

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on November 19, 2015, regarding Specific Design Plan SDP-1003-07 for Parkside (formerly Smith Home Farm), the Planning Board finds:

1. **Request:** The request in this case is to revise Section 2 to revise the layout and unit mix; to add one single-family detached unit and 26 townhouses; to add Stanley Martin townhouse architecture; and to adjust the location of the mixed retirement development as proposed in Applicant’s Exhibit 2B. No changes are proposed in Sections 1A, 1B, or 3 under this application.

2. **Development Data Summary:**

	Existing	Approved
Zones	R-M	R-M
Uses	Vacant	Residential
Acreage of Smith Home Farm	757	757
Acreage of SDP	250.85	250.85
100-year Floodplain	30.50	30.50
Net Tract Area	220.35	220.35
Total Number of Units in SDP (Sections 1A, 1B, 2 and 3)	1,109	1,136

Section 2 Units

Single-Family Detached	134	135
Single-Family Attached	240	266
Two-Family Attached	0	0
Total Units	374	401

Total Units

Single-Family Detached	289	290
Single-Family Detached	680	706
Two-Family Attached	140	140
Total Units	1,109	1,136

3. **Location:** Parkside (formerly Smith Home Farm) is a tract of land consisting of wooded undeveloped land and active farmland, located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4), and measuring approximately 757 acres, in Planning Area 78, Council District 6. Sections 1A, 1B, 2, and 3, totaling approximately 250 acres, are located in the western portion of the larger Parkside development. Section 2, the portion of the SDP proposed to be revised in this application is located in the northwestern portion of the SDP.
4. **Surrounding Uses:** Specific Design Plan SDP-1003 is bounded to the north by existing subdivisions and undeveloped land in the Rural Residential (R-R) and Residential-Agricultural (R-A) Zones and undeveloped land in the Light Industrial (I-1), Miscellaneous Commercial (C-M), Commercial Office (C-O), and Townhouse (R-T) Zones; to the east by other portions of the Parkside development (formerly Smith Home Farm); to the south by existing development, such as the Catholic Charities building/facility and single-family detached houses, and undeveloped land in the R-A Zone; to the west by 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 Mixed Use–Transportation Oriented (M-X-T) Zones.
5. **Previous Approvals:** The larger Parkside development (formerly Smith Home Farm) includes 727 acres in the Residential Medium Development (R-M) Zone and 30 acres in the Local Activity Center (L-A-C) Zone, which was rezoned from the R-A Zone through Zoning Map Amendments A-9965-C and A-9966-C for residential (a mixture of single-family detached, single-family attached, and multifamily condominiums) and commercial/retail space. Zoning Map Amendments A-9965-C and A-9966-C were approved by the Prince George’s County District Council on February 13, 2006 (Zoning Ordinance Nos. 4-2006 and 5-2006), subject to three conditions. On May 22, 2006, the District Council amended this zoning approval to move the L-A-C line further south about 500 feet, retaining the same acreage in the L-A-C Zone.

On June 12, 2006, Comprehensive Design Plan CDP-0501 for Smith Home Farm was approved by the District Council, subject to 34 conditions. A single revision, CDP-0501-01, was approved by the District Council on May 21, 2012, subject to five conditions.

On April 6, 2006, the Prince George’s County Planning Board approved Preliminary Plan of Subdivision 4-05080 for Smith Home Farm, as formalized in PGCPB Resolution No. 06-64. Subsequently, two reconsiderations of 4-05080 were filed and approved as memorialized in PGCPB Resolution No. 06-64(A), adopted by the Planning Board on September 7, 2006; and PGCPB Resolution No. 06-64(A/2)(C), adopted by the Planning Board on June 14, 2012 and administratively corrected on February 19, 2013.

Specific Design Plan SDP-0506 for road infrastructure was approved by the Planning Board on July 27, 2006 and PGCPB Resolution No. 06-192 was adopted on September 7, 2006 formalizing that approval. A single revision to that SDP (SDP-0506/01) was approved on December 12, 2007 by the Planning Director as designee of the Planning Board to revise A-67 to a 120-foot right-of-way and to add bus stops and a roundabout. Specific Design Plan SDP-0506-02 was

approved by the Planning Board on February 23, 2012 and PGCPB Resolution No. 12-14 was adopted on March 29, 2012.

Specific Design Plan SDP-1002 for stream restoration was approved by the Planning Board on January 26, 2012 and PGCPB Resolution No. 12-07 was adopted on February 16, 2012 formalizing that approval, subject to seven conditions.

Specific Design Plan SDP-1003 for Sections 1A, 1B, 2, and 3 of the Smith Home Farm development was approved by the Planning Board on March 12, 2012, as formalized by the Planning Board's adoption of PGCPB Resolution No. 12-21 on March 29, 2012. On July 24, 2012, the District Council affirmed the Planning Board's decision with two additional conditions to the approval.

Specific Design Plan SDP-1003-01, a revision to add townhouse architecture, widen some townhouses to 22 feet, and to reorient six groups of townhouses, was approved by the Planning Board on May 30, 2013 and formalized in PGCPB Resolution No. 13-62. The District Council approved the revision by an order dated September 23, 2013.

Specific Design Plan SDP-1003-02 was pre-reviewed, but then withdrawn on May 29, 2013 never having been accepted or approved.

Specific Design Plan SDP-1003-03, a revision to add the Westphalia model to the approved architecture for Section 1B, was approved by the Planning Board on September 19, 2013 and formalized in the Planning Board's adoption of PGCPB Resolution No. 13-106 on October 10, 2013.

Specific Design Plan SDP-1003-04, a revision to add the Arcadia model to Section 1A, was approved by the Planning Board on January 16, 2014. The Planning Board adopted PGCPB Resolution No. 14-02 on February 6, 2014.

Specific Design Plan SDP-1003-05 was approved for the Parkside development to revise the central recreational area included in Section 3 of the SDP. The Planning Board approved the application on September 10, 2015 and adopted PGCPB Resolution No. 15-91 on October 1, 2015.

Specific Design Plan SDP-1003-06 to revise Section 3 was approved by the Planning Board on July 21, 2015. The Planning Board subsequently adopted PGCPB Resolution No. 15-36 on May 7, 2015, formalizing that approval. The District Council subsequently reviewed the case and approved it by an order dated July 21, 2015.

Note: The -06 revision was approved on April 16, 2015 and, before the -05 revision was approved on September 10, 2015, the name of the project was changed from Smith Home Farm to Parkside.

Lastly, the project is subject to approved Stormwater Management Concept Plan 36059-2005-03 dated March 25, 2015 and valid until May 4, 2017.

6. **Details of the Request and Design Features:** The SDP-1003-07 application proposes to revise the Section 2 layout to move the single-family attached units to the north and the single-family detached units to the south. In addition, the revisions to the single-family attached layout in the southern end of Section 2 has been changed to accommodate a Stanley Martin 22-foot-wide townhouse product around the perimeter of Fax Stream Way. In addition, 16-foot-wide rear-loaded lots and 20-foot-wide front-loaded lots have been added to the mix, in accordance with what the applicant perceives as market demand. The Planning Board supports the addition of a variety of units as more sustainable and a reflection in current market trends.

Additionally, the applicant has included 32 parallel off-street visitor parking spaces around the single-family attached area. More specifically, 21 spaces have been added around the open space parcel (Parcel L3) located in the southern single-family attached section, and 11 spaces have been added along Clear Stream Lane in the northern single-family attached section. The Planning Board believes that additional parking may be warranted.

The applicant has revised the plans since the original submission to preserve a previously approved 100-foot-wide buffer along Westphalia Road that will protect the scenic and historic nature of the road. The townhouse units just beyond the buffer will have rears facing Westphalia Road, but the setback should provide an adequate buffer with existing woodland to be supplemented by landscape trees.

