

PGCPB No. 17-133

File No. SDP-1003-13

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 September 28, 2017, regarding Specific Design Plan SDP-1003-13 for Parkside (formerly Smith Home Farm), Sections 1A, 1B, 2, and 3, the Planning Board finds:

1. **Approval:** This specific design plan (SDP) amends the previously approved SDP to increase the gross floor area (GFA) of the clubhouse by adding a mezzanine and with minimal changes to the building footprint, elevations and no changes to the building height and number of stories.

The Planning Director originally approved the amendment application (SDP-1003-09) on April 11, 2017. Ms. Shee' Newman, who is a resident in the Parkside development, appealed the Planning Director's decision and requested a Planning Board hearing for the SDP.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zones	R-M/M-I-O	R-M/M-I-O
Uses	Residential (single-family attached and two-family)	Residential Retirement (single-family attached and two-family)
Overall Parkside Acreage	757	757
Acreage of SDP-1003	265	265
Acreage of Section 3 of SDP-1003	27.85	27.85
GFA (square footage) of the Community Building	9,760/11,557*	15,017

Note: *This second figure included roofed-porches, which were in the original approval counted in the overall square footage of the community building.

CLUBHOUSE PARKING	UNITS	REQUIRED	PROVIDED
ACTIVITY POOL (1 PER EVERY 7)	80	12	
COMPETITION POOL (1 PER EVERY 7)	76	11	
MEETING ROOMS (1 PER EVERY 7)	124	18	
EXERCISE/AEROBICS (1 PER EVERY 7)	23	4	91
GATHERING HALL (1 PER EVERY 3)	50	17	
SPORTS LOUNGE/GAME ROOM (1 PER EVERY 7)	70	10	
THEATER (1 PER EVERY 4)	21	6	
EMPLOYEES	4	4	
HANDICAP SPACES (1 PER EVERY 25)		4	3
TOTAL		86	94

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). Specific Design Plan SDP-1003, Sections 1A, 1B, 2, and 3 are located in the western portion of the development. The subject site is located in Section 3, which is located in the eastern/central portion of the SDP, adjacent to the planned Westphalia Central Park. The project is also located in Planning Area 78, Council District 6.
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), Military Installation Overlay (M-I-O), and Residential Agricultural (R-A) Zones and undeveloped land in the Light Industrial (I-1), Commercial Miscellaneous (C-M), Commercial Office (C-O), M-I-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, single-family detached houses, and undeveloped land in the R-A and M-I-O Zones; to the west by existing development (Mirant Center) in the I-1 and M-I-O Zones, existing residences in the R-R, M-I-O and R-A Zones, and undeveloped land in the I-1, M-I-O, and Mixed Use-Transportation Oriented (M-X-T) Zones. Section 3 of the subject SDP, where the revisions approved herein are to occur, is bounded to the north by Section 4 of the Parkside (formerly Smith Home Farm) development, to the southeast by Central Park Drive with the future Westphalia Central Park beyond, to the south/southwest by Rock Creek Drive, with Sections 1A, 1B and 2 of SDP-1003 of the Parkside (formerly Smith Home Farm) Development.
5. **Previous Approvals:** The larger Parkside development (formerly Smith Home Farm) includes 727 acres in the Residential Medium Development (R-M) and M-I-O Zones and 30 acres in the Local Activity Center (L-A-C) and M-I-O Zones, 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 approximately 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 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-0506-03 was approved by the Planning Board on July 17, 2014 and PGCPB Resolution No. 14-70 was adopted by the Planning Board on July 31, 2014, formalizing that approval.

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-1101 was approved by the Planning Board on February 26, 2016. On March 17, 2016, the Planning Board approved PGCPB Resolution No. 16-32, formalizing that approval. Subsequently, the District Council heard the case in oral argument and affirmed the Planning Board's decision on May 16, 2016. Specific Design Plan SDP-1302 was approved by the Planning Director on November 8, 2013. Specific Design Plan SDP-1302-01 was approved by the Planning Board on February 1, 2015 and PGCPB Resolution No. 16-140 was adopted on February 15, 2015, formalizing that approval.

