THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 16-140

File No. SDP-1302-01

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 December 1, 2016, regarding Specific Design Plan SDP-1302-01 for Parkside (formerly Smith Home Farm), Sections 5 and 6, the Planning Board finds:

1. **Request:** The subject application requests approval for grading and the installation of five stormwater management facilities for Parkside (formerly Smith Home Farm), Sections 5 and 6, a part of the larger Parkside development.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-M	R-M
Uses	Vacant	Infrastructure
Total Gross Acreage of SDP	**144.20**	**144.20**
Section 5	62.78	62.78
Section 6	81.42	81.42
Floodplain Acreage of SDP	**13.40**	**13.40**
Net Acreage of SDP	**130.80**	**130.80**

3. **Location:** The larger Parkside (formerly known as Smith Home Farm) subdivision 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 5 and 6, totaling approximately 144.20 acres, are located in the far southeastern portion of the larger Parkside development on both sides of Melwood Road.

4. **Surrounding Uses:** Specific Design Plan SDP-1302-01 is bounded to the north and west by other sections of the Parkside development, specifically the Central Park to the north and Section 1A to the west. To the south are mostly vacant Mixed Use Transportation–Oriented (M-X-T) zoned properties that all have existing approvals for future development, specifically the mixed-use Westphalia Town Center and the Moore Property development. To the east is vacant land in the Rural Residential (R-R) Zone that is part of the future Marlboro Ridge residential development.

5. **Previous Approvals:** The subject application is for Sections 5 and 6 within a larger project currently known as Parkside, which has 757 gross acres, including 727 acres in the Residential Medium Development (R-M) Zone and 30 acres in the Local Activity Center (L-A-C) Zone. The Parkside project was rezoned from the Residential-Agricultural (R-A) Zone to the R-M Zone (3.6-5.7) through Zoning Map Amendments A-9965 and A-9966 for a mixed-retirement development, and to the L-A-C Zone with a residential component for 3,648 dwelling units (a mixture of single-family detached, single-family attached, and multifamily condominiums) and 140,000 square feet of commercial/retail space. On September 29, 2005, the Prince George's County Planning Board approved Zoning Map Amendments A-9965 and A-9966, subject to 19 conditions. On October 26, 2005, the Zoning Hearing Examiner (ZHE) approved Zoning Map Amendments A-9965 and A-9966 with two conditions, which included all of the conditions of approval of the Planning Board as sub-conditions. The Prince George's County District Council finally approved both zoning map amendments on February 13, 2006, and the orders of approval became effective on March 9, 2006.

   On February 23, 2006, the Planning Board approved Comprehensive Design Plan CDP-0501 (PGCPB Resolution No. 06-56(C)) for the entire Parkside project with 30 conditions. On June 12, 2006, the District Council adopted the findings of the Planning Board and approved CDP-0501 with 34 conditions. On July 20, 2011, a revision to CDP-0501 was filed to modify Condition 3 regarding the construction of the MD 4/Westphalia Road interchange, Condition 7 regarding the location and size of the proposed community center and pool, and Condition 16 regarding the size of the market-rate single-family attached lots in the R-M Zone. On December 1, 2011, the Planning Board approved CDP-0501-01 (PGCPB Resolution No. 11-112) with four conditions.

   On July 27, 2006, the Planning Board approved Preliminary Plan of Subdivision 4-05080 (PGCPB Resolution No. 06-64(A)) for 1,176 lots (total 3,628 dwelling units) and 355 parcels with 77 conditions. On July 27, 2006, the Planning Board approved infrastructure Specific Design Plan SDP-0506 (PGCPB Resolution No. 06-192) for portions of roadways identified as MC-631 (oriented east/west, also known as C-631) and C-627 (oriented north/south) in the R-M Zone. This application also showed a portion of the roadway between MC-631 and the Presidential Parkway, also known as A-67. On December 12, 2007, Specific Design Plan SDP-0506-01was approved by the Planning Director for the purpose of revising A-67 to a 120-foot right-of-way and adding bus stops and a roundabout.

