

## R E S O L U T I O N

WHEREAS, the Prince George=s County Planning Board has reviewed, Smith Home Farms requesting a rezone from the R-A (Residential Agricultural) Zone to the R-M (Residential Medium Density 3.6 to 5.8) Comprehensive Design Zone and R-A (Residential Agricultural) Zone to the L-A-C (Local Activity Center) Comprehensive Design Zone in accordance with Subtitle 27 of the Prince George=s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on September 29, 2005, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property is a large tract of land consisting of wooded, undeveloped land and active farm land, located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4). The site is composed of nine contiguous parcels (Parcels 16, 120, 122, 151, 157, 160, 167, 219 and one unnumbered parcel) of land, Tax Map 90, and measures approximately 757 acres in size.
- B. **History:** The site was retained in the R-A Zone during the 1994 Melwood-Westphalia master plan and sectional map amendment (Council Resolution CR-25-1994). The master plan also recommends the L-A-C (Community Center), R-M (5.8-7.9 du/ac, Residential Medium Density Development), R-S (2.7-3.5 du/ac, 1.6-2.6 DU/AC, Residential Suburban Development), and R-L (0.5-1.5 du/ac, Residential Low Development) as the suitable comprehensive design zones for the subject property, which is a major part of a planned community identified by the master plan.
- C. **Master Plan Recommendation:**
  - 1. 2002 General Plan: This application is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. Growth policies in the Developing Tier encourage compact residential neighborhood design and limit commercial uses to the designated center.
  - 2. Master Plan: The approved master plan and adopted sectional map amendment (SMA) for Melwood and Westphalia (Planning Areas 77 and 78) (1994) recommends a planned residential community of various densities and different housing types as well as a planned activity center in the L-A-C Zone for a larger tract of land that includes the subject site.
  - 3. Westphalia CCP Study: The Westphalia Comprehensive and Conceptual Planning Study (Westphalia CCP study) calls for primarily residential use of various densities with a mixed-use retail center and a central park on the subject site that serves the entire Westphalia area.

- D. **Request:** The application is for approval of rezoning 727 acres of the subject site from the existing R-A (Residential-Agricultural) Zone to the R-M (Residential Medium 3.6-5.7) Zone with a mixed retirement development, and of rezoning 30 acres of the subject site from the existing R-A (Residential-Agricultural) Zone to the L-A-C (Local Activity Center) Zone with a residential component.

1. DEVELOPMENT DATA

The proposed basic plan reflects the following land use types and quantities:

**R-M Zone Land Use Quantities**

Total area	727 acres
Of which mixed retirement development	154.6 acres
Residential use	572.4 acres
Land in the 100-year floodplain	105 acres
Of which 100-year floodplain on the mixed retirement development site	3.2 acres
Density Permitted under the R-M (Residential Medium 3.6) Zone	
Base residential density (3.6 Dus/Ac)	1,877 units
Maximum residential density (5.7 Dus/Ac)	2,973 units
Proposed residential development	2,124 units
Number of the units above the base density	247 units
Density Permitted under the R-M (Residential Medium 3.6) Zone	
Base residential density (3.6 Dus/Ac)	551 units
Maximum mixed retirement development density (8 Dus/Ac)	1,224 units
Proposed mixed retirement development	1,224 units
Number of the units above the base density	673 units

**L-A-C Zone Land Use Quantities**

Total gross area	30 acres
Of which Theoretical commercial/retail use	10.7 acres
Theoretical residential use	19.3 acres
Density Permitted under the L-A-C (Local Activity Center) Zone	
Base residential density for community center (10 Dus/Ac)	193 units
Maximum residential density for community center (20 Dus/Ac)	386 units
Base commercial density for community center (0.2 FAR)	93,218 sq.ft.
Maximum commercial density for community center (0.68 FAR)	316,943 sq. ft.
Proposed residential development	300 units
Number of the units above the base density	107 units
Proposed commercial development	200,00 sq.ft.
Square feet of the commercial development above the base density	106,782 sq.ft.

## 2. CONCEPTUAL DESIGN FEATURES

**Site conditions:** The subject site comprises wooded area and open farmland and borders existing agricultural and residential development. Nine existing residences and approximately 20 barns and associated outbuildings are observed on the site. Unimproved driveways originating from Melwood Road and Moores Road provide access to these structures and other portions of the subject property.

The topography of the site is gently to moderately sloping with the majority of the site draining toward the east, via Cabin Branch and tributaries. Severe slopes (25 percent and greater) are found along the stream valleys and moderate slopes associated with rolling knolls are found throughout the site. Site topography estimated from Maryland Geological Survey topographic data indicates that ground surface elevations range from a high of approximate elevation 280 feet above mean sea level (MSL) near the northwest corner of the property to a low of approximately 120 feet MSL where Cabin Branch crosses the eastern property line.

**General layout:** The proposed basic plan shows two access points connecting to the existing roadways. The major access point will be off the existing Presidential Parkway connecting to the interchange of Suitland Parkway and Pennsylvania Avenue (MD 4), to the southwest corner of the site. The secondary access point to the site will be off the existing Westphalia Road to the north of the subject site and will use a small part of existing Melwood Road. The rest of the existing Melwood Road will be utilized as part of the proposed trail system. The major roadway off Presidential Parkway parallel to the Cabin Branch runs east-west and crisscrosses with a north-southbound major roadway close to the northeast corner of the subject property. Another three secondary roadways have also been proposed. The proposed roadways are superimposed on the Cabin Branch and its tributaries and divide the site into approximately two dozen land bays. The proposed local activity center (L-A-C) is located at the crossroad of the two major roadways that is near the location recommended for a community commercial center by the Westphalia Comprehensive Conceptual Planning Study. A similar center with a floating symbol on the subject property is also shown on the 1994 master plan. This community center is planned to be neighborhood-oriented and to complement other regional centers in the area. Approximately 30 acres are being planned for the community commercial center, of which one third of the L-A-C site will be developed for commercial/retail uses and the remaining two thirds of the center will be developed with medium-to-high density residential use. The basic plan envisions a “main street” with on-street parking, tree-lined streets, wide sidewalks, and cafes and shops lining the street frontage. A retail “gateway” on the realigned master plan roadway C-631 will welcome residents and visitors alike into the center and public space with amenities that are facing the proposed east-west major roadways.

The remainder (727 acres) of the subject site will be developed as market-rate residential use, including single-family detached, single-family attached, multifamily dwelling units, and other recreational uses. A centrally located park has been proposed between Cabin Branch and the proposed major east-westbound roadway. A mixed retirement community occupying the major land bays in the northern part of the site also has been shown to the west of the proposed commercial center and north of the east-westbound major roadway.

The mixed retirement development will contain single-family detached, single-family attached, multifamily dwelling units, recreation center, and other recreational and accessory uses. Additional recreational sites have been shown on two separate locations: one is around the existing Smith residence and the other is located around the northern boundary adjacent to the south of the existing Shella Alexander property. The total area of the three recreational sites is approximately 42 acres.