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, and 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.

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. The District Council subsequently reviewed the case and approved it by an order dated July 21, 2015. It should be noted that 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 previous "Smith Home Farm" to "Parkside."

Specific Design Plan SDP-1003-07 to revise Section 2 was approved by the Planning Board on November 19, 2015. The Planning Board subsequently adopted PGCPB Resolution No. 15-121 on December 10, 2015. The District Council subsequently reviewed the case and approved it by an order dated March 28, 2016.

Specific Design Plan SDP-1003-08 to add and modify entrance signs was approved by the Planning Director on December 21, 2015.

Specific Design Plan SDP-1003-09 was approved by the Planning Board on September 8, 2016. On September 29, 2016, the Planning Board adopted PGCPB Resolution No. 16-105.

Specific Design Plan SDP-1003-10 was approved by the Planning Director to add the Davenport II townhouse model by Dan Ryan Builders.

Specific Design Plan SDP-1003-11 was approved by the Planning Director to update the previously approved Arcadia townhouse model on January 17, 2017.

Specific Design Plan SDP-1003-12 was approved by the Planning Director to add two townhouse models, Alden and Camden, by Dan Ryan Builders on April 7, 2017.

Specific Design Plan SDP-1003-13 was approved by the Planning Director to increase the GFA of the previously approved clubhouse building on April 11, 2017.

County Council Resolution CR-97-2016, the property was placed in the M-I-O Zone by Council Resolution CR-97-2016 on November 15, 2016.

Stormwater Management Concept Plan 24819-2006-03, the project is subject to the approved stormwater management concept plan dated March 25, 2017, and valid until May 25, 2020.

6. **Design Features:** This SDP adds a mezzanine to the approved clubhouse building, increasing its square footage from 9,760 square feet (11,557 square feet including the covered patio areas) to 15,017 square feet (a net increase of 3,460 square feet). In addition, the SDP adds 14 compact parking spaces for the clubhouse (a net increase in of four spaces) and a 16-space parking lot on Parcel T23, across Parkstone Drive from the clubhouse.

Clubhouse Architecture: The clubhouse architecture was originally approved by the Planning Board as part of SDP-1003-05. At that time, the clubhouse was to contain 9,760 square feet of finished area and a total square footage of 11,557 (when including the covered patio areas). It was thought at the time, that the applicant would subsequently build a second community building of approximately 5,000 square feet. Based on the economic scale and minimizing future maintenance costs to residents, the applicant decided to build only one community building and to revise the clubhouse to include a mezzanine level, which would provide a meeting/community space of approximately 5,000 square feet. Revised floorplans and front elevations are herein approved indicating the following design program for the community building, which varies somewhat from the originally approved.

The following chart noted below covers the major areas of the clubhouse but do not add up to 15,017 square feet that will ultimately be provided. This is because it does not include space such as hallways, the foyer and the lobby which do not have occupancy requirements. The first floor, overall, is 9,822 square feet and the second floor is 5,195 square feet, for a total of 15,017 square feet.

Office /Receptionist	292 sq. ft.
Meeting Room	178 sq. ft.
Aerobics	714 sq. ft.
Mens' Locker Room	447 sq. ft.
Womens' Locker Room	448 sq. ft.
Exercise Room	1,094 sq. ft.
Gathering Hall	1,003 sq. ft.
Sports Lounge & Game Room	1,214 sq. ft.
Theater	414 sq. ft.
Youth Game Room 1	434 sq. ft.
Youth Game Room 2	344 sq. ft.
2 nd Floor Communal Space	3,014 sq. ft.
2 nd Floor Kitchenette	146 sq. ft.

