU-Homes (offering 10 units ranging from 2,516 to 3,674 base square feet)

Mark Homes (offering 7 units ranging from 1,775 to 2,973 base square feet)

Patriot (offering 17 units ranging from 1,890 to 3,624 base square feet)

Williamsburg (offering 10 models ranging from 2,424 to 4,716 base square feet)

Mid-Atlantic (offering 12 models ranging from 2,128 to 4,118 base square feet)

Grayson Homes (offering 12 models ranging from 1,960 to 4,200 base square feet)

Ryland Homes (offering 7 models ranging from 2,137 to 3,180 base square feet)

The base finished area of all of the approved models includes all finished livable areas and does not include garage or basement square footage. The Planning Board subsequently adopted PGCPB Resolution No. 01-258(C), formalizing the approval on December 20, 2001 with six conditions. The relevant conditions of that approval are discussed as follows:

- 2. No two units located next to or across the street from each other may have identical front elevations.**

This condition has been carried forward as a condition of the subject approval. Therefore, the applicant would be in compliance with this requirement.

- 3. A minimum of two standard architectural features such as windows, doors, or fireplace chimneys shall be provided on all endwalls of all units. The two standard features on each endwall shall be clearly labeled on all endwall elevations.**

The requirements of this condition were met at the time of the original DSP-09017 approval for the Rome model. This application only involves nine new front elevations and, therefore, does not alter the rest of the previous approval for this model.

- 4. The developer, its heirs, successors, and/or assigns shall insure that each builder maintains in the appropriate sales office(s) copies of its currently approved architecture (including all exterior elevations of all approved models), copies of currently approved Detailed Site Plans, Landscape Plans and plans for recreational facilities appropriate for that portion of the property being developed, as well as the corresponding approved Comprehensive Sketch Plan and Subdivision Plat.**

This condition will be brought forward as a condition of approval for this DSP requiring that the plans for all newly approved architectural units be maintained in the appropriate sales office.

- 5. All dwelling units at Fairwood shall have two-car garages.**

This condition was fulfilled at the time of DSP-09017 approval for the Rome model.

- 6. The floor plans shall be made available to staff for review.**

The applicant provided the floor plan for the Rome model at the time of DSP-09017. This condition has been met.

Detailed Site Plan DSP-01046 was revised 23 times subsequent to its original approval in 2001. Except for DSP-01046-22 which was withdrawn, all other revisions were approved administratively by the Planning Director due to their limited scope. The most recent revision, DSP-01046-23, was approved on June 25, 2013 for the purpose of adding the Oakmont II, Leyland, and Highland models by Stewart Kret Homes. No condition was attached to any of those revisions.

10. **Umbrella Detailed Site Plan DSP-09017:** Detailed Site Plan DSP-09017 is also an umbrella DSP approval for single-family detached dwellings in the Fairwood development. The District Council affirmed the Planning Board's approval of this DSP on June 23, 2010 by adding a new Condition 2 to limit the minimum finished living area above-grade for all models included in DSP-09017 to be 2,500 square feet. Since this DSP revision is only to add nine front building elevations for the previously approved single-family detached Rome model, without modifying the minimum finished area of 3,060 square feet, this DSP conforms to the minimum finished square footage requirement. The first condition of the approval was fulfilled at the time of certification of DSP-09017. However, Condition 1(a) requires the applicant to provide a plan note stating that 100 percent of all of the elevations of the architecture approved in the subject application shall be predominantly masonry as depicted in the approved elevations. Since the subject application is a revision to the previously approved plan, the same level of masonry should be required for all new elevations included in this DSP. Of the nine elevations, two elevations including Front Elevation C, partial brick veneer nonstandard full porch (Alternate), and Front Elevation C, partial brick veneer/siding (half porch), do not meet the requirements. On two elevations, the vinyl siding finish accounts for more than 35 percent of the front elevation. Each of these elevations has two vinyl panels on the upper elevations. Staff recommends that the side vinyl panel of both elevations should be changed to brick finish in order to meet the requirements of Condition 1(a). Since there is another elevation included in this application that has a full porch with brick veneer that will be the same elevation after replacing the side vinyl panel of Front Elevation C (Alternate), staff recommends that Front Elevation C (Alternate) be removed from this DSP. A condition has been included in this resolution requiring the applicant to replace the side vinyl panel of Front Elevation C, partial brick veneer/siding (half porch), with brick veneer prior to certification of this DSP, and to revise the total number of front elevations included in this DSP to eight.