An elementary school site (approximately 13 acres) has been proposed off-site within the existing German Orphan Home property immediately to the southeast of the site.

**E. Neighborhood and Surrounding Uses:**

The site is surrounded by the following uses:

**North** Existing subdivisions and undeveloped land in the R-R, R-A, C-M, C-O and R-T Zones

**East** Undeveloped land in the R-R and R-A Zones.

**South** Existing development such as the German Orphan Home, existing single-family detached houses and undeveloped land in the R-A Zone.

**West** Existing development (Mirant Center) in the I-1 Zone, existing residences in the R-R and R-A Zones, and undeveloped land in the I-1 and M-X-T Zones.

The neighborhood is defined by the following boundaries:

**North and East** Ritchie Marlboro Road

**South** Pennsylvania Avenue (MD 4)

**West** Capital Beltway (I-95)

The larger neighborhood within which the subject site is located contains approximately 6,000 acres of land. The Approved General Plan (2002) classifies the entire neighborhood into the Developing Tier and further designates a community center on the site of the existing Presidential Corporate Center, which is immediately adjacent to the subject site, and designates Pennsylvania Avenue (MD 4) further to the south of the subject site as a corridor. The approved master plan and adopted sectional map amendment (SMA) for Melwood and Westphalia (Planning Areas 77 and 78) (1994) identifies a planned residential community use for a larger property including the subject site and a planned activity center at the intersection of Presidential Parkway (A-66) and Dower House Road extension (A-52), which is in the southwest corner of the subject site. The master plan also designates a mixed-use zone outside of the subject site, but adjacent to the planned activity center. In addition, the master plan identifies the following public facilities and amenities on the subject site: two local parks, one library, one elementary school, and one police satellite office.

A planning study known as the Westphalia Comprehensive Conceptual Planning (CCP) Study for the 6,000 acres of the Westphalia area is currently underway. The purposes of the Westphalia

CCP study are to implement the 2002 Approved General Plan and the approved master plan and adopted sectional map amendment (SMA) for Melwood and Westphalia (Planning Areas 77 and 78) (1994), to establish a more detailed plan for both public and private development in the Westphalia area, and to ensure coordinated development of the area in the long run. The Westphalia CCP study also addresses new opportunities that have arisen in the past 11 years since the 1994 Melwood-Westphalia master plan. At the time the staff report was written, five well-attended community meetings had been held that resulted in a preferred plan for the Westphalia area. The preferred plan calls for a high density, mixed-use urban core area near the location of the community center identified by the 2002 Approved General Plan. A portion of the subject site south of Cabin Branch is also located in the fringe mixed-use area as recommended by the Westphalia CCP study. The preferred plan also shows a central park that serves the entire area and a community-oriented, mixed-use center on the subject site.

#### COMPLIANCE WITH EVALUATION CRITERIA

F. **Zoning Requirements:** The zoning map amendment application is subject to Part 3, Subdivision 3, Comprehensive Design Zone, and Part 8, Comprehensive Design Zones, of the Zoning Ordinance. Specifically the application has been reviewed for compliance with the following regulations:

1. Section 27-195 (b), Criteria For Approval

(1) **Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:**

(A) **The proposed Basic Plan shall either conform to:**

- (i) **The specific recommendation of a General Plan map, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties; or**
- (ii) **The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses.**

Applicant's Position: The applicant provides the following statement to demonstrate the application's compliance with the above approval criteria:

"The proposed Smith Home Farms will be a mixed-use community comprised of single-family detached units, townhouses, a mixed retirement development and a

commercial/retail activity center. The mixed-use community is proposed to be developed under two comprehensive design zones, the L-A-C and R-M (Residential Medium 3.6), which are recommended in the approved master plan and adopted sectional map amendment (SMA) for Melwood and Westphalia (Planning Areas 77 and 78) (1994). The R-M Zone will also contain a mixed retirement community component. This project will provide Prince George's County with an upscale multi-generational community with substantial public and private amenities to serve Smith Home Farms. The provision of the elementary school site (provided off-site), master-planned roads, and public parks will also serve the surrounding communities such as Little Washington and Westphalia.

"The proposed high quality development will enhance the area by maintaining the recommendations from master plan in this area by including a variety of densities and designs, by providing compact residential development and building a quality, environmental [*sic*] sensitive development to ensure the stability of the surrounding neighborhoods. The applicant is also ensuring the accommodation of various age and income groups in the development.

"The Smith Home Farms proposes a development which is in conformance with the recommendations of the Melwood-Westphalia approved Master Plan and Sectional Map Amendment. The surrounding communities will have full use of many of the amenities that will be available at Smith Home Farms. Roads will be built to ensure access to the L-A-C/retail portion of the planned community. The applicant assures that the Roblee and South Westphalia neighborhoods will have unlimited use of many of Smith Home Farms private and public amenities, such as all age related recreation areas and the proposed elementary school.

"The Smith Home Farms development will not cause an unreasonable burden on available public facilities. The applicant proposes to construct additional public facilities in the area which will not only enhance the livability of our community, but the surrounding communities through the provision of public roads and an elementary school site as well as a substantial park system with open space and active recreation. It is the applicant's desire to work with the surrounding developers to maintain an equitable sharing of the public facilities being provided by the State, County and various developers."

The applicant further argues that the proposed development will fulfill the vision of the Approved General Plan for the Developing Tier by maintaining a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable.

"The applicant proposes a mix of residential and nonresidential development for Smith Home Farms. The focal point of the Smith Home Farms community will be a retail area consisting of shopping, restaurants, residential and other retail uses, with the surrounded area comprised of multifamily residential and an active adult community. The various areas of the community will be connected by way of an extensive system of pedestrian trails located throughout the entire property; this will make the centralized retail area accessible to the rest of the community through various means of travel.

“The Smith Home Farms will consist of a mix of residential and retail uses with a strong emphasis on transit-oriented development. Bus service will be available to all residents and citizens who wish to patronize the retail portion of the property, as well as the recreation areas. Trails strategically placed throughout the development will allow for more walking and biking.

“Easy access to the community will, as well as access from the community to major roads, ensure a transit-serviceable development.

“The proposed development will provide a mix of residential, retail and entertainment uses in close proximity to each other; this will tend to more effectively promote various means of transportation, biking and walking and therefore reduce reliance on the automobile. The retail and entertainment uses proposed will be centrally located within the development and include multifamily residential. In most cases, retail and entertainment facilities will be located at ground level; where possible the development will use existing topography to provide accessibility at various entrance levels.

“Because of the mixed use nature of the proposed development, the peak hour traffic demands will be balanced. The residential uses will provide the major portion of peak-hour traffic. Retail, recreation and institutional uses will be the bulk of nonpeak hour traffic. The proposed uses will be complimentary and thus reduce the number of vehicle trips. Retail uses selling large items or high volumes are not currently envisioned for the subject property.