Recreational Facilities: The clubhouse is part of the recreational facilities for the project. A recreational facilities agreement (RFA) was originally approved for the project on March 4, 2013. An amended RFA was then approved on May 11, 2016, as required by Condition 2 of SDP-1003-05. Subsequently, bonds in the amounts of \$202,820.00 and \$111,000.00 were posted, respectively, for the Sections 1A and 1B portions of SDP-1003 on December 4, 2016. These facilities have been installed. Regarding Section 3, in which the clubhouse is located, a bond in the amount of \$3,235,507.00, was posted on June 2, 2016. Since the Planning Director's decision is herein affirmed, as recommended, both the RFA and the bond amount must be adjusted to reflect the change. The applicant shall amend the RFA to reflect the increased square footage of the clubhouse and the increased bond amount required.

Exterior Architecture: The amendment to the clubhouse building architecture does not change the building footprint, nor building height or number of stories. The clubhouse front elevation is slightly modified, replacing two of the windows with doors. The side and rear elevations remain the same as those previously approved. The Planning Board has no objection to this minor revision to building elevations, as it comfortably fits with the design aesthetic of the architecture otherwise approved for the clubhouse's front elevation.

Parking: As a result of adding gross floor area to the building, the number of parking spaces has been increased to meet the Zoning Ordinance requirements. The row of 22 regular parking spaces along Parkstone Drive, near its intersection with Central Park Drive, has been replaced with 26 compact parking spaces (a net gain of 4). In addition, a reinforced turf overflow parking lot has been added to Parcel T23 across Parkstone Drive from the clubhouse (a gain of 16 parking spaces) by this approval.

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, with no conditions, rezoning 727 acres of the Parkside (formerly Smith Home Farm) 757-acre property from the R-A Zone to the R-M Zone. Specific Design Plan SDP-1003 lies entirely within the R-M-zoned portion of the site. The subject application to revise the clubhouse architecture, to add a mezzanine internally, to add compact parking spaces for the clubhouse and a parking lot on Parcel T23, will not alter the previously made findings of conformance with the requirements of Zoning Map Amendment A-9965-C.

8. **Prince George's County Zoning Ordinance:** The subject SDP is in 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 of the Zoning Ordinance governing development in the R-M Zone.
- b. **Military Installation Overlay (M-I-O) Zone:** The project is also located within the Noise Impact Zone (60-74dBA noise contour) of the Zone. Residential structures in this noise contour are required to demonstrate that all interior noise levels of the residential homes will be mitigated to 45 dBA Ldn or less and there is no outdoor play area located within noise levels higher than 65 dBA Ldn. The subject community center is not a residential structure and not required to conform to these requirements.

The project is also located in Surface Area E, which requires a maximum height of 60 feet. Using the Zoning Ordinance definition of height (the vertical distance from grade to average height of roof), the clubhouse is 33 feet and 5.5 inches feet tall and is therefore well below the maximum building height limits for Surface Area E.

- c. This case was originally approved on April 11, 2017 by the Planning Director, pursuant to Section 27-530, Amendments, of the Zoning Ordinance. Pursuant to Section 27-530(d), Appeal, by a letter received on May 9, 2017, Shee' Newman requested an appeal of the decision and the Planning Board to review this amendment. Section 27-530(d) states that the appeal must be based on a claim that the true intent of the comprehensive and specific design plans of the Zoning Ordinance, has been incorrectly interpreted or applied. More particularly, Section 27-530(d) of the Zoning Ordinance states:

Appeal.

- (1) The decision of the Planning Director (or designee) may be appealed to the Planning Board. Application for appeal may be made when it is claimed that the true intent of the Comprehensive and Specific Design Plans or of this Subtitle have been incorrectly interpreted or applied. Notice of such appeal shall be in writing and filed within thirty (30) days after the decision is rendered by the Planning Director.**
- (2) Hearing. The Planning Board shall conduct a hearing pursuant to its Rules of Procedure.**