   In addition to the prior approvals for the site mentioned above, two later actions by the District Council have revised several conditions of Comprehensive Design Plan CDP-0501 that governs the development of the entire Smith Home Farm project. The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA) was approved by the District Council on February 6, 2007. In Prince George's County Council Resolution CR-2-2007, the District Council modified several conditions in CDP-0501. Specifically, the District Council prescribed a minimum residential lot size for single-family attached lots (Condition 16) near the Westphalia Town Center to be in the range of 1,300 to 1,800 square feet in Amendment 1 and further, in the resolution, established a minimum lot size for single-family attached dwellings in

the R-M Zone (Market rate) to be 1,300 square feet; established park fees (Condition 22) of $3,500 per new dwelling unit (in 2006 dollars) in Amendment 8; and further clarified the intent of the District Council regarding Conditions 10–23 in Comprehensive Design Plan CDP-0501 for Smith Home Farm to require submission of an SDP for the Central Park following approval of the Westphalia Sector Plan and SMA, and not as the second SDP as stated in the original Condition 23 of CDP-0501.

On October 26, 2010, the District Council approved a resolution concerning *Public Facilities Financing and Implementation Program (PFFIP) District Westphalia Center* to provide financing strategies including, but not limited to, pro-rata contributions, sale leasebacks, funding clubs, the Surplus Capacity Reimbursement Procedure provided in Section 24-124 of the Subdivision Regulations, and other methods in order to ensure the timely provision of adequate public facilities for larger projects such as Westphalia.

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.

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.

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. Specific Design Plan SDP-1003-07 was approved by the Planning Board on November 19, 2015. Prince George's County Planning Board Resolution No. 15-121 was adopted on December 10, 2015. Specific Design Plan SDP-1003-08 was approved at staff level on December 14, 2015. Specific Design Plan SDP-1003-09 was approved by the Planning Board on September 8, 2016 and PGCPB Resolution No. 16-106 was adopted on September 29, 2016.

The original SDP-1302 was approved by the Planning Director on November 8, 2013, with no conditions, only to show the locations of afforestation areas within Sections 5 and 6. Lastly, the project is subject to Stormwater Management Concept Plan 14846-2006-01, which covers Sections 4, 5, and 6 of the Parkside Development, was approved on June 15, 2016 and is valid until May 4, 2017.

6. **Design Features:** Specific Design Plan SDP-1302-01 is roughly rectangular in shape and bisected by the existing Melwood Road. In Section 5, which lies to the west of Melwood Road, a bioretention facility is proposed in the southwestern corner and stormwater management Pond 5A, in the northeastern portion, close to Melwood Road. In Section 6, which lies to the east of Melwood Road, a bioretention facility (6C) is proposed at the far eastern end, stormwater management Pond 6B in the central portion, and stormwater management Pond 6A in the western portion. Grading and the limits of disturbance are shown on the SDP, together with environmental features occurring on the subject property, such as wetlands and primary management areas. Details of layout and site design for these sections of the Parkside development will be determined when a full-scale SDP is submitted for review at a future date.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9965-C:** On February 13, 2006, the District Council approved Zoning Map Amendment A-9965-C subject to three conditions, none of which is applicable to the review of this limited infrastructure SDP.

8. **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 application is in conformance with the applicable requirements of Section 27-507, Purposes; Section 27-508, Uses; Section 27-509, Regulations; and Section 27-510, Minimum size exceptions, of the Zoning Ordinance governing development in the R-M Zone.

   b. Section 27-528 of the Zoning Ordinance sets forth the following criteria for approval of an SDP for infrastructure:

      (b) Prior to approving a Specific Design Plan for Infrastructure, the Planning Board shall find that the plan conforms to the approved Comprehensive Design Plan, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

      The subject SDP is for the installation of stormwater management facilities in Sections 5 and 6 of the larger Parkside development. The application has an approved Stormwater Management Concept Plan, 14846-2006-01, for Sections 4, 5, and 6. In their referral, the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) indicated that the subject SDP is consistent with the approved stormwater management concept plan. Therefore, it can be found that adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties. The Planning Board found to approve Type II Tree Conservation Plans TCPII-020-13-01 and TCPII-019-13-01, subject to several conditions. The subject application will prevent off-site property damage, and prevent environmental degradation to safeguard the public's health, safety, welfare, and economic well-being because the proposed grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge are consistent with previous approvals.