The unit increase overall in the SDP, including Sections 1A, 1B, 2, and 3, would be 27 units or an increase from a total of 1,109 units to 1,136 units. The increase is in Section 2 of the SDP where the single-family detached unit count increases by one and the single-family attached count increases by 26. No two-family or multifamily dwellings are proposed within Section 2.

The single-family attached architecture proposed by Stanley Martin is the Morris Model, a 22-foot-wide front-loaded model of 2,305 square feet of finished living area. It offers extreme variety in the architecture of the front façades of its models by the employment of varying materials and fenestration patterns. All units feature single-car garage, with front entranceways demarcated simply by a limited overhang/pediment, without a front stoop. The architecture could be improved by offering a two-car garage. Materials should wrap around off-sets in the building. The end units should be improved with more window fenestration. Therefore, the Planning Board adopted a condition that would require that the architectural elevations of the end walls be improved to include two architectural features on the standard side elevations and three on the highly-visible side elevations. None of the windows on the end walls should be on the garage portion of the elevation, in accordance with best practices of Crime Prevention through Environmental Design (CPTED). No architecture has been submitted for the 16- or 20-foot-wide units proposed.

The Planning Board notes that the applicant has provided an exhibit for the highly-visible townhouse units in Section 2. The applicant provided a highly-visible lot exhibit for the entire SDP, including the two housing types, in which the Planning Board agreed with the identification of those specific units.

The applicant has chosen not to propose any architecture in this revision application for the 16-foot-wide rear-loaded units or the 20-foot-wide, front-loaded, single-family attached units which will be added in a separate revision application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9965-C:** On August 18, 2006, the District Council approved Zoning Map Amendment A-9965-C to rezone 757 acres of the subject property from the R-A Zone to the R-M Zone allowing 3.6–5.7 residential dwelling units per acre (1,877 to 2,973 dwellings) on 572 acres and 3.6–8 mixed retirement community dwelling units per acre (551 to 1,224 dwellings) on 154 acres. All of the relevant conditions of that approval have been addressed in either the CDP, the preliminary plan, or the original SDP.
8. **Comprehensive Design Plans CDP-0501 and CDP-0501-01:** On February 23, 2006, Comprehensive Design Plan CDP-0501 for Smith Home Farm was approved by the Planning Board subject to 30 conditions. The District Council approved the CDP on May 22, 2006. On December 1, 2011, CDP-0501-01 was approved by the Planning Board subject to four conditions, modifying Conditions 3, 7, and 16 of the original approval. On May 21, 2012, the District Council affirmed the Planning Board's decision and approved CDP-0501-01. A relevant condition of the CDP-0501 approval is included in **boldface** type below:
 29. **At time of the applicable Specific Design Plan approval, an appropriate bufferyard shall be evaluated and be determined to be placed between the proposed development and the existing adjacent subdivisions.**

The plan provides for appropriate buffers at the perimeter of the site.

9. **Preliminary Plan of Subdivision 4-05080:** On April 6, 2006, the Planning Board approved Preliminary Plan of Subdivision 4-05080 for Smith Home Farm, as formalized in PGCPB Resolution No. 06-64. Of those conditions, the following are applicable to the review of this SDP.
 16. **The applicant, his heirs, successors and/or assignees shall provide standard sidewalks along both sides of all 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 each SDP.**

This condition has been evaluated at the time of each SDP review. For the subject application, it appears that standard sidewalks are provided along both sides of all internal roads, excluding alleys.

- 18. Prior to the approval of each final plat the applicant shall demonstrate that existing adequate public streets, connecting this development to the external public street system, shall exist to support the development.**

This condition is required to ensure sequential platting to provide access to adequate street rights-of-way. All roads and alleys should be clearly labeled if it is to be public or private and clearly depict the boundaries. Private roads and alleys shall be placed in parcels with bearings, distances, and areas depicted prior to signature approval of the plans.

- 31. The applicant shall dedicate to M-NCPPC 148± acres of parkland as shown on attached Exhibit A (dated June 7, 2006), or as adjusted by DPR and as authorized by the approving authority prior to final plat. The applicant shall dedicate that portion of part of Parcel 15 (DPR Exhibit A), Parcel S, and the central park individually at the time of approval of the final plat of any right-of-way (public or private) on which the parkland fronts. The remaining parkland shall be conveyed in accordance with the sequential platting plan.**

The above condition was delayed by the dedication of Central Park Drive to public use by two deeds. The first deed was an off-site piece of Central Park Drive that connects with Presidential Parkway, and was recorded as Liber 34138 at Folio 546. The second road dedication deed connects from the off-site dedication of Central Park Drive to its intersection with Rock Spring Drive. The property included in the area of Exhibit A has two owners. It is the interpretation of the Development Review Division of The Maryland-National Capital Park and Planning Commission (M-NCPPC) that this condition can be phased by ownership. Prior to approval of any additional plats, including the subject lots associated with this application, the applicant shall dedicate to M-NCPPC parkland that they own as required by Condition 31 (PGCPB Resolution No. 06-64(A/2)(C)), including the central park that abuts the previously dedicated public right-of-way. Specific Design Plan SDP-1101 for Westphalia Central Park is currently in review.

- 44. At the time of final plat approval, the applicant shall dedicate the following rights-of-way, in accordance with the recommendations shown in the preliminary Westphalia Sector Plan:**

e. 40 feet from centerline along existing Westphalia Road

These alignments may be modified through further environmental study. Findings at time of Specific Design Plan shall include comments on the degree of conformity with the Westphalia Sector Plan, at whatever state of approval exists at the time of review.

In regard to Condition 44e, Sheet 29 of the SDP should be revised to show the centerline of Westphalia Road and provide a dimension from the centerline to the right-of-way dedication line to demonstrate that the SDP reflects the required right-of-way as approved with the preliminary plan and the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA) or a lesser right-of-way as deemed appropriate by the operating agency.

10. **Specific Design Plan SDP-1003 and its revisions:** Specific Design Plan SDP-1003 was approved by the Planning Board on March 8, 2012 (PGCPB Resolution No. 12-21), subject to 31 conditions. Subsequently, the District Council reviewed the case on July 24, 2012 and affirmed the Planning Board's resolution with two additional conditions, for a total of 33. The relevant conditions of this approval are included below in **boldface** type:

1. **Prior to certificate approval of this specific design plan (SDP), the applicant shall revise the plans for the project as follows:**

- d. **The applicant shall add the following trail connections onto SDP-1003, per the previously approved comprehensive trails plan (4-05080): (1) provide a trail connection from the Cabin Branch trail to the stormwater management pond access road on Parcel D1; and (2) a homeowners association (HOA) trail connection from MC-631 to C-627 utilizing the access road for Pond B. Such connector trails shall measure a minimum of six feet wide.**

Sub-condition (1) is beyond the scope of the subject application. Sub-condition (2) is shown on the submitted plans as required by the prior approval.

- j. **The applicant shall revise the plans to augment the design program for the smaller recreational areas to be included as follows:**

In accordance with the guidance of the Parks and Recreational Facilities Guidelines, each of the three smaller recreational areas shall include the following as specified for playground areas, with final location and design to be approved by the Urban Design Section as designee of the Planning Board:

- (1) **Each play area shall include a minimum 2,400-square-foot tot lot and a 5,000-square-foot pre-teen lot.**

- (2) Each play area, which shall provide some shaded areas, shall contain a variety of play equipment providing a minimum of three play opportunities, as defined in the guidelines. A single play structure shall be insufficient to constitute a combined tot lot/pre-teen lot.
- (3) Each play area shall include, at a minimum, three benches that shall have galvanized legs to be anchored in concrete.

The following condition amends the above condition:

r. Prior to signature approval, the layout of the specific design plan shall be revised as follows:

- (3) Lotting patterns shall be modified to restore central green open area embedded in development pods as follows: (1) An additional 27,000 square feet for a total of 48,500 square feet of open space in Section 2 and applicant will eliminate the tot lot previously planned to be located in Section 2. (2) A minimum additional 12,500 square feet for a total of 25,000 square feet of open space in Section 3.