The requirement for a successful appeal of a Planning Director's decision on a SDP is that the true intent of the comprehensive and specific design plans or of the Zoning Ordinance have been incorrectly interpreted or applied. In the appellant's letter dated May 9, 2017, Ms. Shee' Newman, did not claim any inconsistency with the approved Comprehensive Design Plan (CDP-0501, as revised) or Specific Design Plan (SDP-1003-05). Instead, the appellant cited a preference for two separate buildings, retention of the open space where the parking lot is herein approved, concerns regarding American with Disabilities Act (ADA) compliance, the assortment of amenities to be included in the community building, and parking management as reasons to challenge the Planning Director's decision. Only one of the issues raised (i.e., the number of the community buildings) is pertinent to the previously approved CDP and SDP. Specifically, the CDP permits a 15,000-square-foot single community building with certain conditions. Therefore, the appellant's appeal is herein denied.

d. 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 SDP has been previously evaluated for conformance with approved Comprehensive Design Plans CDP-0501 and CDP-0501-01, as discussed above in Finding 9 below. The revision to the clubhouse architecture and modifications to parking for the clubhouse herein approved do not alter the previously made findings of conformance with the CDP that were made at the time of approval of previous Specific Design Plan SDP-1003-05. Therefore, 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, police, and transportation were made in conjunction with the preliminary plan and subsequent SDPs. The subject revision approval will have no effect on the previous findings of adequacy made in conjunction with those plans.

- (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 September 5, 2017, the Prince George's County Department of Permitting Inspections and Enforcement (DPIE) stated that the subject SDP was in accordance with the requirements of Stormwater Management Concept Plan 24819-2006-03, dated March 25, 2017 and valid until May 25, 2020. This will ensure that 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 accordance with this required finding.

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

The concerns that are being stated will not affect the approved Type II Tree Conservation Plan TCP II-011-12-03, or alter comments and recommendations that the Planning Board previously made. The plan is in conformance with an approved Type 2 tree conservation plan in accordance with this requirement.

- (5) **The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

Specific design plans for grading, development, and tree conservation have been approved separately and contain findings regarding regulated environmental features. The subject revision application will have no impact of any kind on regulated environmental features or on the preservation of those features.

9. **Comprehensive Design Plan CD-0501 and its revision:**

Comprehensive Design Plan CDP-0501—Comprehensive Design Plan CDP-0501 for Parkside (formerly Smith Home Farm) was approved by the Planning Board on February 23, 2006 and by the District Council on June 12, 2006. This approval was reconsidered, to revise five conditions and findings related to certain services for the design, grading, and construction of the Westphalia Central Park and the issuance of building permits, and reapproved by the District Council on March 28, 2016. The condition of that approval, relevant to the subject case is included in **boldface type**, followed by Planning Board comment:

7. **Prior to acceptance of the applicable SDPs:**

a. **The following shall be shown on or submitted with the plans:**

- (1) **The community building shall be shown as a minimum of 15,000 square feet in addition to the space proposed to be occupied by the pool facilities.**

The clubhouse herein approved measures 15,017 square feet which meets the requirement of this condition.

Comprehensive Design Plan CDP-0501-01—On December 1, 2011, Comprehensive Design Plan 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. The following conditions contained in the May 21, 2012 affirmation of the Planning Board's decision and approval of CDP-0501-01 are relevant to the subject SDP. The condition is included in **boldface type**, followed by Planning Board comment:

5. **If the applicant decides to build one 15,000-square foot community building (not including the community building for the seniors), the community building shall be bonded prior to the issuance of the 1,325th building permit and the community building shall have a validly issued use and occupancy permit and be open to residents prior to the 1,550th building permit.**

The applicant chose the option afforded by this condition to build one community building measuring 15,017 square feet. Therefore, in accordance with this condition the community building must be bonded prior to issuance of the 1,325th building permit, have a validly-issued use and occupancy permit, and be open to residents prior to the issuance of the 1,550th building permit. The applicant has been reminded of these requirements and indicated that he intends to adhere to this condition.

