

Case No.: SDP-1101 Westphalia Central Park
Phase I, Parkside

Applicant: SHF Project Owner, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

FINAL DECISION — ORDER AFFIRMING PLANNING BOARD

IT IS HEREBY ORDERED, after review of the administrative record and conducting oral argument in this matter, that the application to approve the limited Specific Design Plan 1101 for the Westphalia Central Park, as required by Condition 23 attached to the previously approved Comprehensive Design Plan 0501 ("CDP-0501"), be and the same is hereby AFFIRMED.

As expressly authorized by the Regional District Act, within Title 22 and Title 25 of the Land Use Article of the Annotated Code of Maryland, and the Prince George's County Code, we hereby adopt the findings and conclusions in PGCPB No. 16-32, and APPROVE Type II Tree Conservation Plan (TCPII-021-2015), and Specific Design Plan (SDP-1101), subject to the following conditions:

1. Prior to certificate approval of this specific design plan (SDP), the applicant shall:
 - a. Revise the parcel configuration to widen the stem of the Historic Blythewood Homesite to include the original "tree-lined lane."
 - b. Either obtain approval from the Historic Preservation Committee for the removal of the tobacco barn, or adjust the parcel line of the Historic Blythewood Homesite Parcel to include the barn.
 - c. Label P-615 right-of-way to be dedicated by plat. Revise the park entrance to result in a perpendicular intersection with P-615.
 - d. Label that the MC-632 right-of-way shall be dedicated by plat and aligned with the approved subdivision to the south, as shown on the applicant's "MC-632 Proposed ROW Exhibit."

- e. Revise the landscape plan to show conformance with the requirements of Sections 4.3 and 4.9 of the 2010 *Prince George's County Landscape Manual*. The applicable landscape schedules shall be provided.
- f. Revise the SDP to include the landscaping plan for the planned stormwater management, Pond C, and submit it to the Prince George's County Department of Parks and Recreation for review and approval.
- g. At all locations where stairs are placed along trails, a bicycle stair trough or other comparable facility shall be included to accommodate bicycles.
- h. Revise the Blythewood Historic Site (78-013) environmental setting to include 31.17 acres and revise the Historic Blythewood Homesite Parcel to include 8.70 acres, as depicted on Applicant's Exhibit 1 for Specific Design Plan SDP-1101.
- i. Submit a current conditions assessment for the Blythewood Historic Site (78-013) to the Historic Preservation Section and the Historic Preservation Commission (HPC) for review and approval. To ensure proper maintenance of the Blythewood historic site, a conditions assessment report and a regular maintenance plan for the property shall be submitted semi-annually (August and February) to M-NCPPC and the HPC until an adaptive reuse for the property is identified and implemented.
- j. Provide a note on the SDP, the Type II tree conservation plan, and the final plat for the Westphalia Central Park that states that no disturbance is permitted within the Blythewood historic site environmental setting including, but not limited to, the installation of stormwater management facilities, grading for stormwater management or for public or private roads, for the removal or addition of buildings, or for the alteration of any building exterior without a historic area work permit approved by the Historic Preservation Commission, or its designee.
- k. Submit a copy of the valid approved stormwater management concept plan to confirm that all ponds have been designed to eliminate impacts to the primary management area (PMA) associated solely with pond grading within Phase I, to the fullest extent possible. Review of PMA impacts outside of Phase I shall be evaluated with future SDPs.

- l. Provide written authorization from the Prince George's County Department of Parks and Recreation for the proposed woodland conservation within the limits of the Central Park.
- m. Revise the overall woodland conservation worksheet to indicate where additional on-site woodland conservation shall be provided to satisfy the deficit of on-site woodland conservation to meet the woodland conservation threshold for the overall Smith Home Farm development of 159.04 acres. If additional minor woodland conservation is proposed in a section or sections with a previously approved Type II tree conservation plan (TCPII), the affected TCPII(s) shall be revised at staff level prior to certification of the current application. If additional woodland conservation is proposed within a section or sections that does not have a TCPII yet, it shall be satisfactorily demonstrated where the additional woodland conservation shall be provided.
- n. Revise the SDP to show a 50-foot-wide by 100-foot-long right-of-way extension at the entrance to Blythewood property as shown on attached Exhibit B.
- o. Obtain written consent from the Prince George's County Department of Public Works and Transportation (DPW&T) for the construction and maintenance of the trails within the stormwater management easement area, or the SDP shall be revised to relocate trails outside of the easement area and approved by the designee of the Planning Board.
- p. Provide legible bearings and distances on all property lines, and indicate on the plan sheet to whom the land is to be conveyed/dedication (homeowners association/M-NCPPC).
- q. Label MC-635/P-615 abutting the south side of the Central Park as being dedicated to public use, in accordance with Preliminary Plan of Subdivision 4-05080.
- r. Dimension and label the prescriptive right-of-way of historic Melwood Road on each sheet of the site plan.
- s. Add a note that: It is intended that Historic Melwood Road is to be vacated and all rights in interest and ownership in the road are to be transferred from Prince George's County to the property owner and the property owner's heirs, successors, and/or assignees by quit claim deed upon completion of the road closure process required by Subtitle 23, as required by Prince George's County.