9. **Comprehensive Design Plan CDP-0501, its revision, and reconsideration:** Comprehensive Design Plan CDP-0501 for 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. On December 1, 2011, Comprehensive Design Plan CDP-0501-01

was approved by the Planning Board subject to four conditions and 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. Conformance with the applicable conditions will be evaluated when a full-scale SDP is submitted for consideration.

10. **Preliminary Plan of Subdivision 4-05080:** On April 6, 2006, the Planning Board approved Preliminary Plan of Subdivision 4-05080 for the entire Parkside project (formerly Smith Home Farm), as formalized in PGCPB Resolution No. 06-64(A/2)(C). The following conditions warrant discussion in relation to the subject SDP:

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

Two Type II tree conservation plans (TCPII) have been submitted with this application, and the Planning Board found to approve them with conditions. Therefore, the project is in conformance with this requirement.

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

In their referral, DPIE indicated that the subject SDP is consistent with the approved stormwater management concept plan.

14. The applicant, his heirs, successors and/or assignees shall preserve as much of Melwood Road as feasible for use as a pedestrian/trail corridor, in keeping with recommendations from the WCCP study. Consideration should be given to the use of existing Melwood Road as a pedestrian/trail corridor east and west of C-632 at the time of SDP. The Cabin Branch Stream Valley trail and the Melwood Road trail should converge on the west side of the C-632 and a pedestrian trail crossing provided under C-632 where the bridging of the stream valley and Cabin Branch could occur for the construction of C-632. An at-grade pedestrian crossing of C-632 shall be avoided, unless otherwise determined appropriate by the DRD and the DPR. The grade-separated crossing shall be provided for the master-planned Cabin Branch Stream Valley trail at major road crossings. The SDP for the central park shall identify all needed road crossings and bridging.

The subject SDP proposes no grading of the existing Melwood Road. Conformance with this condition will be evaluated when a full-scale SDP is submitted for consideration.

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 will be evaluated for Sections 5 and 6 at the time when a full-scale SDP is submitted.

11. **Specific Design Plan SDP-0506 and its revisions:** The Planning Board approved Specific Design Plan SDP-0506 for infrastructure with three conditions. Condition 2 is related to the review of the subject SDP as follows:

2. A limited SDP for stream restoration shall be developed outlining areas that are identified to be in need of stream restoration. The limited SDP shall receive certificate approval prior to the certificate approval of the SDP for the first phase of development, excluding SDP-0506. Prior to issuance of any grading permits, all SDP's shall be revised to reflect conformance with the certified stream restoration SDP. There will not be a separate TCPII phase for the stream restoration work; it shall be addressed with each phase of development that contains that area of the plan. Each subsequent SDP and associated TCPII revision shall reflect the stream restoration work for that phase. As each SDP is designed, it shall include the detailed engineering for the stream restoration for that phase.

The limited SDP for stream restoration shall:

a. Be coordinated with the Department of Parks and Recreation for land to be dedicated to DPR, other agencies who have jurisdiction over any other land to be dedicated to that agency and the review agency that has authority over stormwater management;

b. Consider the stormwater management facilities proposed;

c. Include all land necessary to accommodate the proposed grading for stream restoration;

d. Address all of the stream systems on the site as shown on the submitted Stream Corridor Assessment and provide a detailed phasing schedule that is coordinated with the phases of development of the site;

e. Be developed using engineering methods that ensure that the stream restoration measures anticipate future development of the site and the addition of large expanses of impervious surfaces;

f. Identify what areas of stream restoration will be associated with future road crossings, stormwater management and utility crossings; and

g. Identify areas of stream restoration that are not associated with future road crossings, stormwater management and utility crossings that have an installation cost of no less than $1,476,600 which reflects the density

increment granted in the M-R-D portion of the project (see Finding No. 8, 15 of CDP-0504).

Since the scope of the SDP does not include the stream restoration work, conformance with the above conditions will be evaluated when a full-scale SDP is submitted for Section 5, as Section 6 does not include any necessary stream restoration areas.

Specific Design Plan SDP-0506-02 was approved by the Planning Board on February 23, 2012. Prince George's County Planning Board 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. Prince George's County Planning Board Resolution No. 14-70 was adopted by the Planning Board on July 31, 2014, formalizing that approval. No conditions of these approvals are relevant to the review of Specific Design Plan SDP-1302-01.