7. **Prior to acceptance of the applicable SDPs:**

a. **The following shall be shown on or submitted with the plans:**

- (1) **The community building or buildings shall be shown as a combined minimum of 15,000 square feet, in addition to the space proposed to be occupied by the pool facilities.**

This condition permitted either one or multiple buildings to fulfill the requirement that the applicant provide 15,000 square feet of community building space. The applicant, in the current approval, is approved for a single 15,017-square-foot building in conformance with this requirement.

10. **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(A/2)(C). The following conditions of that approval are relevant to the subject SDP. Each condition is included in **boldface** type below, followed by Planning Board comment:

2. **A Type II Tree Conservation Plan shall be approved with each specific design plan.**

The Planning Board reviewed the letter of request for an appeal for the subject approval, and found that the concerns that were being appealed will not affect the approved Type II Tree Conservation Plan, TCP II-011-12-03, or alter comments and recommendations that the Planning Board previously made.

3. **Development of this site shall be in conformance with an approved Stormwater Management Concept Plan, 36059-2005-00 and any subsequent revisions thereto.**

In a memorandum dated September 5, 2017, the DPIE stated that the subject project is in conformance with Stormwater Management Concept Plan 36059-2005-01, which is a revision to Stormwater Management Concept Plan 36059-2005-00, in accordance with this condition.

6. **The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFAs) to DRD for construction of recreational facilities on homeowners' land, for approval prior to the submission of final plats. Upon approval by the DRD, the RFA shall be recorded among the county Land Records.**

The applicant will have to amend the RFAs to reflect the additional facilities committed to in this approval. The applicant has been informed of the necessity of amending the RFA and submitting three original recreational facilities in accordance with this requirement.

7. **The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on homeowners' land, prior to the issuance of building permits.**

The applicant will have to provide additional bonding to cover the cost of the additional facilities approved herein, as this SDP is herein approved by the Planning Board. The applicant has been informed of the necessity of providing the additional financial guarantee for the additional GFA proposed herein.

11. **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. See below for a discussion of that approval. 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, none of which are applicable to the subject revision.

Specific Design Plans SDP-1003-01 through SDP-1003-12 all involve various revisions to the residential and recreational areas of the development to revise layouts and/or add architecture as previously noted. SDP-1003-08, SDP-1003-09, SDP-1003-10, SDP-1003-11, and SDP-1003-12 were approved at the Planning Director level and, thus, without conditions that would affect the subject approval. The remainder of the revisionary approvals were approved by the Planning Board with conditions. Specific Design Plan SDP-1003-05 revised the approved central recreational center within Section 3, including the clubhouse and two bath house floor plans and architecture. This SDP was approved with a single condition, with which the project was judged to be in conformance with at the time of plan certification. Therefore, there are no conditions of that approval regarding the clubhouse that need to be evaluated at the present time.

Specific Design Plan SDP-1003—SDP-1003 was approved by the Planning Board on March 8, 2012. On March 29, 2012, the Planning Board adopted PGCPB Resolution No. 12-21, formalizing that approval. The District Council then heard the case in oral argument on July 24, 2012, and affirmed the Planning Board's decision, with conditions. The following conditions attached to the District Council's order, although altered by subsequent approvals, related to the community building:

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, which was modified by subsequent approvals, would have required that a 10,000-square-foot community be bonded prior to issuance of the 200th residential building permit and complete and open to residents prior to issuance of the 400th residential building permit. See the discussion of Specific Design Plan SDP-1003-05 below and the discussion of Comprehensive Design Plan CDP-1501 and its revision in

Finding 9 of this approval, for a detailed discussion of the modifications to requirements and triggers for the community buildings in later approvals.