The plans have been reviewed for conformance to the above and the Planning Board concludes that the central green open area embedded in the development pod within Section 2 should be revised to meet the minimum size required by including improved open space design with a sitting area within Parcel L2 and that the development of a 5,000-square-foot combined pre-teen/tot lot should be provided on Parcel L3. Therefore, a condition stating as much has been included in this approval.

- 3. Prior to issuance of the 200th residential building permit, the first 10,000-square-foot community building in the R-M Zone shall be bonded, and prior to issuance of the 400th residential building permit, the community building shall be complete and open to residents.

This condition is in full force and effect.

8. The recreational facilities to be included in the subject project shall be bonded and constructed in accordance with the following schedule:

PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
Private Recreation center Outdoor recreation facilities	Prior to the issuance of the 200 th building permit overall	Complete by 400th building permit overall
Pocket Parks (including Playgrounds) within each phase	Prior to the issuance of any building permits for that phase	Complete before 50% of the building permits are issued in that phase
Trail system Within each phase	Prior to the issuance of any building permits for that phase	Complete before 50% of the building permits are issued in that phase
It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25 percent, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.		

This condition is not impacted by the proposed revisions and remains in effect. The trail connections approved as part of prior applications should still be built consistent with the timing noted above.

11. **Prince George's County Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of the Zoning Ordinance as follows:

a. The subject SDP is consistent with Sections 27-507, 27-508, and 27-509 governing development in the R-M Zone.

b. Section 27-528 requires the following findings for approval of a SDP:

- (a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**

- (1) **The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual...;**

The subject SDP has been evaluated for conformance with approved CDP-0501 and CDP-0501-01, as discussed above in Finding 8. The relevant conditions of approval have been carried forward to ensure conformance to the requirements of the CDP approvals. Therefore, it may be said that the plan conforms to the approved CDP approvals. As detailed in Finding 12 below, the subject revision application conforms to the applicable standards of the 2010 *Prince George's County Landscape Manual*.

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development...;**

Findings for adequate public facilities including fire, rescue, and police, as discussed in Finding 15(i), and transportation have been made in conjunction with the preliminary plan and subsequent SDPs for infrastructure. The subject revision application will have no effect on the previous findings of adequacy made in conjunction with the preliminary plan and SDPs.

- (3) **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

In a memorandum dated October 23, 2015, the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) stated that the subject project is consistent with the requirements of approved Stormwater Management Concept Plan 24819-2006-02.

- (4) **The Plan is in conformance with an approved Type 2 Tree Conservation Plan; and**

The subject revision application is being approved together with Type II Tree Conservation Plan TCPII-010-12. Findings 13 and 15(j) discuss TCP conformance, and it may be said that the project conforms to the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

- (5) **The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible...**

The Planning Board found that the land area covered by the subject revision protects the regulated environmental features.

12. **2010 Prince George's County Landscape Manual:** The Planning Board has reviewed the submitted landscape plan against the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) and offers the following comments:

The project is subject to the requirements of the Landscape Manual. More specifically, it is subject to the requirements of Sections 4.1, 4.6, 4.7, 4.9, and 4.10. A review of the provided schedules and plans against the requirements of the Landscape Manual indicates that the application generally

conforms to the requirements of the relevant sections. In regard to Section 4.10, there are some areas on the plan where revisions should be made to adjust the location of street trees and sidewalk; therefore, a condition stating as much is included in this approval.

13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is grandfathered from the most recent requirements of Subtitle 25, Division 2, the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has a previously approved tree conservation plan. The site is subject to the requirements of the WCO because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. Type II Tree Conservation Plan TCPII-010-12-2 covers a 97.20-acre section of the 730.48-acre property that contains 52.51 acres of upland woodlands and 8.49-acres of 100-year floodplain.

The revised TCPII proposes clearing 43.34 acres of upland woodlands and 0.19 acre of wooded floodplain. The woodland conservation requirement for this TCPII is 41.37 acres, as distributed in the overall worksheet based on the current woodland conservation requirement of 250.70 acres for the overall Parkside project. The TCPII under review proposes to meet the woodland conservation requirement with 7.81 acres of on-site preservation, 12.87 acres of on-site afforestation/reforestation, 11.15 acres of afforestation/reforestation provided in future Sections 5 and 6, and 9.74 acres of off-site woodland conservation.

The TCPII requires technical revisions to meet the requirements of the applicable WCO, and the Planning Department's recommended conditions have been adopted.

The subject project conforms to the applicable requirements of the WCO.

14. **Prince George's County Tree Canopy Coverage Ordinance:** A tree canopy coverage schedule has been included on the landscape plan submitted for the subject project. It indicates that 4,905,597 square feet of tree canopy coverage (TCC) is required for the entirety of the R-M and L-A-C Zones. The schedule also indicates that the applicant is providing 8,684,467 square feet of tree canopy for the same area, exceeding that requirement. However, the TCC should be demonstrated for the land area associated with the subject application only. Therefore, a condition is included.
15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the following agencies or divisions:
- a. **Historic Preservation**—The Planning Board found that the subject revision will not impact any identified historic or archeology resources.
 - b. **Archeological Review**—The Planning Board found that the archeological investigations were completed on the subject property in 2006, that all archeological conditions have been satisfied, and that this proposal would not impact any known archeological resources.

- c. **Community Planning**—The Planning Board found that the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) designates Westphalia as a Local Town Center. The plan indicates that local town centers include a range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall, the centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. The centers typically have a walkable "core" or town center. Often, the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction. Plan Prince George's 2035 identifies the land use as residential medium, which includes residential areas between 3.5 and 8 dwelling units per acre (primarily single-family dwellings, both attached and detached). The Westphalia Sector Plan and SMA identifies the land use in Sections 1A, 1B, 2, and 3 of the Parkside project (formerly Smith Home Farm) as low-density residential.

The Planning Board found that the location of single-family attached development along the Westphalia roadway is reasonable, considering the protection afforded of the 100-foot-wide combined tree preservation and supplemental planting along the historic roadway. It is unlikely that the dwelling units will have a visual impact of the historic road. The Planning Board found that the concept of the sector plan to have the highest density nearest the town center core and that the density should be reduced proportionally moving away from the core is up-held. The SMA did just that, it approved M-X-T zoning within the town center core and it approved the R-M zoning at the periphery. The maximum density of the R-M Zone of the subject application cannot exceed 5.7 units as approved by the basic plan. This is a substantial reduction of density from the center core of the sector plan. The open space associated with the protection of the environmental features in the immediate Section 2 development area, as proposed, reduces the density within Section 2 further, to approximately 4.13 units per acre. It should be noted that the proposed revisions compared to the CDP proposal are found to be in conformance with the concepts shown with the CDP. The substitution of unit type is allowed to respond to market fluctuation and has little to no impact on the density of the project. Further, the CDP is a flexible plan in itself, and making changes that are reasonable and market driven are permitted. The redesign has provided three distinct neighborhoods and unit types within Section 2.

The applicant is proposing 75, 16-foot-wide, rear-loaded, single-family attached units along Fox Stream Way where 65, 20-foot-wide, front-loaded units had been previously approved. In the statement of justification dated October 2, 2015, the applicant indicates that the 16-foot-wide units "will help to diversify the community, ensuring all market groups are served." Condition 16 of PGCPB Resolution No. 11-112 and the District Council order dated May 21, 2012 for CDP-0501/01 stated that the minimum lot width of any single-family attached lot shall not be less than 16 feet, with varied lot width ranging from 16–28 feet. While it may be preferable to see 16-foot-wide units interspersed among wider units throughout the community rather than grouped together, the approved CDP

amendment for Parkside (formerly Smith Home Farm) did permit single-family attached units not less than 16 feet wide. The Planning Board found that the applicant should provide for the limitation within the CDP that states the following:

No more than 50 percent of the single-family attached lots shall have a lot size smaller than 1,600 square feet. The minimum lot width of any single-family attached lot shall not be less than 16 feet with varied lot width ranging from 16 -28 feet. The 50 percent limit can be modified by the Planning Board at time of SDP approval, based on the design merits of specific site layout and architectural products.