“Smith Home Farms is not considered in the General Plan or in the Master Plan as the location for a Metropolitan or a Regional Center; a regional center [*Sic*] (it should be a Community Center) is indicated in the general vicinity of the subject property. The applicant is proposing exactly what is expected and recommended in the General Plan and in the Master Plan as part of the proposed Community Center areas of Prince George’s County. All amenities located on the development will serve the new proposed community, as well as the existing neighboring communities. The main core area at Smith Home Farms will be the Local Activity Center within which will be located the retail/restaurant component of the proposed development. The applicant proposes a mix of uses which are appropriate for the Melwood-Westphalia Area.

“A Central Park concept will help preserve and enhance the natural features of Smith Home Farms and incorporate them into the functions of the built environment. The streams present within the subject property will be protected and enhanced through various means of Stormwater management and run-off controls as well as reforestation of stream valley buffers and slope stabilization. It is the intent of this project to create at least two Stormwater Management wet ponds in the more ‘degraded’ tributaries to Cabin Branch to enhance the quality of the environment.”

Since the subject site is located in the Developing Tier, the applicant has provided the following statements to specifically address four policies for the Developing Tier:

“The applicant proposes different house types and product throughout the community

encouraging different age group to live work and play in one community with substantial amenities. Trails and sidewalks will be constructed to ensure pedestrian oriented development which will allow access by all methods to the centrally focused retail area, as well as all residential areas throughout the community.

“The applicant will work with Prince George’s County to help preserve and enhance the existing environmental features which will add to the attractiveness of the community. Smith Home Farms will also set aside land as open/green space in the community with both passive and active features.

“The applicant propose to build many roads throughout the community for use by surrounding area communities. The roads will be privately funded by the applicant. Most importantly, the link to MD (*Route 4*) at Presidential Parkway is now programmed for full construction by the State.

“As stated above, the applicant will be dedicating land on an adjacent parcel for a school for use by all communities in the area. The applicant will bear full responsibility of funding for the public and private amenities in the proposed development, including the acquisition of the school site.”

**Staff Comment:** The staff agrees with the applicant’s position. The proposed basic plan is in general compliance with the 2002 Approved General Plan, the approved master plan and adopted sectional map amendment (SMA) for Melwood and Westphalia (Planning Areas 77 and 78) (1994), and recommendations of the preferred option of the Westphalia CCP study in terms of land use pattern, location, density and intensity of the development. The basic plan shows that the applicant has made a great effort to minimize the environmental impact by limiting stream crossings to the extent possible and making full use of the existing crossings. A significant amount of open space and wooded area adjacent to the stream valley associated with Cabin Branch waterway has been preserved along the site boundary areas to further mitigate the impact on the surrounding properties. The basic plan text is also consistent with the 2002 Approved General Plan in cost sharing regarding the provision of facilities and amenities, which will be primarily provided by the private developers in order to serve the proposed development. However, the basic plan only shows graphically approximately 42 acres of recreational green space. Other facilities and amenities identified in the approved master plan and adopted sectional map amendment (SMA) for Melwood and Westphalia (Planning Areas 77 and 78) (1994) and the preferred option of the Westphalia CCP study discussed in this report will be required to be provided on the basic plan as conditions of approval. The specific amount and scale of the required facilities and amenities will be further evaluated at time of comprehensive design plan review when density increment factors are analyzed.

## 2002 GENERAL PLAN

As noted above, this application is located in the Developing Tier of the 2002 General Plan. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. Growth policies in the



Developing Tier encourage compact residential neighborhood design, limit commercial uses to the designated center, preserve and enhance environmental features and green infrastructure elements, provide as many multimodal transportation options as possible, and plan and provide public facilities to support the planned development pattern. The General Plan also designates a center and a corridor to the south of the subject site; but none of them is located on the site.

The basic plan proposes to rezone the existing R-A Zone to the R-M Zone (3.6 dus/ac-5.7 dus/ac) with a mixed retirement development component (8 dus/ac) for a variety of housing types and to the L-A-C Zone, which is envisioned as a mixed-use development of commercial/retail and 300 residential units. The proposed residential development and density are in compliance with the Developing Tier requirements. The plan also preserves a significant amount of green open space along stream valleys and is generally consistent with the General Plan. As discussed previously, the basic plan text indicates that the developer will provide the required facilities and amenities to support the development and at the same time serve the surrounding communities. But the needed facilities and most of the amenities have not been shown graphically on the basic plan.

#### THE APPROVED MASTER PLAN AND ADOPTED SECTIONAL MAP AMENDMENT (SMA) FOR MELWOOD AND WESTPHALIA (PLANNING AREAS 77 AND 78) (1994)

The approved area master plan retained the subject property and most of the adjacent properties in the R-A Zone. But the master plan also designated the subject along with the adjacent properties as a planned residential community. The master plan further recommended the following comprehensive design zones—L-A-C, R-M, R-S (two density ranges) and R-L—as the suitable zones for the development of the planned residential community, including the subject site. The residential densities recommended range from the minimum 0.5 dwelling unit per acre to the maximum 7.9 dwelling units per acre. The basic plan proposes the R-M Zone for the subject property and requests a density range of 3.6-5.7 dwelling units per acre, which fits into the upper level of the density range recommended by the master plan. The housing types proposed include single-family detached, single-family attached, and multifamily units as well as a mixed retirement residential community with associated facilities. The L-A-C portion included in this application conforms to the master plan vision for a planned activity center. The new local activity center will be a mixed-use main street style commercial/ retail center, which is complementary to the existing and planned regional retail centers. As discussed and illustrated above, the master plan also identified several public facilities and amenities on the subject site which have not yet been shown graphically on the basic plan.

#### WESTPHALIA COMPREHENSIVE CONCEPTUAL PLANNING (CCP) STUDY

The Westphalia CCP study is still underway and no final plan has been approved. However, the preferred plan has gone through an extensive consensus-building process which includes five well-attended community meetings/charrettes, a comprehensive visual preference survey, and a community survey. The Westphalia CCP study calls for a central park with facilities as well as a middle and an elementary school on the subject

site. In addition, the Westphalia CCP study has defined specific facility and amenity responsibilities for the subject site as follows:

### **Parks, Recreation and Trails**

By the current formula of the Department of Parks and Recreation, more than 40 percent of the subject site's 757± acres will be required to be used as parks in order to meet the dedication requirements. The Westphalia CCP study recommends a combination of land dedication and facility improvements for the subject application including:

1. Contribute proportionally to a Westphalia park and recreation “club” to help with the provision of public park and recreation services in the Westphalia area.
2. Cabin Branch Greenway with regional multiuse trails: Design the 180± acres of Patuxent River Primary Management Area Preservation Area (PMA) on site as a highly visible greenway. Coordinate its design with abutting developments.
3. Westphalia Gateway: Provide a gateway feature along Suitland Parkway that serves as a dramatic terminus to the Suitland Parkway and as a front door to the Cabin Branch Greenway.
4. Westphalia Central Park: In the area between the core area and the local activity center at the cross roads of the two major roadways, develop a park or green open space with a publicly accessible recreation/aquatics center complex, a lake or other water feature serving as a shared stormwater management facility.
5. Westphalia Estate Park: Provide an expansion and enhancement of the existing public park next to Westphalia Estates.
6. Melwood Road Greenway: Create a north-south hiker-biker trail from one end of the site to the other pursuant to the 1991 Melwood-Westphalia master plan and Westphalia CCP study.
7. Suitland Parkway Trail: Create a public hiker-biker trail system along the Westphalia central park and collectors that link to Presidential Corporate Center in the south, to the existing Westphalia Road and to the future park on the rubble fill site in the north.