4. **If the applicant decides to build two community buildings only (not including the community building for the seniors), prior to issuance of the 1,325th residential building permit in the R-M Zone, the second 5,000-square-foot community building shall be bonded, and prior to the issuance of the 1,550th building permit, the community building shall be complete and open to residents. The exact size, timing of construction, and completion of the additional community building shall be established by the Planning Board at the time of appropriate SDP approvals.**

This condition established the trigger for the bonding of the second 5,000-square-foot community building as prior to the issuance of the 1,325 residential-building permit and the for completion prior to the issuance of the 1,550th building permit. The condition expressly specified that the size, timing of construction, and completion of the additional community building would be established by the Planning Board at the time of the appropriate SDP approvals. See the discussion of Specific Design Plan SDP-1003-05 below and the discussion of Comprehensive Design Plan CDP-0501 in Finding 9 of this approval for a detailed discussion of the modifications to requirements and triggers for the community buildings in later approvals. The applicant is not pursuing the second community building.

Specific Design Plan SDP-1003-05—Specific Design Plan SDP-1003-05 was approved by the Planning Board on September 10, 2015. On October 1, 2015, the Planning Board adopted PGCPB Resolution No. 15-91, formalizing that approval. The following condition is pertinent to the subject approval:

2. **Prior to issuance of a building permit for the community building, the applicant shall revise the private recreational facilities agreement to comport with the recreational facilities program included in this specific design plan, and the bonding amounts shall be adjusted if and as necessary.**

Per this condition, the applicant will revise the RFA and adjust the bonding amounts to reflect the additional square footage added to the design program for the proposed community building herein approved prior to issuance of a building permit for the community building. The applicant was made aware of this requirement and agreed with this condition.

12. **2010 Prince George's County Landscape Manual:** The SDP is subject to the requirements of Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets of the 2010 *Prince George's County Landscape Manual*

(Landscape Manual). Each applicable section is listed in **boldface** type below, followed by Planning Board comment.

- a. **Section 4.1 Residential Requirements**—Section 4.1 of the Landscape Manual provides requirements for townhouses, one-family semi-detached, two-family, three-family dwellings arranged horizontally, and two-family dwellings arranged vertically. The revisions herein approved in the subject SDP will not affect previous findings of conformance with Section 4.1 of the Landscape Manual.
 - b. **Section 4.3, Parking Lot Requirements**—Section 4.3 of the Landscape Manual provides requirements for landscape strips along the perimeter of parking lots which measure greater than 7,000 square feet. The revisions approved in the subject SDP do not affect previous findings of conformance with Section 4.3 of the Landscape Manual. The parking lot herein approved meets the requirement.
 - c. **Section 4.4, Screening Requirements**—Section 4.4 of the Landscape Manual provides requirements for screening loading spaces, mechanical equipment, and dumpsters. The revisions herein approved will not affect previous findings of conformance with Section 4.4 of the Landscape Manual.
 - d. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 of the Landscape Manual requires that 50 percent of all shade and ornamental and 30 percent of all evergreen trees and shrubs be of native varieties. The revisions herein approved meet this requirement and will not affect previous findings of conformance with Section 4.9 of the Landscape Manual for the rest of the site.
 - e. **Section 4.10, Street Trees Along Private Streets**—Section 4.10 of the Landscape Manual requires that trees be planted along private streets so as to enhance a development visually and environmentally and to establish human scale. The revisions herein approved will not affect previous findings with Section 4.10 of the Landscape Manual.
13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The revisions to the clubhouse architecture herein approved to add a second story and increase its square footage to approximately 15,000 square feet, to revise the parking layout for the clubhouse, and to add a parking lot on Parcel T23 will have no impact on the previous findings of compliance with the requirements of the Woodland and Wildlife Habitat Conservation Ordinance made in conjunction with the approval of previous SDPs for the subject property.
 14. **Prince George's County Tree Canopy Coverage Ordinance:** The revisions herein approved to the clubhouse architecture to add a mezzanine story and increase the total square footage to approximately 15,017 square feet, to revise the parking layout for the clubhouse, and to add a parking lot on Parcel T23 will have no impact on the previous findings of compliance with the requirements of the Tree Canopy Coverage Ordinance.