The plans should be revised to indicate the above and provide the appropriate calculations. The SDP revision should also consider the use of a mix of unit types and lot sizes to accommodate wider units, either within the building sticks or as end units. This will provide more visual interest in the design of the community and provide for a variety of unit types for future homeowners.

Certain lots have been identified that exceed the maximum number of units in a row per Condition 74b of PBCPB Resolution No. 06-64(A/2)(C) for Preliminary Plan 4-05080.

- b. The townhouse section shall be revised to provide no more than six units in any building group. The applicant must obtain approval of more than six dwelling units in a row at the time of SDP, pursuant to Section 27-480(d).**

The plans should be revised to ensure that no more than six single-family attached dwelling units comprise a building group, specifically, proposed Lots 89–95 on Sheet 23; Lots 150–157 on Sheet 24; Lots 79–85 on Sheet 28; and Lots 64–70 on Sheet 29.

It was identified that there is not sufficient parking to provide for the community in regard to guest and visitor parking. In response to Condition 74c of PBCPB Resolution No. 06-64(A/2)(C) for Preliminary Plan 4-05080, the applicant has added two areas of visitor parking. Twenty-one spaces have been added around open space Parcel L3 in the southern portion of Section 2 and 11 spaces have been added along Clear Stream Lane in the northern portion of Section 2. Neither of these areas are well placed to serve the majority of single-family attached units in either enclave of single-family attached units. The Planning Board found that the applicant should analyze the plan to find additional parking locations within the community.

The applicant's representatives attended the September 22, 2015 meeting of the Westphalia Sector Development Review Advisory Council and presented the project information to the group.

- d. **Transportation**—The Planning Board found that the proposed changes in the site layout will result in the creation of 27 new lots. The Preliminary Plan (4-05080) for the subject property was approved with an overall density of 3,638 dwelling units and 140,000 square feet of retail/commercial. Those densities created a trip cap of 1,848 AM and 1,726 PM peak hour trips. The revision to Section 2 represents a small section of the overall approved preliminary plan and, therefore, the trip cap for the approved plan has not been exceeded.

The proposed site layout indicates that the previous road network will remain unchanged. The additional dwelling units will be realized by providing smaller units. The additional density, however, may create an inadequate amount of parking in convenient locations. While some additional parking spaces are being proposed, some of those spaces will not be proximal to the location of the additional units. This is likely to create a circulation problem on those occasions when visitation to the community is heightened. Therefore, additional on-street parking should be provided.

Another problem with this proposal is that the overall density of Section 2 will be increased by 27 additional units, which will add 217 average daily trips (ADT). Section 2, upon build-out, if the connections to the adjacent properties are not made, will be served by a single access point by way of Fox Stream Way. Section 2 is currently approved with a density that generates 3,126 daily trips. The proposed 27 units will bring that total to 3,343 daily trips. The "Transportation Review Guidelines, Part 1" recommends that developments generating greater than 2,000 ADT with a single access should consider additional access. Section 2 is currently approved with a 60-foot stub connection (Deer Stream Drive) to the property, west of the subject site. As of this writing, the nature of the development for the adjacent property is not known. While a future connection to the adjacent property would be highly desirable, it is not clear if or when such connection may come to fruition. Until then, the future residents of Section 2 could potentially experience inadequate traffic circulation.

The Planning Board found that Sheet 27 of the plan set should be revised to remove the proposed hammerhead turn-around and extend Deer Stream Drive to the common property line.

- e. **Subdivision**—The Planning Board found that the subject property is located within the area of the Westphalia Sector Plan and SMA and is located on Tax Map 90 in Grids D 1-4, E 1-4, F 1-3, and Tax Map 91 in Grids A 1-3 and B-3. The property is zoned R-M, which is a comprehensive design zone. The sector plan identifies this property on the Regional Center Concept Map as low-density residential, and this specific project is mentioned in the master plan.

Specific Design Plan SDP-1003-07 is 250.85 acres and includes Sections 1A, 1B, 2, and 3. The property was the subject of Preliminary Plan of Subdivision 4-05080 and Planning Board Resolution No. 06-64(A/2)(C), which is valid through June 14, 2018. The

preliminary plan was approved for 759 acres, for a total of 1,506 lots and 355 parcels, and a total of 3,648 dwelling units. The dwelling unit breakdown on the preliminary plan is as follows: 285 detached; 1,577 attached; and 1,786 multifamily.

Section 2 will include 361 lots and 11 parcels. Overall, SDP-1003-07 (Sections 1A, 1B, 2, and 3) proposes 996 lots and 79 parcels, and a dwelling unit total of 1,136. A breakdown of the dwelling unit type is as follows: 290 single-family detached; 706 single-family attached, and 140 two-family attached dwellings. Although the revision is within the amount of lots, parcels, and dwelling units approved with the preliminary plan, it should be noted that, if the SDP is platted as proposed, the subdivision would have 510 lots, 276 parcels, and 2,512 dwelling units remaining within the preliminary plan approval. Based on the preliminary plan layout, the applicant may be unable to complete the project and may run out of lots to plat the dwelling unit mix shown on the plan. Specific Design Plan SDP-1003-07 does not include the eastern ± 508 acres included in the preliminary plan, specifically Sections 4–7 including the mixed retirement community portion. Specific Design Plan SDP-1003-07 includes 33 percent of the overall area of 4-05080. Any lots, parcels, or dwelling units over the approved quantity per 4-05080 require the filing of a new preliminary plan.

The Planning Board found the following:

- (1) By providing the 100-foot-buffer along Westphalia Road, the SDP is in substantial conformance with the CDP and preliminary plan through maintaining this building envelope established with the preliminary plan along Westphalia Road. The right-of-way should be dimensioned 40 feet from centerline along existing Westphalia Road, and confirm that additional right-of-way dedication is or is not required, and that the 100-foot-wide undisturbed buffer is accurately depicted. With this revision to the SDP, the proposal of converting single-family dwellings to townhouses can be supported. If additional right-of-way is needed, then further revisions to the plans may be required, including a loss of lots.
- (2) Condition 16 of the District Council Decision of CDP-0501-01 states:

No more than 50 percent of the single-family attached lots shall have a lot size smaller than 1,600 square feet. The minimum lot width of any single-family attached lot shall not be less than 16 feet with varied lot width ranging from 16 -28 feet. The 50 percent limit can be modified by the Planning Board at time of SDP approval, based on the design merits of specific site layout and architectural products.

Section 2 depicts the areas of 47 attached lots as below 1,600 square feet. The applicant should provide an overall analysis of the percentages of the proposed attached lots that are below the 1,600-square-foot lot size, which should be tracked on the plans.