12. **Specific Design Plan SDP-1302:** Specific Design Plan SDP-1302 was approved by the Planning Director on November 8, 2013, with no conditions, only to show the locations of afforestation areas within Sections 5 and 6. Conformance with woodland conservation is discussed further in Finding 14 below.

13. **2010 Prince George's County Landscape Manual:** Per Section 27-528(a)(1) of the Zoning Ordinance, an SDP must conform to the applicable standards of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The proposed development of infrastructure only is exempt from conformance with Section 4.1, Residential Requirements; Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; and Section 4.7, Buffering Incompatible Uses, of the Landscape Manual because it does not propose a change in intensity of use, or an increase of impervious area for parking or loading spaces, or gross floor area on the subject property. Future SDPs that include development of the site would have to be reevaluated for conformance with the applicable sections of the Landscape Manual.

14. **1993 Prince George's County Woodland Conservation and Tree Preservation Ordinance:** The subject application is grandfathered from the requirements in Subtitles 24 and 27 of the Prince George's 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 requirements of Subtitle 25, Division 2, effective September 2010, because there is a previously approved tree conservation plan, Type I Tree Conservation Plan TCPI-38-05-01, for the site.

There have been changes to the proposed layout of Sections 5 and 6 since the approval of the preliminary plan which affect regulated features of the site with regards to stream wetland crossing points that propose more extensive impacts and reduction of woodland conservation areas than what was approved with TCPI-038-05-01. The TCPIIs submitted with the current application can be found in general conformance with the approved TCPI because of the limited scope of the application.

With the first TCPII, TCPII-057-06, for the Parkside (Smith Home Farm) development, an overall woodland conservation worksheet for the entire site was approved, as well as an individual TCPII woodland conservation worksheet for specific sections. The overall woodland conservation worksheet provides a way to consistently track the woodland conservation requirements for a large development by calculating the woodland conservation requirements resulting from the range of development activities proposed on the property, identifying how the woodland conservation requirement will be met for the overall site, and how woodland conservation requirements will be distributed among the different phases of the site.

The overall worksheet allows for the cumulative tracking of overall woodland conservation on the entire development to confirm that the overall woodland conservation requirement for the site is being met. In addition, the final decision of the District Council in A-9965-C and A-9966-A also require that the woodland conservation threshold be met on-site. Based on the overall net tract site area of 648.28 acres, the woodland conservation requirement of 24.53 percent results in a woodland conservation threshold of 159.04 acres that must be met on-site. The overall woodland conservation worksheet provided with the current application only provides 150.67 acres of woodland conservation on-site, which is a deficit of 8.37 acres of on-site woodland conservation. Prior to certification of the current application, the overall woodland conservation worksheet and all affected TCPIIs must be revised to indicate where additional on-site woodland conservation will be provided.

The total woodland conservation requirement for the overall development proposed with the current application, based on a net tract area of 648.28 acres and replacement related to clearing of 98.29 acres of net tract woodlands, 4.24 acres of wooded floodplain, 3.38 acres of wooded primary management area, and 2.95 acres of off-site woodland clearing, results in a total woodland conservation requirement of 248.19 acres, which is distributed over the various development sections.

With the approval of SDP-1003 and the associated TCPIIs for Section 1A, 1B, 2, and 3, all sections were evaluated for the provision of on-site woodland conservation, and the significant off-site requirement, which could not be satisfied on-site, was distributed among all sections of the project, so the woodland conservation requirements would be provided on- and off-site concurrently in sequence with the development and not be front-loaded with the early sections or deferred until the end of development. With the most recent reviews of the overall worksheet, with Section 2 (TCPII-010-02), Westphalia Park (TCPII-021-2015), and Section 4 (TCP2-014-2016), the amount of total woodland conservation to be provided with each section was reviewed for consistency with the agreed schedule for woodland conservation fulfillment previously approved. The quantity of total woodland conservation provided in Sections 5 and 6 requires adjustment to be in conformance with the implementation schedule, which indicates a minimum of 35.13 acres and 45.17 acres of woodland conservation provided for each section, respectively.