### **Schools**

1. Contribute proportionally to a Westphalia school “club” to help with the provision of elementary and middle school education services in the Westphalia area.
2. Dedicate a site for a new middle school, possibly in combination with a

public park site.

3. Preserve German Orphans School function or provide a new elementary site on the subject property.

### **Roads**

1. Contribute proportionally to a Westphalia road club to help with the provision of a road network to serve the entire Westphalia area.
2. Extend Suitland Parkway through the site to Woodside Village and design the roadway with a parkway character.
3. Improve the existing Westphalia Road from the entrance off of Westphalia Road to the subject site westward to its connection to Pennsylvania Avenue (MD 4).
4. Extend D'Arcy Road to the urban core and realign the Melwood Road, D'Arcy Road and Westphalia Road intersection.
5. Provide the north-south connection as shown on the basic plan from the northern property through the local activity center and to the core area.

The specific contribution to the improvement listed above will be determined at the time of comprehensive design plan review.

The basic plan proposes a general layout that is consistent with the preferred option of the Westphalia CCP study, but none of the above-identified responsibilities has been fully addressed either in the basic plan or in the zoning map amendment text. Furthermore, the proposed recreational open spaces shown on the basic plan at three different locations are not consistent with the central park concept of providing park and recreation services as formulated in the preferred option of the Westphalia CCP study. Except for the centrally located recreation site, the other two open spaces are too small and not connected with other open spaces and stream valleys on the site. The recreational use delineated around Blythewood (formerly known as Smith residence), which is a historic resource (#78-013) in the *Historic Sites and Districts Plan*, 1981 and 1992, is too small for an environmental setting for Blythewood. The Historic Preservation and Public Facilities Planning Section recommends (Carlson-Jameson to Zhang, August 24, 2005) an environmental setting of approximately 33 acres for this historic site.

### **(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan.**

APPLICANT'S POSITION: The applicant has provided a demand analysis for the proposed local activity center, which is a mixed-use community center consisting of retail/commercial uses and 300 residential dwelling units. The overview and conclusions of the demand analysis are as follows:

“Based on a detailed statistical demand analysis, and taking into account the existing and likely future level of competing retail supply, we have concluded that there will be sufficient demand created by Smith Home Farm and the immediately surrounding new communities to support a 140,000 square foot grocery anchored retail center at this location. This demand methodology, outlined in detail below, assumes only limited support from the existing households in the surrounding area, and makes no assumption relative to non-local traffic, and still shows ample support for a shopping center in this location. In fact, based on the lack of resident-supporting retail in the surrounding area, we would suggest that including such a center may be critical to the success of the residential component of the development program.”

**Staff Comment:** The applicant has requested in the revised basic plan to develop 200,000 square feet of commercial/retail space in the proposed local activity center, which is 60,000 square feet more than the total square footage in both the retail demand analysis and traffic study. The proposed 200,000 square feet of commercial/retail will be located on a 10.7-acre site within the proposed 30-acre local activity center along with 300 residential units. The size of 200,000 square feet is in proportion to the project so as not to compete with neighboring establishments while providing the services to Smith Home Farms residents. The community shopping center of this size will facilitate more neighborhood-oriented shopping and ensure the success of surrounding retail users as well. However, since both the retail demand analysis and traffic study support only 140,000 square feet, further studies need to be provided in order to justify any increment above 140,000 square feet. The commercial/retail size should not be more than 200,000 square feet for this local activity center.

- (C) **Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which 100 percent of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plan, or urban renewal plans.**

**APPLICANT’S POSITION:** Pursuant to the traffic study provided by the applicant, the Smith Home Farms is not making a direct connection to the Dower House Road interchange. The traffic from Smith Home Farms will utilize the Woodyard Road interchange and Westphalia Road interchange to proceed west to inside the Beltway to Washington D.C. or to reach I-95. The applicant will construct the Westphalia Road interchange and rely on the State Highway Administration to construct the Presidential Parkway interchange.

**Staff Comment:** In a rezoning application, a comparison is generally made between the trip-generating potential of the subject property, based on the highest and best use of its current zoning category, versus the highest and best use permitted in the zoning category

being sought. Section 27-515 of the County Code of Prince George's County lists a wide array of permitted uses within the R-M and L-A-C Zones. The proposed uses and intensity are consistent with the 2002 Approved General Plan. In fact, the Westphalia CCP study increases the density in the 1994 Melwood-Westphalia master plan by approximately two times. A preliminary comprehensive traffic study and modeling undertaken during the Westphalia CCP study indicate that the proposed major road network as shown on the preferred option will be able to support the proposed density and land use pattern. The proposed use, density and road network shown on the basic plan are in conformance with the preferred option of the Westphalia CCP study. The developer will provide all the needed road improvements in this application as the development proceeds.

- (D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries and fire stations) will be adequate for the uses proposed.**

**APPLICANT'S POSITION:** The applicant proposes many public facilities for use by the Smith Home Farms which will in turn benefit the surrounding communities. The applicant has proposed approximately 13 acres of land located on the German Orphan Home property to be provided for a school for use by all the aforesaid communities as well as the Smith Home Farms. Public and private roads will be developed in fulfillment of the Melwood-Westphalia master plan to connect Smith Home Farms to the surrounding communities and to major roads such as Pennsylvania Avenue, Woodyard Road, and the like. Examples of other public and private facilities proposed by the applicant include, but are not limited to, parks (similar to a central park theme), a clubhouse, library, and a municipal center. In addition, many recreation areas for varying age groups will be placed through the community.

**Staff Comment:** The submitted text for this rezoning application is not consistent with the basic plan in regard to provision of public facilities such as a fire station, library, etc. The only public facility and amenity shown graphically on the basic plan are the park sites on three separate locations. Several conditions of approval have been proposed to address facility and amenity issues in the conclusion section of this report.