- (3) A combination of publicly dedicated and privately maintained roads and alleys are proposed. Label the disposition of each road and alley, and if it is to be public or private on the SDP. Private roads and alleys should be placed in parcels and added into the Parcel Schedule Chart on Sheet 1 of the SDP. Clearly label the division line between the public and private streets and alleys.
- (4) A ten-foot-wide public utility easement is shown along both sides of all public rights-of-way and one side of private rights-of-way. Overlapping easements are shown on the SDP. Clarity is needed on the apparent collocation of stormwater and Washington Suburban Sanitary Commission (WSSC) easements and public utility easements. The easements should cross at right angles and not run parallel or overlap. If an alternate utility layout is preferred by the applicant, concurrence from all of the affected utility companies should be provided. Show the water and sewer easements within the private roads and alleys. Stormdrain systems in townhouse developments are considered public systems by DPIE, and easements are required and should be shown on the SDP. Add the stormdrain easements within private roads and alleys to ensure there is no collocation of utility easements. Reduce or eliminate the stormdrain easements to the extent practicable on the following lots: Lot 1, Block K; Lots 5-6, 8-9 and 20, Block M; Lots 3-4, Block Q; and Lots 4-5, Block R. Sheet 22 of the SDP shows a stormdrain easement off-center of a proposed stormdrain line. This should be corrected.
- (5) On-street resident and guest parking areas are shown on the approved SDP-1003. This revision, SDP-1003-07, shows limited parking along the public and private portions of Fox Stream Way. The increase of dwelling units results in a spatial relationship which precludes the ability to provide guest parking. The lack of on-street parking may result in a detriment to the functionality of the road and alley system when guests park in areas that block driveways and alleys. The plans should be revised to demonstrate that adequate parking is provided for guests residents, to ensure that the functionality of the on-site circulation will not be compromised.
- (6) The plans should be revised to clearly label all bearings and distances of lot and parcel lines and the lot and parcels sizes. The SDP sheet match lines should be adjusted on each sheet so that the bearings and distances are legible. The font size of the bearings, distances, and lot areas should be increased to the extent practicable. The SDP should include parcels in their entirety and, for areas adjacent to platted property, add the plat reference to the SDP parcel labeling. For an example, Sheet 23 shall include the entirety of Parcel FP2 and should be labeled with the plat reference. Referencing the plats ensures that there are no gaps in the platting process. The plans should show the bearings and distances for Rock Spring Drive and other previously dedicated roadways, and reference the dedicating liber and folio or plat reference.

- (7) Lot 6 of Block M shows an area of 5,953 square feet, which is below the minimum lot area of 6,000 square feet for single-family detached lots in the R-M Zone. Eliminate this lot or adjust the lotting pattern within Block M to provide the minimum lot area for all proposed lots.
- (8) For corner single-family detached lots throughout the SDP, shift the driveway entrances away from the intersections to provide a safer crossing for the residents.
- (9) On Sheet 23 of the SDP, dimension the distance of the gabion gravity retaining wall a minimum five feet from the primary management area (PMA) to provide adequate space for the maintenance and inspection of the wall.
- (10) On Sheet 27 of the SDP, the sidewalks and road on the west side of Deer Stream Drive shall extend to the western property line.

- f. **Trails**—The Planning Board found that the subject SDP was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and/or the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements. It was also stated that County and state roads, as well as, sidewalks were included in the subject portion of the Parkside development.

The Planning Board found the following regarding the subject project's conformance to the area master plan and the requirements of prior approvals:

- (1) The subject application is an amendment to the approved SDP which proposes relocating townhouse units to the northern portion of the property along Westphalia Road. Bicycle, pedestrian, and trail facilities were required through the multiple prior approvals, including 4-05080 and SDP-1003. Conditions of approval addressed issues including the location and timing of trail construction, sidewalk construction, and road cross section issues. The revisions proposed in the subject SDP revision do not impact the planned and approved trail network, and the plans retain the sidewalk and trail connections contained in prior approvals. The master plan trail required along MC-631 (Central Park Drive) by Condition 15c of 4-05080 will be along the south/east side of the road, which does not impact the area covered by the current SDP revision.
- (2) See Finding 10 for a discussion of trails-related Conditions 1d, 8, and 16 of the approval of SDP-1003, as formalized in PGCPB Resolution No. 12-21.

The proposed revisions to SDP-1003 do not negatively impact the previously approved bicycle, pedestrian, or trail facilities. Trail facilities are not impacted and the necessary sidewalk connections are retained along the roads where the SDP has been amended. Prior conditions of approval remain in effect.

Regarding the revised plans subsequently received, the Planning Board found that the revised plans were reviewed and that no changes were necessary to amend the above comments. More specifically, the revisions to include visitor parking and to increase the buffer along Westphalia Road do not negatively impact the previously approved sidewalk network, which is shown appropriately on the plans, including the areas where on-street parking was added.

- g. **Prince George's County Department of Parks and Recreation (DPR)**—DPR indicated that they had no comments regarding the application on August 13, 2015.
- h. **Permit Review**—The Planning Board reviewed numerous comments provided by the Permit Review Section that have either been addressed through revisions to the plans or are included as conditions of this approval.
- i. **Special Projects**—The Planning Board reviewed the subject project for police facilities, fire and rescue service, the Prince George's County Capital Improvement Program (CIP), and water and sewerage facilities and stated, as is required by Section 27-528(a)(2) of the Zoning Ordinance, that the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate CIP or provided as part of the private development. More particularly, the Planning Board found the following:

Police Facilities

The proposed development is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department, and the July 1, 2014 (U.S. Census Bureau) county population estimate is 904,430. Using 141 square feet per 1,000 residents, it calculates to 127,524 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

Fire and Rescue Service

The Planning Board reviewed this SDP for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations.

Section 24-122.01(e)(1)(E) states that “A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Forestville Fire/EMS, Company 23, a first due response station (a maximum of seven minutes travel time), is located at 8321 Old Marlboro Pike.

Capital Improvement Program (CIP)

The CIP for Fiscal Years 2015–2020 provides funding for replacing the existing station with a new three-bay fire/EMS station.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

Water and Sewerage Findings

Section 24-122.01(b)(1) states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System.

- j. **Environmental**—The Planning Board reviewed the revised Specific Design Plan (SDP-1003-07 for Sections 1A, 1B, 2, and 3) for environmental protection and Type II Tree Conservation Plan TCPH-010-12-02 for Parkside (formerly Smith Home Farm), Section 2, and found the following:

Background

The property was reviewed as a natural resources inventory (NRI), which was signed by the Environmental Planning Section on August 8, 2005. An -01 revision to the NRI was signed on November 14, 2006. An -02 revision, which was limited to the delineation of wetlands and wetland buffers, was approved on July 25, 2012.

Specific Design Plan SDP-1003 for infrastructure consisted of 265 acres associated with Sections 1A, 1B, 2, and 3 of the overall 760.93-acre development. The woodland conservation requirements for the SDP were addressed in four associated Type II Tree Conservation Plans (TCPH-008-12, TCPH-009-12, TCPH-010-12, and TCPH-011-12), which were approved by the Planning Board on March 29, 2012, subject to conditions contained in PGCPB Resolution No. 12-21 and affirmed by the District Council.

Specific Design Plan SDP-1003-01 and the four revised Type II Tree Conservation Plans (TCPH-008-12-01, TCPH-009-12-01, TCPH-010-12-01, and TCPH-011-12-01) were approved by the Planning Board on May 30, 2013, subject to conditions contained in PGCPB Resolution No. 13-62 and affirmed by the District Council.

Specific Design Plan SDP-1003-06 and the associated Type II Tree Conservation Plan (TCPII-011--02) for Section 3 was approved by the Planning Board on April 6, 2015, subject to conditions contained in PGCPB Resolution No. 15-36 and affirmed by the District Council.

Grandfathering

The subject application is grandfathered from the requirements in Subtitles 24 and 27 of the County Code that came into effect on September 1, 2010 because the project has a previously approved preliminary plan.

The project is also grandfathered from the most recent requirements of Subtitle 25, Division 2, the Woodland and Wildlife Habitat Conservation Ordinance (WCO), because it has a previously approved TCP.

It is not grandfathered from Section 25-122(b)(6) regarding the location of off-site woodland conservation because no off-site location was previously identified, and the off-site location is generally identified at the time of grading permit.

Site Description

The subject property is 265 acres located south of Westphalia Road (C-626), on the east and west sides of Melwood Road, and is zoned R-M. The property is subject to the WCO because it is more than 40,000 square feet in total area and contains more than 10,000 square feet of woodland. Type 1 Tree Conservation Plans TCPI-38-05 and TCP1-038-05-01 were previously approved for the site. According to the *Prince George's County Soil Survey*, the principal soils on this site are in the Adelphia, Bibb, Collington, Mixed Alluvial, Sandy land steep, Sassafras, and Westphalia soil series. According to available information, Marlboro clay occurs on this property in and around the floodplain for Cabin Branch, a tributary of Western Branch. Streams, wetlands, and floodplain associated with the Cabin Branch and Western Branch watersheds of the Patuxent River basin occur on the property. Although there are no nearby traffic-generated noise sources, most of this property is located within the 65 dBA Ldn noise contour associated with aircraft flying into and out of Joint Base Andrews. Melwood Road is a designated scenic and historic road that bisects this property. Westphalia Road, which is adjacent to this development on the north, is a designated historic road. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program. The current application includes regulated areas, evaluation areas, and network gaps as identified in the 2005 *Approved Countywide Green Infrastructure Plan* (Green Infrastructure Plan). The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035.