Other changes in the quantities of preservation and afforestation/reforestation may result from other revisions to the TCPIIs in this report, with a resultant effect on the amount of total woodland conservation provided, but the total amount of woodland conservation required to be provided

with Sections 5 and 6, either on-site or off-site, shall be no less than the required minimum. This quantity was previously agreed to as a fair distribution of the total requirements, and further deferral does not support the intent of the Woodland Conservation Ordinance to provide woodland conservation and replacement concurrent with development.

The TCPIIs also require various technical revisions to be in accordance with the applicable Woodland Conservation Ordinance and the Environmental Technical Manual. The necessary revisions are included in this approval, to be addressed prior to the certification of the SDP.

15. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be evaluated when a full-scale SDP for Sections 5 and 6 is submitted for consideration.

16. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Historic Preservation**—The northern part of proposed Pond 6A, within Section 6 of the Parkside development, partially extends into the environmental setting of the Blythewood Historic Site (78-013).

Built circa 1830, with later additions, Blythewood is a multi-section frame farmhouse, and the principal feature of a large farm complex. The two-story, side-gabled main block of the house was built circa 1830, a shed-roof kitchen wing was added circa 1860 at one end, and a one-story enclosed porch was built at the other end in the 1920s. The principal west façade of the main block is fronted by a two-story portico, also added in the 1920s. The house and domestic outbuildings stand on high ground overlooking a complex of agricultural outbuildings. Originally developed for William F. Berry, the Blythewood complex is an excellent example of a complete nineteenth and twentieth century farm establishment.

The applicant submitted Historic Area Work Permit 2016-55 to construct two stormwater management ponds, Ponds F and 6A, within the Blythewood environmental setting. The application was accepted as complete on November 3, 2016 and was placed on the November 16, 2016 Historic Preservation Commission (HPC) agenda. Pond F is not included in the subject SDP application.

Stormwater management Pond 6A is proposed along the southern edge of the Blythewood environmental setting. Although most of the pond will be located outside of the environmental setting, approximately 0.56 acre of the northern embankment will extend inside the setting. The embankment will range in elevation from 146 feet to 158 feet above sea level. The permanent pool, forebay, and outfall will all be located outside of the

environmental setting. Approximately 220 feet of the fence along the existing driveway will be removed to accommodate the grading for the pond.

Archeological investigations were conducted on the Smith Home Farm property, which includes the Blythewood historic site, in 2005. The area that will be impacted by the construction of the proposed stormwater management, Pond 6A, was included in those investigations. One site, 18PR760, was identified in the area where Pond 6A is proposed to be constructed. This site consisted of three artifact concentrations around two tenant houses, which at the time of the investigation were occupied. All three loci contained artifacts dating from the mid-nineteenth to twentieth centuries. Locus 3 within Site 18PR760 will be impacted by the construction of Pond 6A. The artifacts recovered from this area were from a disturbed context, and no further investigations were recommended.

Conclusions
The construction of proposed Pond 6A along the southern boundary of the Blythewood Historic Site (78-013) environmental setting will impact approximately 0.56 acre of the setting. Archeological investigations in the proposed area of disturbance did not identify any significant resources. Therefore, no additional archeological investigations are recommended.

Historic Area Work Permit 2016-55 for construction of two stormwater management ponds, Ponds F and 6A, within the Blythewood environmental setting, was reviewed by the HPC at its November 15, 2015 meeting. Pond 6A is included in the subject SDP application. The HPC approved the construction of Pond 6A within the Blythewood environmental setting as meeting Sections 29-111(b)(1) and (b)(2) of the County Code and the Secretary of the Interior's Standards for Rehabilitation No. 1 and 8.

b. **Subdivision Review**— The Planning Board found that the limit of this SDP has been reduced significantly, based on the revised plans received November 2, 2016, from the original SDP submittal in August 2016. The applicant has requested approval of this application for the sole purpose of implementing stormwater management ponds under current grandfathering provisions administered by DPIE. The review of this application is limited to that request; additional comments will be generated with future SDPs for Sections 5 and 6 that will address peripheral issues identified, but that are outside the specific scope of the construction of the stormwater management ponds.

c. **Environmental Planning**—The Planning Board reviewed an analysis of the project's background, site description, a detailed analysis of environmentally-related previous conditions of approval, as well as the following discussion:

During the review of A-9965 and A-9966, the Environmental Planning Section recommended that an approved natural resources inventory (NRI) be submitted as part of the CDP. Natural Resources Inventory NRI-006-05 was submitted with CDP-0501

and approved on August 29, 2005. The NRI was resubmitted for an '01' revision to revise the area of existing woodland on the site, which was approved by staff on November 11, 2006. A further revision, NRI-006-05-02, was approved by staff on July 25, 2012 to revise the extent of wetlands on the site. The approved NRI-006-05-02 was submitted with the review package for the current application, and the information on the NRI is correctly shown on the SDP and the TCPIIs.