Detailed Site Plan DSP-09017 was revised twice administratively subsequent to the original approval. Detailed Site Plan DSP-09017-01 is a revision to add two NV Homes models, Mount Vernon and Remington Place, and was approved by the Planning Director on October 25, 2012. Detailed Site Plan DSP-09017-02 is a revision to add a six-foot porch to the previously approved single-family detached Rome model, and was approved by the Planning Director on September 4, 2012. No conditions were attached to either revision.

11. **2010 Prince George's County Landscape Manual:** The subject application is limited to the addition of nine front elevations to the previously approved single-family detached Rome model and does not alter the findings of conformance with the requirements of the *Prince George's County Landscape Manual* (Landscape Manual) made in previous applications regarding the Fairwood project. The project is subject to the requirements of the Landscape Manual per Section 27-546.04 of the Zoning Ordinance, pursuant to these regulations. The Landscape Manual is applicable to the site except that Section 4.7 only applies at the project's periphery. At the time of the full-scale DSP for the Fairwood project, the application will be reviewed for conformance to the applicable landscaping regulations.

12. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance:** The subject application is limited to the addition of nine front elevations to the previously approved single-family detached Rome model and, therefore, does not alter the findings of conformance with the requirements of both the Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance made in previous applications regarding the Fairwood project. At the time of the full-scale DSP for the Fairwood project, the application will be reviewed for conformance to the applicable woodland conservation and tree canopy coverage regulations.

13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the City of Bowie. The referral comments are summarized as follows:
 - a. **The City of Bowie**—The City of Bowie, in correspondence dated November 19, 2013, indicated that they do not have comments and the application has no impact on the city.

14. **Required Findings:** As required by Section 27-285(b) of the Zoning Ordinance, the DSP 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. Additionally, as required by Section 27-546(c)(1)–(5) of the Zoning Ordinance for DSP approval in the M-X-C Zone, the following findings may be made as described below.
 1. **The proposed development is in conformance with the purposes and other provisions of the M-X-C Zone which include but are not limited to: a comprehensively planned community with a balanced mix of residential, commercial, recreational and public uses; a system of flexible development standards; varying lot sizes that will encourage dwelling types so as to provide housing for a spectrum of incomes, ages, and family structures; preservation of significant open spaces.**

The subject application increases the variety of architectural offerings in the subdivision; thus, the finding may be made that the application will contribute to the provision of housing for a spectrum of incomes, ages, and family structures. Combined with numerous other approvals for commercial and other uses, the subject application helps promote a balanced mix of residential, commercial, recreational, and public uses.

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 development to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, the quality of urban design, and other amenities such as types and textures of materials, landscaping and screening, street furniture, and lighting, both natural and artificial.**

These required findings numbered 2, 3 and 4 are not an issue for the subject application and were previously fulfilled by other approvals. The subject application does not affect these findings made in previous approvals for the Fairwood project.

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.**

While there were no specific architectural requirements for single-family detached building elevations in the approved final development plans, the application is in conformance with several conditions in both DSP-01046 and DSP-09017, the approved umbrella architecture applications for the development.

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-09017/03, subject to the following conditions:

1. Prior to certificate approval, the applicant shall:
 - a. Provide the following notes on the plans:

“The height of all structures shall not exceed 50 feet and all exterior light fixtures shall be of a downward facing design so as not to interfere with the flight operations of the adjacent airport.”

“No two units located next to or directly across the street from one another may have identical front elevations.”
 - b. Replace the side vinyl panel of Front Elevation C, partial brick veneer/siding (half porch), with brick veneer.
 - c. Remove Front Elevation C, partial brick veneer non-standard full porch (Alternate), from the DSP.
2. The developer and the developer's heirs, successors, and/or assignees shall display in the sales office all of the architectural plans approved by the Planning Board in the subject application.

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Shoaff and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 23, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of February 2014.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

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