District Council Final Decision for A-9966-C

The basic plan for Zoning Map Amendment A-9966-C was approved by the District Council May 22, 2006, subject to conditions. Some of the conditions were addressed with the review and approval of the CDP, while others relating to noise and the design of residential structures on the site were carried forward to be addressed at the time of SDP and/or final plat. Conditions related to interior noise mitigation are addressed with any SDP which includes the approval of residential architecture.

District Council Final Decision for CDP-0501 and VCDP-0501

Comprehensive Design Plan CDP-0501 and Type I Tree Conservation Plan TCPI-038-05 were approved by the District Council on June 12, 2006, subject to conditions. Most of the conditions were addressed, or will be addressed at the appropriate stage of the development process. Pertinent conditions to the current revision application are the establishment of a woodland conservation threshold (WCT) for the site and required mitigation rates for clearing within the PMA.

1. **Prior to certificate approval of the CDP and prior to submission of any specific design plan (SDP), the applicant shall:**
 - d. **Delineate clearly and correctly the full limits of the primary management area (PMA) on all plans in conformance with the staff-signed natural resources inventory. The PMA shall be shown as one continuous line. The Tree Conservation Plan (TCP) shall clearly identify each component of the PMA. The shading for regulated slopes is not required to be shown on the TCPI when a signed Natural Resources Inventory has been obtained.**

This condition was addressed by the -02 revision to the NRI (NRI-006-05/02) approved on July 25, 2012.

- n. **Revise the Type I Tree Conservation Plan (TCP I) as follows:**
 - (1) **Show the threshold for the R-M portion at 25 percent and the threshold for the L-A-C portion at 15 percent and the woodland conservation threshold shall be met on-site;**
 - (2) **Reflect the clearing in the PMA to be mitigated at a ratio of 1:1. This information must be included in the column for "off-site impacts" and the label for the column shall be revised to read "PMA and off-site impacts."**
 - (17) **Have the plans signed and dated by the qualified professional who prepared them.**

These conditions of approval establish the woodland conservation requirements for the Smith Home Farm development project which are more stringent than required by the ordinance, and were correctly addressed in the approved TCPI-038-05.

The WCO establishes a 20 percent WCT requirement in the R-M Zone. The District Council approved conditions raising the WCT requirement to 25 percent for the subject property. At the time of TCPI-038-05 approval with CDP-0501, the WCT for the site (based on a 24.56 percent WCT based on the proportion of R-M and L-A-C within the development) was determined to be 159.52 acres. The WCT must be met on-site. Because the amount of existing woodlands on the property was below the amount established as the threshold, all woodland clearing falls below the WCT, and is subject to replacement at a rate of two acres of woodland conservation for each acre of woodland cleared.

District Council Final Decision for CDP-0501-01 and TCPI-038-05-01

A revised CDP and TCPI-038-05-01 were approved by the District Council to adjust three previous conditions of approval on May 21, 2012, subject to conditions. None of the conditions related to the environmental protection aspects of the project.

Conditions of approval for Preliminary Plan 4-05080 (PGCPB Resolution No. 06-64(A))

Prince George's County Planning Board Resolution No. 06-64(A) for Preliminary Plan of Subdivision 4-05080 and Type I Tree Conservation Plan TCPI-038-05-01 were subject to conditions. All of the environmental conditions have been addressed, or will be addressed at the appropriate stage of the development process.

Conditions of approval for SDP-0506 (PGCPB Resolution No. 06-192)

The Planning Board approved TCPII-057-06 and SDP-0506 for the project site on July 27, 2006, subject to environmental conditions, which have been addressed or will be addressed at the appropriate step in the development process.

District Council Order and Conditions of approval for SDP-1003 (PGCPB Resolution No. 12-21)

The Planning Board approved SDP-1003 and four sectional TCPIIs (TCPII-008-12, TCP-009-12, TCPII-010-12, and TCPII-011-12) on March 29, 2012, subject to conditions. The County Council, sitting as the District Council, issued an order affirming the Planning Board decision on July 24, 2012. The following conditions are environmental in nature and warrant discussion:

5. **Prior to issuance of each residential building permit for construction of a unit within the 65 dBA Ldn line, plans for that building shall be certified by an acoustical engineer stating that internal noise levels shall be 45 dBA Ldn or less.**

The certification of acoustical shells on residential structures will occur prior to issuance of building permits. This condition is in full force and effect.

14. **Prior to certification of the SDP, the TCP2s shall be revised to show the retention of existing woodland within the viewshed of historic Westphalia Road to be a minimum of 100 feet.**

The Planning Board found that review of the landscape plans indicate that a full 100-foot vegetative buffer could be achieved with the supplemental planting of woody trees and shrubs. This alternative seems to be reasonable. The relocation of two pine trees will ensure access to the rear yards by the future residents.

16. **Prior to issuance of grading permits for any phases of the Smith Home Farm site, the applicant must demonstrate how the woodland conservation requirements will be implemented by bonding of afforestation/reforestation requirements, and/or submitting recorded transfer certificates for off-site woodland conservation requirements. 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.**

The above condition and afforestation/reforestation bonding requirements will be addressed prior to issuance of grading permits for the appropriate sections and is still in full force and effect.

However, Type II Tree Conservation Plan TCPII-010-12-02, which has been submitted for revision with the current application, does not fully reflect the above condition with regard to the location of the off-site woodland conservation in a note placed under the woodland conservation worksheet on Sheet 2 of 8 which indicates that "Off-site woodland conservation shall be procured within the same river basin (Patuxent) and within Prince George's County." The worksheet note shall be revised to reflect the full requirements of Condition 16 above prior to certification.

The Planning Board adopted the following condition of approval:

Prior to certification of the SDP and TCPII, the worksheet notes shall be revised to include the applicable text of Condition 16 of the District Council Order approving SDP-1003 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.

17. **Prior to certification of the SDP, the TCP2 shall be revised as follows:**
 - a. **The quantities shown in the overall woodland conservation worksheet shall reflect the most current approved TCP2 for all sections included.**
 - b. **The section lines shown on the cover sheet shall conform to the section lines shown for all previously approved specific design plans.**

The above condition was fulfilled prior to signature approval of TCPII-008-12, TCPII-009-12, TCPII-010-12, and TCPII-011-12 and certification of SDP-1003. However, the coversheets for the SDP-1003, landscape plan, and TCPII do not correctly reflect the full limits of the central park, which includes areas which are located within Section 5 and 6 of the development. The full limits of the central park in these areas shall be delineated within Sections 5 and 6 on the coversheet and labeled as "Central Park."

The Planning Board adopted the following condition of approval:

Prior to certification of the SDP, the coversheet on all plan types shall be revised to reflect and label the full limits of the central park, specifically within Sections 5 and 6.

21. **Prior to issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

The above condition will be addressed prior to issuance of permits that indicate stream and/or wetland areas which are impacted.