A limited SDP for stream restoration, SDP-1002, was approved with conditions by the Planning Board on January 26, 2012. Section 5 includes a requirement for the restoration of stream Reach 3-4. Specific Design Plans which include priority stream restoration projects are required to be designed or revised to reflect conformance with the approved stormwater management concept approval for stream restoration prior to issuance of grading permits. Affected SDPs and associated TCPII revisions are required to include the detailed engineering necessary for implementation of the stream restoration.

However, because the current SDP application is limited to stormwater management infrastructure, it has been determined that a completed design for the restoration of Reach 3-4 is not required for approval of the current application, but will be required with any future SDP that proposes additional grading of the site. Various conditions have been included in this approval to ensure conformance with previous approvals regarding stream restoration requirements.

Condition 71 of Preliminary Plan 4-05080 requires that "...At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area and all adjacent areas of preservation and afforestation/ reforestation except for areas of approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat." The following note shall be placed on the plat:

> "Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

Because there are impacts proposed for the required stream restoration within the primary management area, this condition might seem to indicate that the conservation easement should not include the area of the stream restoration project; however, the Planning Board found that the conservation easement shall include the areas of the stream restoration in order to protect the project from future disturbance and approved a revision to the standard condition to address this concern, with the caveat that access into the stream restoration areas to perform necessary maintenance is allowed, consistent with technical and functional requirements.

d. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated November 8, 2016, DPIE provided comments regarding required conformance with roadway standards, disposition of existing public roads, stormwater management plan requirements, easements, and Marlboro Clay issues. DPIE's comments are either addressed by conditions in this approval or are required to be addressed prior to issuance of permits.

e. **Soil Conservation District**—The Soil Conservation District did not provide comments on the subject application.

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 Plans (TCPII-020-13-01 and TCPII-019-13-01), and further APPROVED Specific Design Plan SDP-1302-01 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this specific design plan (SDP), the applicant shall provide the specified information or make the following revisions to the plans:

   a. The SDP and Type II tree conservation plans shall be revised as follows:

      (1) Land to be dedicated to The Maryland-National Capital Park and Planning Commission shall be clearly labeled on the plans and the acreage shall be provided.

      (2) The boundaries of proposed lots and parcels shall be clearly shown and labeled with bearings and distances.

      (3) Easements shown on the plan shall be clearly labeled by purpose and shall include bearings and distances.

      (4) A copy of the approved technical stormwater management plan shall be submitted.

   b. The applicant shall demonstrate that the woodland conservation threshold requirement of 159.04 acres is met on-site by revising the overall woodland conservation worksheet for the site and any affected Type II tree conservation plans.

   c. A note shall be added under the overall woodland conservation table on all revised Type II tree conservation plans as follows:

      "Per the Final Decision of the District Council on A-9965-C and A-9966-C, the woodland conservation threshold for the Parkside (formerly Smith Home Farm) development shall be met on-site."

d. The overall woodland conservation worksheet shall be revised to retain no less than 35.13 acres of woodland conservation being provided with TCPII-020-13 for Section 5, and no less than 45.19 acres of woodland conservation being provided with TCPII-019-13. The individual woodland conservation worksheets shall also be revised to indicate conformance with the required minimums.

e. Type II Tree Conservation Plan TCPII-020-13-01 for Section 5 shall be revised as follows:

(1) On all plan sheets the TCPII, the approval block shall be filled in with prior approvals.

(2) Revise the coversheet key map to correctly delineate Section 6.

(3) Add an "Owner's Awareness Certificate" on the coversheet for signature at the time of certification.

(4) Under the afforestation area summary table on the coversheet, add two columns to the table: one for the bonding amount and one for the associated permit number. Under the summary table, add the following to the note: "...and planted on (fill in the date)."

(5) On Sheet 2, revise the overall and individual worksheets as necessary to reflect all required revisions and information.