The strategies for Policy 4, "Plan and provide public facilities to support the planned development pattern," in the Developing Tier of the Approved General Plan call for innovative financing methods primarily from the private developers to fund the infrastructure improvements needed to support any development. The proposed development in this application is a noncontiguous development in the middle of the planned residential community identified in the Melwood-Westphalia master plan (1994). The relevant strategies in the Approved General Plan (2002) for Policy 4 regarding infrastructure improvements are as follows:

- I. Require the private sector to fund a greater portion of the infrastructure needed to serve new development in the Developing Tier, such as through**

**developer agreements or special taxing district.**

- IV. Place a medium priority on public sector provision of capital improvements within Priority Funding Areas in the Developing Tier. For other portions of the Developing Tier, place a low priority on public sector provision of capital improvements.**
- VI. Require developers to bear full responsibility of the costs of on-site and off-site public facilities if noncontiguous development is authorized.**
- VII. Establish programs and criteria for rebate or payback programs and/or special infrastructure assessment districts that ensure high quality contiguous development when developers expand public infrastructure capacity.**

The approved master plan and adopted sectional map amendment (SMA) for Melwood and Westphalia (Planning Areas 77 and 78) (1994) has identified two local parks, one library, one elementary school, and one police satellite office on the subject site.

The Westphalia CCP study also has many facilities and amenities as discussed above. (See Westphalia Comprehensive Conceptual Planning Study.)

Other public facilities such as park, public school, police, library, and fire and rescue are generally considered to be adequate for the uses proposed because they are proposed as part of the private development as indicated in the referral replies below:

### **Parks and Recreation**

The applicant has proffered to dedicate land for a centrally located park and construct recreational facilities for the park to serve the Westphalia area.

The 2002 Approved General Plan establishes the following objectives related to the public parkland in the Developing Tier: a minimum of 15 acres of local parkland should be provided per 1,000 population or equivalent amenity in terms of parks and recreation service and 20 acres of regional, countywide and special parkland per 1,000 population. By applying the General Plan standards, it would need 153 acres of local and 204 acres of regional public parkland suitable for active recreation in order to serve the proposed development. The 1994 Melwood-Westphalia master plan has shown two 50-acre floating park symbols on the subject property. The master plan, however, envisions a lower density suburban development for the subject site. The preferred option of Westphalia CCP study has looked into the opportunities for the Westphalia area since 1994 and updated the vision for the area through five community meetings. The new vision for the Westphalia area calls for a centrally located park with a minimum 75 acres of developable land and various recreational facilities. The Department of Parks and Recreation (DPR) recommends (Asan to Zhang, August 16, 2005) a dedication of 100± acres of developable land for active recreation in addition to the dedication of the Cabin Branch Stream Valley pursuant to the 1994 Melwood-Westphalia master plan, as shown on the staff exhibit A, and four other conditions. After negotiating with the applicant,

DPR recommends (Asan to Zhang, September 28, 2005) 75 acres of developable land be dedicated to be used as a central park. An additional 25 acres of developable parkland may be required at time of comprehensive design plan. The acreage may be provided on-site or off-site, and shall conform to the final Westphalia Comprehensive Conceptual Plan.

#### **Fire and Rescue**

“The existing first due fire engine service is Company 23, located at 8321 Old Marlboro Pike. The Melwood-Westphalia plan approved March 1994 recommends the relocation of Forestville, Company 23, to the easternmost intersection of Presidential Parkway and Melwood Road. The Historic Preservation and Public Facilities Planning (HPPF) Section met with a representative of the Fire/EMS Department to review the applicant’s proposal to construct a new fire station on an adjacent property. The Fire/EMS Department and the HPPF section endorse and support the concept of a new station. This application should include a condition that a new fire station will be constructed. The final location of the station will be determined at the comprehensive design plan stage of the development proposal.”

#### **Public Schools**

“The applicant proposes an off-site school site at the German Orphan Home School site south of the property. The HPPF section supports the provision of an elementary school site. The planning efforts that have been undertaken for this property indicate a need for an additional middle school in the area. This need is not being addressed at this time. We recommend that a middle school site be dedicated along with the elementary school as part of this application.”

#### **Police and Library Facilities**

“The subject master plan denotes a police and a library facility in the general area. The comprehensive development plan displays it south of the subject property. If the applicant is proffering to provide these facilities, then it should be made part of this development proposal. The exact location and timing of these facilities can be determined during the comprehensive design plan or subdivision process of this project. The provision of these facilities is needed to make the required finding that the appropriate facilities are provided for in the Capital Improvement Program or part of the private development.”

#### **Water and Sewer**

The Washington Suburban Sanitary Commission (WSSC) has reviewed the proposed zoning map amendment application and indicated that rezoning the subject property will have little impact on the sewer system, but will impact on the water system.

#### **“WATER INFORMATION**

“A number of water mains abut this property. Nevertheless, a CIP-sized extension connecting to the 30-inch diameter main in Pennsylvania Avenue will be required.

“Local service is likely to be deficient. Additional water storage capacity may be required.

“Program-sized water main extensions (16 inches in diameter or greater) are required to serve the property.

“Rezoning this property will impact the water system. Fire flow requirements will increase. Additional storage may be required.”

“SEWER INFORMATION

“Program-sized sewer mains are not required to serve the property.

“Interceptor capacity is adequate.

“Treatment capacity is adequate.

“Rezoning this property would have little impact on the sewer system.”

- (E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety and welfare of the present and future inhabitants of the Regional District.**

**APPLICANT’S POSITION:** The applicant proposes to create a “central park” environment that helps to further the goals of the Countywide Green Infrastructure Plan and the General Plan by preserving and enhancing many of the natural features existing within the subject property. The road network has been designed to reduce stream crossings. The proposed development will meet the requirements of environmental regulations such as Woodland Conservation Ordinance. A natural resources inventory has been conducted and filed with this application, which better identifies environmental features that may be affected by the proposed development and thus help to plan for inclusion of those features in the planning of the Smith Home Farms community.

**Staff Comment:** The subject site features a rolling topography and is composed of open farm land, wooded area, and stream valley. The adjacent properties are primarily in the low-density residential zoning categories. Since the site is in the Developing Tier, the low- to moderate-density suburban residential development pattern with distinct commercial centers has been envisioned for the site. The preferred option of the Westphalia CCP study envisions a high density to the south of the subject site. Given its transition location between high-density urban core area and the rest of the lower-density residential zone, a medium density as proposed in the rezoning application for the subject site is a reasonable way of development. In addition, a significant part of Cabin Branch and its tributaries are all over the site. Most of these environmental features are located around the site’s boundary areas that provide a natural buffer and transition from the subject site to the adjacent lower-density properties. The proposed rezoning application



shows a compatible environmental relationship between the proposed general land use types and the surrounding land uses.