- t. Label and dimension the access extension from MC-632 east to serve the public park and the Blythwood historic site as public right-of-way dedication.
2. Prior to approval of final construction documents for the Central Park playground, as well as the details for the poured-in-place surface material design, the plans shall be refined in consultation with the Prince George's County Department of Parks and Recreation (DPR), and shall be approved by DPR, after written notification to the District Council.
3. Prior to approval of final construction documents for the Central Park, the size and details of the architectural elements of the Central Park including the cloud pavilion, restrooms facilities, the concession building, and the pump structure shall be refined in consultation with the Prince George's County Department of Parks and Recreation (DPR), and shall be approved by DPR, after written notification to the District Council.
4. Any concrete structures proposed on parkland as part of planned stormwater management ponds or Washington Suburban Sanitary Commission sewer realignment, including riser structure or headwalls, shall be finished with a stone veneer. The plans for the stone veneer shall be approved by the Prince George's County Department of Parks and Recreation.
5. Prior to the afforestation of 3.94 acres within the Blythewood Historic Site's environmental setting, the applicant shall obtain a historic area work permit from the Historic Preservation Commission.
6. Prior to issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams, or Waters of the U.S. within the Central Park, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
7. At time of the construction of MC-632, the applicant shall construct the stub street within a 50-foot-wide by 100-foot-long right-of-way as shown on attached Exhibit B, in accordance with Prince George's County Department of Public Works and Transportation approved plans.
8. Prior to certification, the specific design plan (SDP) and Type II tree conservation plan (TCP II) shall be revised as follows:
 - a. The sheet layout of the TCP II and the SDP shall match for the current application.
 - b. The environmental setting for the Blythewood historic site, as approved by the Historic Preservation Commission, shall be correctly shown and labeled on the SDP and TCP II for the Central Park, including metes and bounds.

- c. All afforestation areas and site features approved within the environmental setting of Blythewood by the Historic Preservation Commission, per Historic Area Work Permit (HAWP) 2016-07, shall be shown and the conceptual features not approved under the HAWP shall be removed.
- d. The Blythewood historic parcel, as approved by the Historic Preservation Commission, shall be correctly delineated and labeled on the plans, including metes and bounds.
- e. A determination shall be made by the Prince George's County Department of Parks and Recreation about the correct property boundaries for the park conveyance with regard to the property currently labeled as part of "Retained" in the northeast corner of the site. The final determination of the ultimate Central Park boundaries shall be reflected on all affected SDP and TCPII plan sheets, and labeled as "Future Conveyance to M-NCPPC." Metes and bounds shall be included on all property boundaries.
- f. The SDP and TCPII shall be revised to include the following note on the appropriate plan sheets:

"The conceptual location of the Cabin Branch Trail, with an assumed width of 28 feet including the trail and adjacent clear zones, is proposed to be located within the 35-foot-wide WSSC easement leading east from Parcel CP3."
- g. The SDP and TCPII shall only include stormwater management features within the Central Park which meet one of the following criteria:
 - (1) The stormwater feature was approved as part of a previous SDP and deemed authorized by the Prince George's County Department of Parks and Recreation; or
 - (2) The stormwater feature is proposed within the boundaries of Phase I of the park development, and is authorized by the Prince George's County Department of Parks and Recreation; or
 - (3) The stormwater feature is proposed outside of the boundaries of Phase I of the park development and has been conceptually authorized by the Prince George's County Department of Parks and Recreation, and

written authorization is provided.

- h. The coversheet shall be revised to label the SDPs and TCPIIs for the Central Park, Sections 5 and 6.
- i. The note underneath the section and location plan shall be amended to include consistency with TCPI-038-05-01.
- j. The note under the Afforestation Area Summary Table shall be revised as follows:

 “Areas 30, 31, and 32, previously located in Section 6 (SDP-1302 and TCPII-019-13), have already been planted for the benefit of Section 2, TCPII-010-12.”
- k. On Sheets 4 and 5, the limits of off-site clearing into Infrastructure 2 and Section 5 shall be completely delineated, and off-site clearing shall be included in the Sheet Summary Table.
- l. Woodland conservation signage shall be minimized to the extent possible, as follows:
 - (1) Signage is not required along utility easements, unless the utility easement contains a trail where adjacent mowing is anticipated.
 - (2) Separate specimen tree signage is not required when the tree is located within a larger woodland conservation area with appropriate signage.
 - (3) Post-type signs shall be placed approximately 100 feet on center, or as appropriate, to delineate the vulnerable edges of woodland conservation areas.
- m. All existing and proposed utility easements shall be shown on the plan and labeled by type, width, and ownership. Afforestation/reforestation and woodland preservation shall not be shown within any existing or proposed utility easement.
- n. All existing and proposed stormwater management facilities shall be labeled and referenced to the approved stormwater concept approval plan.
- o. All woodland conservation areas proposed shall be a minimum of 35 feet in width and a minimum of 2,500 square feet in area.
- p. All plans, calculations, and worksheets shall be revised to reflect the

required technical revisions, as well as, any other adjustments required by conditions of approval.

- q. Have the revised plan signed and dated by the qualified professional who prepared it.
9. Prior to certification of Specific Design Plans SDP-1101 and SDP-1302 and Type II Tree Conservation Plan TCPH-019-13 for Smith Home Farm, Section 6, shall be revised for approval at staff level, as follows:
- a. The area of park conveyance which will be included in the Central Park, SDP-1101, and TCPH-021-2015 shall be removed from the plans.
 - b. The overall and individual woodland conservation worksheets on TCPH-019-13 shall be revised to reflect the resultant changes in area.
 - c. Revisions shall be made, as necessary, to the applicable TCPH sheets for Smith Home Farm, Section 6, to reflect the changes of area.
 - d. The following note shall be added to the applicable TCPH sheets showing the correct location, acreage, and limits of the Blythewood environmental setting:

“No disturbance is permitted within the environmental setting for the Blythewood historic site including, but not limited to, stormwater management, grading for stormwater management and public or private roads, or removal of historic trees without the approval of a historic area work permit by the Historic Preservation Commission.”
 - e. The worksheet notes shall be revised as follows:

“The location of off-site woodland conservation requirements shall be in accordance with the priorities listed in Section 24-122(a)(6) of the Subdivision Regulations: within the same eight-digit sub-watershed (Cabin Branch), within the same watershed (Western Branch), within the same river basin (Patuxent), within the same growth policy tier (Developing), or within Prince George’s County. The applicant shall demonstrate to the Planning Director, or its designee, due diligence in seeking out appropriate location opportunities for off-site woodland.”
 - f. A detail for standard post-type woodland conservation signage shall be added to the TCPH details sheet, for use as an acceptable alternative to standard woodland conservation protective devices where determined appropriate.
 - g. Split-rail fencing as a permanent tree protective device shall be

retained adjacent to all afforestation areas within the Central Park with vulnerable edges.

- h. All plans, calculations, and worksheets shall be revised to reflect the required technical revisions, as well as, any other adjustments required by conditions of approval.
 - i. Have the revised plan signed and dated by the qualified professional who prepared it.
10. As development progresses on the Central Park, the Type II tree conservation plan (TCPII) shall be revised as necessary to provide appropriate temporary and/or permanent protection for woodland conservation areas. No removal of specimen, champion, or historic trees outside of Phase I of the park development is approved with this application. The future removal of specimen or historic trees in the Central Park is subject to approval of a revision of the TCPII when development is proposed for those portions of the site. No historic trees shall be removed within the environmental setting of the Blythewood historic site without prior approval of a historic area work permit by the Historic Preservation Commission.
 11. Prior to issuance of the first grading permit for the Central Park, all afforestation/reforestation areas within the Central Park area, as shown on Type II Tree Conservation Plan TCPII-021-2015, shall be bonded at \$0.30 a square foot by the applicant and the applicant's heirs, successors, and/or assignees for implementation. The bonding shall be held for a minimum of two years after planting and until satisfactory survival levels of afforestation/reforestation have been demonstrated.
 12. The required afforestation in the Central Park which is located outside of Phase I shall be implemented in the first growing season after this issuance of the grading permit for Phase I, except for afforestation/reforestation Areas 12, 15, and 16, which are located with 100 feet of the future MC-632 right-of-way, and a planting certification shall be submitted to the Environmental Planning Section.
 13. Required afforestation/reforestation shown within 100 feet of the future MC-632 right-of-way (Areas 12, 15, and 16) shall be implemented in the first growing season after issuance of the grading permit for MC-632, and a planting certification shall be submitted to the Environmental Planning Section.
 - a. The required afforestation in Phase I of the Central Park shall be implemented before the issuance of any building permits for Phase I of the Central Park. If future disturbance to implement afforestation occurs with future development on the site, it shall be addressed

during required permitting.

Ordered this 16th day of May, 2016 by the following vote:

In Favor: Council Members Davis, Glaros, Harrison, Lehman, Patterson, Taveras,
Toles, and Turner.

Opposed:

Abstained:

Absent: Council Member Franklin.

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Derrick L. Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council