(6) On all plan sheets, include the bearings and distances for property and parcel lines and easements.

(7) On all plan sheets, adjust the location of woodland conservation signage to place signs at vertex points, to the greatest extent possible.

(8) Provide written approval from the Prince George's County Department of Parks and Recreation for any proposed grading onto the Central Park not previously approved under Specific Design Plan SDP-1101.

(9) On all sheets where applicable, make the stormwater management easement line bolder so it can be clearly identified.

(10) On sheets that include off-site clearing onto adjacent property which is not owned by the applicant, the off-site clearing shall be labeled, and the following note shall be added:

"Off-site grading proposed with this plan is subject to the submittal of written permission from the property owner prior to the issuance of grading permits."

(11) Have the plan signed by the qualified professional who prepared it.

f. Type II Tree Conservation Plan TCPII-019-13-01 for Section 6 shall be revised as follows:

(1) On all plan sheets the TCPII approval block shall be filled in with prior approvals.

(2) Add an "Owner's Awareness Certificate" on the coversheet for signature at the time of certification.

(3) Under the afforestation area summary table on the coversheet, add two columns to the table: one for the bonding amount and one for the associated permit number. Under the summary table, add the following to the note: "...and planted on (fill in the date)."

(4) On Sheet 2, revise the overall and individual worksheets as necessary to reflect all required revisions and information.

(5) On all plan sheets, include the bearings and distances for property and parcel lines and easements.

(6) On all plan sheets, adjust the location of woodland conservation signage to place signs at vertex points, to the greatest extent possible.

(7) On all plan sheets, confirm the correct ownership for parcels and correct as necessary.

(8) Add temporary tree protection devices to all woodland conservation areas within 50 feet of the edge of grading and to protect the critical root zone of specimen trees shown to be retained.

(9) Make the graphic line for Marlboro clay more visible on the plan sheet, and add the graphic elements to the legend.

(10) Retain specimen Trees 110 and 112.

(11) On sheet 9, move the primary management area crossing point to the south to be in conformance with the location of the crossing on the preliminary plan of subdivision.

(12) On all sheets where applicable, make the stormwater management easement line bolder so it can be clearly identified.

(13) On sheets that include off-site clearing onto adjacent property which is not owned by the applicant, the off-site clearing shall be labeled, and the following note shall be added:

"Off-site grading proposed with this plan is subject to the submittal of written permission from the property owner prior to the issuance of grading permits."

(14) Have the plan signed by the qualified professional who prepared it.

2. 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.

3. Prior to issuance of the first building permit for lots located within Section 5, the required stream restoration project for Reach 3-4 shall be completed and evidence of completion, including a summary of all work performed and photographs, shall be submitted to the Environmental Planning Section, as designee of the Planning Board, following a confirmatory site visit by an Environmental Planning Section staff member, as designee of the Planning Board.

4. Prior to approval of any further specific design plans for Sections 4, 5, 6, or 7, the applicant shall work with the Environmental Planning Section, as designee of the Planning Board, and appropriate County staff to develop a strategy and schedule for the fulfillment of the $1,476,600 minimum expenditure in stream restoration concurrent with on-going development of the site.

5. Prior to issuance of grading permits for Specific Design Plan SDP-1302-01, other than for the stormwater management infrastructure included in this SDP, the SDP and Type II tree conservation plans shall be revised to conform to approved final technical plans for required stream restoration as shown on the approved SDP-1002, or as revised.

6. Prior to approval of any future specific design plans (SDP) for grading for Sections 5 or 6, the detailed stream restoration approved as a final technical stormwater management plan by the Prince George's County Department of Permitting, Inspections and Enforcement shall be shown on the SDP and Type II tree conservation plans.

7. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area and all adjacent areas of preservation and afforestation/reforestation, except for areas of approved impacts, and protect the limits of stream restoration projects after implementation. The easement shall be

reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

> "Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed. Access into the conservation easement shall not be denied for the performance of necessary maintenance requirements to maintain technical and functional performance."

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Bailey temporarily absent, at its regular meeting held on Thursday, December 1, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of December 2016.

Patricia Colihan Barney
Executive Director

Jessica Jones

By Jessica Jones
Planning Board Administrator

PCB:JJ:JK:rpg

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department

Date 12/7/16