15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the following agencies or divisions:

- a. **Historic Preservation**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any Prince George's County Historic sites, historic resources or known archeological sites and a Phase I archeology study is not be necessary for the subject project.
- b. **Permit Review**—The sole permit review comment has been addressed by revisions to the plans.
- c. **Trails**—The Planning Board reviewed the subject SDP application for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.

The subject approval is an amendment to the approved SDP, which revises the architecture for the clubhouse and parking for the clubhouse. Bicycle, pedestrian, and trail facilities were required through the multiple prior approvals, including Preliminary Plan of Subdivision 4-05080 and Specific Design Plan SDP-1003. Conditions of approval addressed issues including the location and timing of trail construction, sidewalk construction, and road cross section issues. The revisions approved herein 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 15(c) of PPS 4-05080, will be located along the south/east side of the road, which does not impact the area covered by the current SDP revision.

The original SDP approval for SDP-1003 (PGCPB Resolution No. 12-21), included the following condition of approval related to the timing and construction of trail facilities:

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 200th 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 revisions herein approved, and remains in effect. The trail adopted connections approved as part of prior approvals shall still be built consistent with the timing noted above.

Approved PGCPB Resolution No. 06-64(A/2)(C) requires standard sidewalks along both sides of all internal roads.

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.

Sidewalks and trails were addressed along Central Park Drive and Rock Spring Drive through prior approvals. The SDP revision herein approved retains the sidewalks along the internal roads as previously approved. Parcel U1 includes sidewalk access from Parkstone Drive to the clubhouse and from the event lawn to the pool and clubhouse. The sidewalks and trails along the abutting roads provide access to the facilities from the surrounding residential units. Per the previously approved comprehensive trails plan for Smith Home Farms, Rock Spring Drive will include standard sidewalks and bike lanes along both sides and Central Park Drive will be constructed with a standard sidewalk on one side and a shared use path (or trail) on the other.

Pedestrian Access between the Reinforced Turf Parking and the Clubhouse

Pedestrian access between the reinforced turf parking lot on the north side of Parkstone Drive and the clubhouse, and other facilities on the south side of Parkstone Drive, should be provided. Sidewalk access is provided at all appropriate locations between the two facilities; however, striped crosswalks are needed at all legs of the Parkstone Drive and Richmond Run intersection (including across the access to the clubhouse). Stamped concrete may be an appropriate treatment for these crosswalks.

Furthermore, as currently shown on the plans, the access to the reinforced turf parking is provided directly over the sidewalk and curb off Richmond Run. The plans should be revised to show a driveway access at the location where automobiles will access the parking lot. For both the crosswalks and the driveway entrance, Prince George's County Department of Public Works and Transportation specifications have been provided to the applicant as examples of the type of facility needed. However, as the roads involved are herein approved as private, alternative standards may be used, if needed, to fit within the context of the development.

- d. **Environmental**—The Planning Board has reviewed the letter of request for appeal for the subject approval, and found that the concerns being appealed would not affect the approved Type II Tree Conservation Plan (TCPII-011-12-03) or alter comments and recommendations previously made.
- e. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 5, 2017, DPIE stated that the subject SDP was in accordance with the requirements of Stormwater Management Concept Plan 24819-2006-03, dated March 25, 2017 and valid until May 25, 2020.
- f. **Westphalia Civic Association/Advisory Council**—On August 30, 2017 and August 31, 2017 respectively, Mr. Redell Duke and Mr. Melvin Henderson stated that the Westphalia Civic Association/Advisory Council had no comment on the subject project.

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 AFFIRMED the Planning Director's approval of Specific Design Plan SDP-1003-13 for the above-described land.

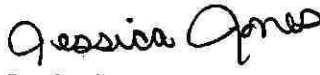
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Doerner, with Commissioners Washington, Doerner, Geraldo, and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, September 28, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of October 2017.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:RG:rpg

APPROVED AS TO LEGAL SUFFICIENCY


M-NOPPC Legal Department

Date 10/10/17