District Council Decision and Conditions of approval for SDP-1003-01 (PGCPB Resolution No. 13-62)

The Planning Board approved revised SDP-1003-01 and four revised TCPIIs (TCPII-008-12-01, TCP-009-12-01, TCPII-010-12-01, and TCPII-011-12-01) on May 30, 2013, subject to conditions. The County Council, sitting as the District Council, issued an order affirming the Planning Board decision on September 23, 2013. The following conditions are environmental in nature and relevant to the current application:

7. **The options for fulfilling the woodland conservation requirement with the SDP and associated grading permit include afforestation/reforestation in future Sections not currently part of an approved SDP and TCPII, subject to the following requirements:**
 - a. **Any afforestation/reforestation credited in a future section of the Smith Home Farm project shall be shown on an approved TCPII, placed into recorded Woodland and Wildlife Habitat Conservation Easements and fully bonded prior to issuance of the first grading permit for this SDP.**
 - b. **Any afforestation/reforestation credited in a future section of the Smith Home Farm project associated with this SDP shall be planted in the first planting season after the issuance of the associated grading permit, as defined in the Environmental Technical Manual based on the size of plant materials, and prior to the issuance of any building permits for the Section for which the afforestation is credited.**
 - c. **Certification of afforestation/reforestation plantings in future sections of the Smith Home Farm project shall be submitted to the Environmental Planning Section prior to the issuance of the first building permit for the section for which the afforestation/reforestation is credited.**

The intention of these conditions was that crediting and bonding of afforestation/reforestation in future sections follow the requirements and procedures outlined prior to issuance of associated permits.

However, Specific Design Plan SDP-1302 was submitted along with TCPII-020-13 (Section 5) and TCPII-019-13 (Section 6), establishing afforestation/reforestation areas in these future sections, which were bonded and credited for the requirements of Section 1B (Section 5) and Sections 2 and 3 (Section 6). The site is currently not fully in conformance with the requirement for recorded woodland conservation easements over woodland conservation proposed

in future sections, and certification of afforestation/reforestation plantings in future sections credited to current development have not been submitted.

The Planning Board adopted the following condition of approval:

Prior to certification of SDP-1003-07, the following conditions shall be satisfied:

- a. Any afforestation/reforestation credited in Sections 5 and 6 of the Parkside project (formerly Smith Home Farm), as shown on TCPH-020-13 and TCPH-019-13, shall be placed into recorded Woodland and Wildlife Habitat Conservation Easements.
- b. The applicant shall submit evidence of the bonding of afforestation in future Sections 5 and 6, required to meet the woodland conservation requirements of Sections 1B, 2, or 3.
- c. Certification of afforestation/reforestation plantings in Sections 5 and 6 shall be submitted to the Environmental Planning Section so that the beginning of the maintenance period can be established.

District Council Decision and Conditions of approval for SDP-1003-06 (PGCPB Resolution No. 15-36)

The Planning Board approved SDP-1003-06 and TCPH-011-12-02 (Section 3) on April 16, 2015, subject to conditions. The County Council, sitting as the District Council, issued an order affirming the Planning Board decision on July 24, 2013. The following conditions are environmental in nature and relevant to the current application:

3. **The Central Park shall be planned in phases. A specific design plan (SDP) for Phase 1 shall be approved prior to issuance of the 200th building permit. The timing for the design and construction documents for Phase 2 of the Central Park shall be established by the District Council at the time of the Phase 1 SDP for the Central Park and include analysis of the anticipated funding expected to be available. Phase 2 design shall also include a detailed analysis of the feasibility of constructing an amphitheater and other recreational facilities in the Central Park.**

Approval of a SDP for Phase 1 of the central park is required prior to issuance of the 200th building permit, and is currently under review as SDP-1101 and TCPH-021-2015.

The environmental review of SDP-1003-07 has been limited to the specific revisions proposed with the current application.

- (1) Natural Resources Inventory NRI-006-05-02 was approved during the review of SDP-1003, which reduced the quantity of wetlands and wetland buffers located on the subject property, and reduced the areas of PMA. This was relevant to the calculation of the woodland conservation requirement for the site because of the specific mitigation requirements related to clearing within the PMA.

The environmental features and PMA shown on the NRI are correctly delineated on the revised SDP and TCPII. No further information regarding the NRI is required at this time. There is a considerable amount of PMA located on the TCPII for Section 2, which is under review with the current application.

- (2) The subject property is located within the Cabin Branch and Western Branch watersheds of the Patuxent River basin. The woodland conservation requirement for the overall Parkside site is proposed to be partially met under the most current overall worksheet with 90.01 acres of off-site woodland conservation credit and by the crediting of afforestation/reforestation areas on future sections of the development. Section 3 proposes to credit the afforestation/reforestation being provided on future Section 6, as shown on TCPII-019-13. The following condition is brought forward from the approval of SDP-1003 and all associated TCPIIs and is still in full force and effect.

16. Prior to the issuance of grading permits for any phases of the Smith Home Farm site, the applicant must demonstrate how the woodland conservation requirements will be implemented by bonding of afforestation/reforestation requirements, and/or submitting recorded transfer certificates for off-site woodland conservation requirements. The location of off-site woodland conservation requirements shall be in accordance with the priorities listed in Section 24-122(a)(6): 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. Applicants shall demonstrate to the Planning Director or designee due diligence in seeking out appropriate location opportunities for off-site woodland.

- (3) The overall development site contains significant natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. Impacts to the PMA for the Smith Home Farm development were approved with Preliminary Plan 4-05080. The PMA impacts approved with SDP-1003 were found to be consistent with those approved at time of preliminary plan.

Specific Design Plan SDP-1003-07 and TCPII-010-12-02 indicate no additional disturbance within the PMA as part of the revision application. The PMA on the subject revised SDP has been preserved to the fullest extent possible.

- (4) The MPOT (page 49) includes a section on special roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway.

Policy 2:

Conserve and enhance the viewsheds along designated roadways.

STRATEGIES:

1. **Require submission of an inventory of scenic and historic features with all applications that propose work adjacent to the right-of-way of a designated roadway.**
2. **Require the conservation and enhancement of the existing viewsheds of designated roads to the fullest extent possible during the review of land development or permit applications, whichever comes first. Elements to be considered shall include views of structures from the roadway; design character and materials of constructed features; preservation of existing vegetation, slopes and tree tunnels; use of scenic easements; and limited access points.**

An inventory of scenic and historic features was not required at the time of preliminary plan and was not required with this development project because retention of existing woodland within the viewshed was proposed on the approved TCPI, and the signed NRI provided detailed information about the existing woodlands located in this area. Implementation of the strategies cited above requires the conservation and enhancement of the existing viewshed. The Planning Department accepts the applicant's revised proposal to provide a combination of preserved woodland and planting as sufficient protection of the historic roadway.

Summary of Recommended Findings

The Planning Board found that the application, including Type II Tree Conservation Plan TCPII-010-12, can be found in conformance with Zoning Map Amendments A-9965-C and A-9966-C if revised in accordance with the recommended conditions; can be found in conformance with CDP-0501 and TCPI-038-05 if revised in accordance with the recommended conditions; can be found in conformance with Preliminary Plan 4-05080 and TCPI-038-05 if revised in accordance with the recommended conditions; and that the regulated environmental features on the subject property have been found to have been preserved and/or restored to the fullest extent possible. The PMA impacts shown on SDP-1003-07 are consistent with those approved with Preliminary Plan 4-05080.

- k. **The Prince George's County Police Department**—In a memorandum dated August 17, 2015, the Police Department stated that their review of the plans resulted in no Crime Prevention through Environmental Design (CPTED) recommendations.
- l. **The Prince George's County Health Department**—In a memorandum dated August 13, 2015, the Health Department offered the following comments and recommendations:

- (1) Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community. Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how development of the site will provide for safe pedestrian access to amenities in the adjacent communities.

See Finding 15(e) for a full discussion of the manner in which a high-quality and safe pedestrian environment is being provided for the subject project.

- (2) This property is located in an area of the county considered a “food desert” by the US Department of Agriculture, where affordable and healthy food is difficult to obtain. Health Department permit records indicate there are no carry-out/convenience store food facilities, and no markets/grocery stores within a ½ mile radius of this location. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity. Future planning should consider establishing commercially zoned space in proximity to this development for businesses that would provide access to healthy food choices in the area.

This concern is noted and will be addressed in later phases of the subject project or other projects in the Westphalia sector. However, the Planning Board does not have the authority to change the design program of the proposed development to include the commercial component that would be necessary to address this concern at this time. This information has been provided to the applicant for consideration in future phases of the project.