### **Archeological Resources and Architectural Historic Assessment**

The applicant has submitted a Phase I Archeological Survey and Architectural History Assessment report with this rezoning application. The report concludes that none of the archeological resources are recommended as eligible for listing on the National Register of Historic Places (NRHP) and no further work is recommended. The Historic Preservation and Public Facilities Planning Section in a memorandum dated August 24, 2005, noted that:

“In order to comply with Section 106 review and the Planning Board directive concerning archeological investigation, the applicant has conducted a Phase I archeological investigation to determine whether or not the property contains important evidence of Native American and African-American habitation and burials. The analyses of the archeological investigation will be forthcoming from Don Creveling, Natural and Historical Resources Division. The cemetery has three graves of Smith family members and is located to the south of the residence.”

The comments from the Natural and Historical Resources Division, Department of Parks and Recreation, will be presented at the time of the public hearing for this rezoning application.

As far as the historic architecture is concerned, the report states that:

“The Moore Farm was determined to be ineligible for listing on the NRHP. Because the Blythewood property has been determined to be eligible for listing on NRHP, further consultation with the Maryland Historical Trust (MHT) and Prince George’s County may be required to determine the effects of the proposed development on the historic property. Depending on MHT and county requirements, additional studies of the other historic structures within the project area and 0.5-mile radius may be necessary.”

The Historic Preservation and Public Facilities Planning Section provides the following comments on the aforementioned historic buildings:

“The property includes Blythewood, Historic Resource #78-013, and a newly documented property, Moore Farm MHT Inventory #78-035. Blythewood has been listed as a historic resource in the *Historic Sites and Districts Plan* 1981 and 1992.

“The application does not mention nor address any of the goals/objectives of the Historic Preservation section of the Prince George’s County General Plan (2002). The goal of the Historic Preservation section of the General Plan is to “Identify and evaluate all historic resources for designation as historic sites or as contributing to historic districts.” Historic buildings can provide an architectural and cultural context as well as a sense of place to new developments. The General Plan policies state that historic sites are integrated into the county’s development pattern, are protected through measures such as appropriate environmental settings to retain their character, and that stewardship and adaptive use are

encouraged so that Prince George's heritage is evident to all residents.

"Subtitle 29-118(a)(2) requires that the Historic Preservation Commission conduct a public hearing to make findings and determine whether any unclassified historic resource should be classified as a historic site or property within a historic district when any zoning map amendment is referred to the Commission. Blythewood and Moore Farm will be evaluated against a specific set of criteria to determine their historical and architectural significance. It is staff's recommendation that Blythewood meets criteria to be designated as a historic site, but that the Moore Farm complex does not."

"The HPC will review this basic plan at its September 20, 2005, meeting to determine the historic status of Blythewood and Moore Farm. If the HPC determines that Blythewood and/or Moore Farm meet the criteria and designate either or both properties as a historic site, an environmental setting will also be delineated at that time."

The Historic Preservation and Public Facilities Planning Section recommended approval of this rezoning application with five conditions. Four conditions of approval have been included in this report.

### **Surrounding Development**

The issue of compatibility with the built environment and with the surrounding approved development in the area is also relevant to the eventual determination of the most appropriate densities, housing type, locations, and zoning. The surrounding properties, which are primarily in the R-A and the R-R Zones, have a density that varies from 0.5 dwelling unit per net acre in the R-A Zone to two to three dwelling units per net acre in the R-R Zone. There are other zoning designations such as I-1, C-O, and M-X-T Zones for the four properties adjacent to the subject site. According to the preferred plan of the Westphalia CCP study, the subject site is located in the fringe area, as a transition between the existing R-A- and R-R-zoned properties and the high density core area. The zoning map amendment application requests to rezone the subject property from the existing R-A Zone to comprehensive design zone R-M (Medium Density 3.6) with a mixed retirement component and a mixed-use local activity center. The base density for the R-M Zone is 3.6 dwelling units per acre and the maximum density can be up to 5.7 dwelling units per acre. Given the transitional location of the subject site and the density range of the adjacent development, which is between 0.5 to 3 dwelling units per acre, the staff believes that the requested zoning designation and base density are appropriate to the subject site. The development on the subject site with a base density of 3.6 dwelling units per acre will be compatible with the character of the existing development. Because comprehensive design zones are intended to create a superior environment through the use of public benefit features, the developer must provide public benefit features in order to achieve any density increment above 3.6 dwelling units per acre, but not more than 5.7 units per acre. In addition, the proposed mixed retirement development, which is a use that cannot be normally obtained (e.g., in the R-A Zone by special exception) in the existing conventional zone, is more than one-third of the total proposed dwelling units. The base density for the mixed retirement development is also 3.6 dwelling units per acre, but the maximum density allowed can be up to eight dwelling units per acre. The developer will have a great incentive to provide public benefit features if the development

is approved in the R-M Zone (Medium Density 3.6) with the base density of 3.6 dwelling units per acre.

Andrews Air Force Base (AFB) is located across Pennsylvania Avenue to the south of the Westphalia CCP study area. Even though the subject site is physically far away from Andrews AFB, most of the site is within the Air Installations Compatible Use Zones (AICUZ) of Andrews AFB. The analysis of the aircraft noise contour indicates that most of the site is within the 65 dBA Ldn contour line, and a small portion of this site in the northwest is located within the 70 dBA Ldn contour line. Pursuant to a memorandum from Andrews AFB (Carson to Zhang, August 10, 2005), residential development in this area is generally discouraged. If residential development occurs, noise level reduction construction methods should be incorporated into building designs. As discussed previously, the proposed land use pattern, density and intensity, as well as the location of the development, are consistent with the preferred option of the Westphalia CCP study, 2002 approved General Plan, and 1994 Melwood-Westphalia master plan. The staff agrees with the suggestion of Andrews AFB and recommends that the aircraft noise issue be reviewed at time of specific design plan when architectural review takes place.

- (2) **Notwithstanding subparagraphs (C) and (D) above, where the application anticipates a construction schedule of more than six years (Section 27-179), public facilities (existing or scheduled for construction within the first six years) will be adequate to serve the development proposed to occur within the first six years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.**

**APPLICANT'S POSITION:** The applicant has submitted a traffic study that identifies the major transportation improvements that are needed to support the proposed development. Per the study, the applicant will fund all improvements except for the interchange of Presidential Parkway and Suitland Parkway. The applicant has suggested utilizing a "road club" funding mechanism so that each developer and development will be apportioned in an equitable fashion. As far as other public facilities are concerned, the applicant has also provided a central park site and an off-site school site as the public facility package for this development.

**Staff Comment:** As discussed previously, the 2002 Approved General Plan defined a clear policy for the provision of facilities and amenities needed to support developments in the Developing Tier, which requires the private sector to fund a greater portion of the infrastructure through developer agreements or special taxing districts, or other innovative funding methods. The applicant agrees to provide all improvements in order to proceed with this development. Given that the needed infrastructure such as schools, recreation areas, water and sewage system, libraries, and fire stations will be constructed with each stage of the development, the Historic Preservation and Public Facilities

Planning Section (Harrell to Zhang, August 16, 2005) has found that the existing and planned facilities and amenities will be adequate for the uses proposed.

- (3) **In the case of an L-A-C Zone, the application shall demonstrate to the satisfaction of the District Council that any commercial development proposed to serve a specific community, village, or neighborhood is either:**
- (A) **Consistent with the General Plan, an Area Master Plan, or a public urban renewal plan; or**
  - (B) **No larger than needed to serve existing and proposed residential development within the community, village, or neighborhood.**

APPLICANT'S POSITION: Smith Home Farms consists of 757 acres, of which only 10.7 acres are proposed for retail/commercial uses. The rest of the property will be used for residential, open space, and environmental enhancement and preservation. The size of the retail component is in proportion to the project.

**Staff Comment:** As discussed previously, the revised basic plan is not consistent with the zoning map amendment application documents such as the traffic study and retail market analysis regarding the proposed square footage of the proposed L-A-C center. The maximum size of the proposed commercial/retail center needed to serve the proposed development has been found to be not larger than 200,000 square feet. Given that both the traffic study and retail market analysis submitted only support 140,000 square feet, any increase should be justified by the new studies. A condition of approval has been proposed to this effect.

2. SECTION 27-494, PURPOSES, OF THE L-A-C ZONE

Section 27-494 provides the following purposes for the L-A-C Zones:

- (1) **Establish (in the public interest) a plan implementation zone, in which (among other things):**
  - (A) **Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**
  - (B) **The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, or public urban renewal plan;**
- (2) **Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, and public urban renewal plans) can serve as the criteria for judging individual development proposals;**
- (3) **Assure the compatibility of proposed land uses with existing and**

**proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**

**(4) Encourage and stimulate balanced land development;**

**(5) Group uses serving public, quasi-public, and commercial needs together for convenience of the populations they serve; and**

**(6) Encourage dwellings integrated with activity centers in a manner which retains the amenities of the residential environment and provides the convenience of proximity to an activity center.**

APPLICANT'S POSITION: Smith Home Farms meets the purposes of the L-A-C Zone by implementing the recommendation of the master plan, not only by locating a local activity center, as indicated for the general location, but also by providing public benefit features such as a school site and community recreational facilities. Smith Home Farms also proposes balanced land development, providing a mix of residential, commercial and institutional uses, ensuring by its design the project's compatibility within the proposed development with existing and projected developments for the neighboring properties. The recreational facilities being proposed are well integrated with the commercial aspects of the development as well as the residential development.

**Staff Comment:** Staff finds that the proposed development of the subject property in the L-A-C Zone will satisfy these purposes. As noted above, the provision of public benefit features is a major reason for the creation of these zones; and with the development of the portion of the subject site in the L-A-C Zone with a main street style mixed-use environment, the applicant has greater incentives to provide the public benefit features needed to create a superior development. The location of the L-A-C Zone conforms to the recommendations of the 1994 master plan and the density proposed is consistent with the land use intensity envisioned in the Westphalia CCP study and is in general conformance with the 2002 Approved General Plan. Moreover, 300 residential dwelling units are also proposed to be a component of this activity center. The design in the future phases will encourage dwellings integrated with activity centers so as to maintain the amenities of the residential environment and at the same time to provide the convenience of proximity to an activity center.

### 3. SECTION 27-507, PURPOSES OF THE R-M ZONE

Section 27-507 provides the following purposes for the R-M Zones:

**(1) Establish (in the public interest) a plan implementation zone, in which (among other things):**

**(A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**

**(B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, or public urban renewal plan;**

**(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, and public urban renewal plans) can serve as the criteria for judging individual development proposals;**

**(3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**

**(4) Encourage amenities and public facilities to be provided in conjunction with residential development;**

**(5) Encourage and stimulate balanced land development; and**

**(6) Improve the overall quality and variety of residential environments in the Regional District.**

APPLICANT'S POSITION: The applicant through this request for rezoning is striving to meet the intent and the recommendations of the Melwood-Westphalia master plan; proposing residential densities in line with the recommendations of the master plan, providing public benefit features and amenities, and creating a balanced mixed use development plan. The proposed development will provide a variety of residential products and improve the quality of the residential area within the Regional District.

**Staff Comment:** Staff finds that development of the subject property in the R-M Zone (3.6 –5.7 dus/ac) will satisfy these purposes. The requested R-M Zone development consists of a variety of housing types including single-family detached, single-family attached, and multifamily dwelling units and a mixed retirement component. The requested land use pattern, location, and development intensity are consistent with the preferred option of the Westphalia CCP study, 2002 Approved General Plan and the 1994 Melwood-Westphalia master plan. The applicant will provide the needed improvements such as roads, schools, parkland, etc., to support the proposed development. With the development of the L-A-C portion of the site for commercial/retail service and the provision of other facilities and amenities including transportation, parks and recreation, elementary and secondary education, fire and rescue service, police, and library service, the proposed development will be a complete community that will promote the health, safety and welfare of the present and future inhabitants of the Regional District.

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 recommends to the District Council for Prince George=s County, Maryland that the above-noted application be APPROVED , subject to the following conditions:

The Basic Plan shall be revised as follows:

1. Land use types and quantities:

- Total area: 757± acres\*
- Land in the 100-year floodplain: 105 acres
- Adjusted Gross Area (757 less half the floodplain): 704± acres

**R-M Zone Proposed Land Use Types and Quantities:**

- Total area: 727± acres\*  
Of which Residential Use: 572.4 acres  
Mixed Retirement Development: 154.6 acres
- Density Permitted under the R-M (Residential Medium 3.6) Zone: 3.6-5.7 dus/ac
- Permitted Dwelling Unit Range: 1,877 to 2,973 dwellings
- **Proposed Residential Development: 2,124 Units**
- Density Permitted under the R-M (Mixed Retirement) Zone: 3.6-8 dus/ac
- Permitted Dwelling Unit Range: 551 to 1,224 Units
- **Proposed Residential Development: 1,224 Units**

**L-A-C Zone Proposed Land Use Types and Quantities:**

- Total area: 30± acres\*  
Of which Theoretical Commercial/Retail: 10.7 acres  
Theoretical residential use: 19.3 acres
- Residential Density Permitted under the L-A-C (Local Activity Center) Zone: 10-20 dus/ac
- Permitted Dwelling Unit Range: 193 to 386 Units
- **Proposed Residential Development: 300 Units**
- Commercial Density Permitted under the L-A-C (Local Activity Center) Zone: 0.2-0.68 FAR
- Permitted Gross Floor Area Range: 93,218 to 316,943 Square Feet
- **Proposed Commercial Development: 200,000 Square Feet**
- Public Accessible Active Open Space: 75± acres
- Passive Open Space: 185± acres

\*Note: The actual acreage may vary with more detailed survey information is available in the future.