- (3) There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.

This information has been provided to the applicant for consideration of inclusion of a community garden in future phases of the project.

- m. **Maryland State Highway Administration (SHA)**—In an e-mail dated August 11, 2015, SHA stated that they had no comments on the subject project.
- n. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail dated August 7, 2015, WSSC offered numerous comments that will be addressed through their separate permitting process.
- o. **Verizon**—In a telephone conversation on September 1, 2015, a representative of Verizon stated that they had no comment on the subject application.
- p. **Potomac Electric Power Company (PEPCO)**—In an e-mail dated August 14, 2015, a representative of PEPCO stated that they reviewed the drawings and concur that the ten-foot-wide public utility easement is what is required. It was noted, however, that additional public utility easements may be required based on service equipment and the location of the service meter. This information has been provided to the applicant for informational purposes.

16. At the Planning Board hearing, the applicant submitted the following finding:

“For purposes of background, the R-M portion of Parkside consists of 727 gross acres. The Basic Plan (A-9965) was approved by the District Council on or about May 22, 2006. The Basic Plan included a portion of the R-M zone for mixed retirement development (‘MRD’). Specifically, a maximum adjusted gross acreage of 153 acres was allowed for MRD with a base density of 3.6 dwelling units per acre, with a maximum density of 8.0 dwelling units per acre. CDP-0501 was approved for Parkside by the District Council on or about June 12, 2006 and also approved a maximum MRD adjusted gross acreage of 153 acres. The Applicant’s development of the site continues to reserve an adjusted gross acreage of 153 acres for MRD in the R-M Zone within Parkside. For purposes of specifying where such MRD acreage occurs within the overall Parkside development, the Applicant has proposed the inclusion of sheet 1D within the plan set for SDP-1003/07. Said plan sheet clearly delineates the location of the 153 adjusted gross acres of MRD in R-M Zone, and will serve as a convenient future reference for the Planning Board as to where the MRD acreage is located within the overall project.”

The Planning Board adopted the finding above.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCP-II-010-12), and further APPROVED Specific Design Plan SDP-1003-07 for the above-described land, subject to the following conditions:

1. Prior to certification of the specific design plan (SDP), the applicant shall make the following revisions to plans and/or provide the specified additional materials:
 - a. The bearings and distances, lot size, lot and block numbers, and easements shall be shown on the plan as they are proposed to be included on the final plats for the project.
 - b. Any roof covered porches or stoops provided shall be dimensioned on the template sheet.
 - c. The gateway sign plans shall be revised to show a maximum six-foot height.
 - d. The applicant shall revise the Highly-Visible Lot Exhibit to include the highly-visible lots for the single-family detached units, as well as the townhouses, and to add the following lots: Lots 88, 89, 137, 140, 141, and 149, Block L, as shown on Staff's Exhibit (Slide 14 of 18).
 - e. Revise the tracking chart to include the entirety of Preliminary Plan of Subdivision 4-05080, all sections, adding the number of parcels and lots, and tracking what was approved in the preliminary plan and SDP for each section.
 - f. The Highly-Visible Units Exhibit shall be revised to include all unit types in the SDP and to encompass each section within the land area of the SDP and be added to the plan set.
 - g. The applicant shall demonstrate on the plan the dedication of right-of-way in accordance with Condition 44e of PGCPB Resolution No. 06-64(A/2)(C) of 40 feet from centerline of Westphalia Road, or a lesser right-of-way as deemed appropriate by the operating agency.
 - h. Clearly label all bearings and distances and the lot and parcels sizes. The SDP sheet match lines must be adjusted on each sheet so that the bearings and distances are legible, including increasing the font size of the bearings and distances to the extent practicable.
 - i. Label the disposition of each road and alley, to be either public or private. Private roads and alleys shall be placed in parcels.
 - j. The plans shall be revised to accommodate wider end units on sticks containing 16- and 20-foot-wide townhouses, where feasible.
 - k. Eliminate Lot 6 of Block M, or adjust the lotting pattern within Block M to provide the minimum lot area of 6,000 square feet for all proposed lots.
 - l. The plans shall be revised to reflect no more than six single-family attached dwelling units comprise a building stick.

- m. The Stanley Martin Morris architectural model shall be revised as follows:
 - (1) The front façade architecture shall be revised to provide a minimum of 60 percent brick or masonry material, and materials should wrap around offsets in the building.
 - (2) Two-car garages shall be provided on the architectural elevations and template plans to provide an option to the homebuyer or pre-selected by the builder.
 - (3) Revise the plans to show a minimum of two standard architectural features, such as windows, doors, or fireplace chimneys, arranged in a reasonably balanced design on all side elevations, and a minimum of three such features and brick or masonry material on all highly-visible side elevations.
- n. Revise the plans to include an analysis of the following:
 - (1) The percentage of proposed lots under 1,600 square feet.
 - (2) Parking within each section indicating no more than two spaces per unit provided and an analysis of on-street parking available to residents and their guests. Additional on-street parking shall be provided if warranted.
- o. The plans shall be revised to demonstrate that the aggregate green open area is a total of 48,500 square feet of open space and a combination 5,000-square-foot pre-teen lot and tot lot shall be provided, in accordance with the *Park and Recreation Facilities Guidelines*. A sitting area shall be added to parcel L2.
- p. Adjust the location of street trees and sidewalks to adhere to the requirements of Section 4.10 of the 2010 *Prince George's County Landscape Manual* or, if not feasible, obtain alternative compliance of a departure.
- q. The Tree Canopy Coverage chart shall be revised to calculate the requirements for the subject site of the subject SDP.
- r. Revise Sheet 27 to extend the proposed hammerhead turn-around on Deer Stream Drive to the common property line. Signage (if allowed by the Prince George's County Department of Public Works and Transportation (DPW&T)) shall be posted at the end of Deer Stream Drive.

2. Prior to certification of the Type II tree conservation plan (TCPII), the following revisions to the plans shall be made:
 - a. Under Standard Type II Tree Conservation Plan Notes, the following revisions shall be made:
 - (1) In Note 1, the second sentence shall be removed.
 - (2) In Note 3, the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) shall be identified as the contact for the pre-construction meeting.
 - b. The overall woodland conservation worksheet shall be consistent with the individual woodland conservation worksheet.
 - c. On the individual woodland conservation worksheet:
 - (1) The woodland conservation required shall be revised to include the full requirement to be provided with this section.
 - (2) The amount of afforestation/reforestation included in future Sections 5 and 6, or a separate line, shall be added for the afforestation/reforestation provided in Sections 5 and 6;
 - (3) A note shall be added under the individual worksheet stating, "See Note 3 under Phased Woodland Conservation Worksheet."
 - d. Note 1 of the worksheet notes shall be revised to provide the full order of priorities for determining the location of off-site woodland conservation.
 - e. Have the revised plan signed and dated by qualified professional who prepared it.
 - f. The coversheet of the TCPII shall be corrected to reflect and label the full limits of the central park, specifically, the area shown as within Sections 5 and 6.
 - g. Any afforestation/reforestation credited in Sections 5 and 6 of the Parkside project (formerly Smith Home Farm), as shown on TCPII-020-13 and TCPII-019-13, shall be placed into recorded Woodland and Wildlife Habitat Conservation Easements.
 - h. The applicant shall submit evidence of the bonding of afforestation in future Sections 5 and 6, required to meet the woodland conservation requirements of Sections 1B, 2, or 3.

- i. Certification of afforestation/reforestation plantings in Sections 5 and 6 shall be submitted to the Environmental Planning Section so that the beginning of the maintenance period can be established.

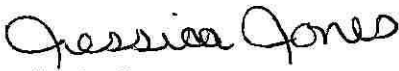
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Shoaff, with Commissioners Washington, Shoaff, Bailey, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 19, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of December 2015.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:SL:rpg

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 12/2/15