2. The recreational area east of Melwood Road shall be expanded to include the entire proposed environmental setting for Blythewood (approximately 33 acres).
3. The proposed centrally located recreational area shall be expanded eastward along the Cabin

Branch stream valley all the way to the eastern property line and shall be further expanded northward to connect to the Blythewood site and its environmental setting. The total active open space shall be no less than approximately 100 acres. A revised plan that shows the dedicated parkland shall be reviewed and approved by the Department of Parks and Recreation.

4. The basic plan and zoning map amendment documents shall be revised to be consistent with each other regarding, but not limited to, total site area, land in floodplain, number of units, and gross floor area in the L-A-C Zone.
5. A revised plan showing parkland dedication and a master plan trail shall be reviewed and approved by the Department of Parks and Recreation.

**The following conditions of approval shall be printed on the face of the basic plan prior to signature approval:**

1. At time of comprehensive design plan, the applicant shall
  - a. Submit a signed natural resources inventory (NRI). The NRI shall be used by the designers to prepare a site layout that results in no impacts on the regulated areas of the site.
  - b. Provide a geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site as part of the CDP application package.
  - c. If recommended by the appropriate agency to be on site, provide the sites for the following public facilities to be reviewed and approved by the respective agencies:
    - (1) A fire station site
    - (2) A middle school site
    - (3) A library site
    - (4) A police office complex site
  - d. Submit a timetable and plan for the ultimate re-use of the historic buildings for appropriate recreational or interpretive uses.
  - e. Document the Moore Farmhouse to HABS standards, including photo documentation and floor plans, to add to the database of late 19<sup>th</sup>/early 20<sup>th</sup>-century vernacular farmhouses. Appropriate interior and exterior architectural components shall be donated to the Newel Post.
  - f. Submit a security and maintenance plan for all structures within the Blythewood environmental setting, to be documented by semi-annual reports to the historic preservation staff, until the final plan for this area is implemented.
  - g. A protocol for surveying the locations of all rare, threatened and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources prior to acceptance of the CDP, and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any



application for preliminary plans.

- h. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley trail to adjacent residential development and recreational uses.
  - i. Preserve as much of Melwood Road as feasible for use as a pedestrian/trail corridor.
  - j. Provide standard sidewalks along internal roads. Wide sidewalks may be recommended within the community core or at the L-A-C. A detailed analysis of the internal sidewalk network will be made at the time of specific design plan.
  - k. Submit an exhibit showing those areas where seasonally high water tables, impeded drainage, poor drainage and Marlboro clay will affect development.
- 2. At the time of preliminary plan of subdivision, the applicant shall dedicate 75 acres of developable land suitable for active recreation and convey Cabin Branch Stream Valley to the M-NCPPC. The location of the dedicated parkland shall be established at the time of comprehensive design plan review and be approved by the Department of Parks and Recreation (DPR). The applicant may be required to dedicate an additional 25 acres of developable parkland, suitable for active recreation to the M-NCPPC, at the time of comprehensive design plan. The acreage may be provided on-site or off-site, and shall conform to the final Westphalia Comprehensive Conceptual Plan. The need for the additional acreage of parkland shall be determined by the DPR and the Development Review Division prior to approval of the comprehensive design plan.
- 3. The land to be conveyed to M-NCPPC shall be subject to the conditions of attached Exhibit B.
- 4. The applicant shall provide adequate private recreational facilities to meet the future subdivision requirements for the proposed development. The private recreational facilities shall be determined at time of Specific Design Plan and to be constructed in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
- 5. Prior to Specific Design Plan approval for the Local Activity Center, a market study and traffic impact study shall be submitted to justify any Gross Floor Area over 140,000 square feet, but not exceeding 200,000 square feet.
- 6. The applicant shall construct recreational facilities on the dedicated parkland. The recreational facilities package shall be reviewed and approved by the Department of Parks and Recreation and the Planning Department prior to comprehensive design plan approval.
- 7. The public recreational facilities shall be constructed in accordance with the standards outlined in the *Parks and Recreational Facilities Guidelines*. The concept plan for the development of the parks shall be shown on the comprehensive design plan.
- 8. At the time of the first specific design plan, the applicant shall

- a. Provide a comprehensive trail and sidewalk map for the entire site.
  - b. Provide noise mitigation construction methods to reduce the internal noise level of the residential buildings to 45 dBA (Ldn) or lower.
9. At time of Comprehensive Design Plan, the Transportation Planning staff shall
  - a. Make master plan transportation facility recommendations consistent with the final Westphalia Comprehensive Concept Plan.
  - b. Make recommendations regarding significant internal access points along master plan roadways, along with intersections of those roadways within the site, for detailed adequacy study at the time of preliminary plan of subdivision.
10. At time of preliminary plan of subdivision,
  - a. The timing for the construction of the Pennsylvania Avenue/Westphalia Road Interchange shall be determined. The applicant shall be required to build the interchange with the development of the subject property.
  - b. If it is determined that potentially significant archaeological resources exist in the project area, the applicant shall either provide a plan for evaluating the resource at the Phase II level, or avoiding and preserving the resource in place. The study shall be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994), and a report shall be submitted according to the MHT guidelines and the American Antiquity or Society of  
  
Historical Archaeology style guide. Archeological excavations shall be spaced along a regular 20-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.
11. The development of this site should be designed to minimize impacts by making all road crossings perpendicular to the streams, by using existing road crossings to the extent possible and by minimizing the creation of ponds within the regulated areas.
12. The woodland conservation threshold for the site shall be 25 percent for the R-M portion of the site and 15 percent for the L-A-C portion. At a minimum, the woodland conservation threshold shall be met on-site. This condition may be modified at time of comprehensive design plan review to reflect the desired urban environment.
13. All Tree Conservation Plans shall have the following note:  
  
“Woodland cleared within the Patuxent River Primary Management Area Preservation Area shall be mitigated on-site at a ration of 1:1.”

14. No woodland conservation shall be provided on any residential lots.
15. Prior to issuance of any residential building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building plans stating that building shells of structures have been designed to reduce interior noise level to 45 dBA or less.
16. The following note shall be placed on the Final Plat:

“Properties within this subdivision have been identified as possibly having noise levels that exceed 70 dBA Ldn due to military aircraft overflights. This level of noise is above the Maryland designated acceptable noise level for residential uses.”
17. Prior to approval of the first comprehensive design plan, the Environmental Setting for Blythewood shall be defined.
18. Prior to approval of the first specific design plan in the area of the Moore Farmhouse, the Moore Farmhouse shall be documented to HABS standards, including photo documentation and floor plans, to add to the database of late 19<sup>th</sup>/early 20<sup>th</sup> century vernacular farmhouses. Appropriate interior and exterior architectural components shall be donated to the Newel Post.
19. The applicant shall dedicate the acquired property known as the German Orphans Home site for construction of a public elementary school.

\* \* \* \* \*

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 Vaughns, with Commissioners Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 29, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of October 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:HZ:rmk

(Revised 8/9/01)