

R E S O L U T I O N

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 13, 2018, regarding Specific Design Plan SDP-1302-03 for Parkside (formerly Smith Home Farm) Sections 5 and 6, the Planning Board finds:

1. **Request:** The subject SDP requests approval of infrastructure for an additional 134 single-family attached units and 86 two-family attached units in Section 5, which has an approved SDP for 159 single-family attached (townhouse) units, and 274 single-family attached units and 32 single-family detached units in Section 6 for a subtotal of 526 dwelling units and 599 lots. The grand total of dwelling units in Sections 5 (including the previously approved 159 units) and Section 6 will be 685.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-M/M-I-O	R-M/M-I-O
Use	Residential	Residential
Total Gross Acreage of SDP	147.79	147.79
Section 5	66.37	66.37
Section 6	81.42	81.42
Floodplain Acreage of SDP	13.83	13.83
Net Acreage of SDP	133.96	133.96
Lots	159	599
Parcels	104	104
Total Units - Sections 5 & 6	159	685 (526 proposed)
Section 5		
Single-family attached units	159	293 (134 proposed)
Two-family attached units	-	86
Section 6		
Single-family detached units	-	32
Single-family attached units	-	274

OTHER DEVELOPMENT DATA

Parking Requirements

	Required	Provided
Section 5	770	776
Townhouse units at 2.04 x 293 (including 159)	598	586
Two-Family Attached at 2.00 x 86	172	172
Parking for visitors	-	18*
Section 6	623	643
Single Family Detached units at 2.0 x 32	64	64
Townhouse units at 2.04 x 274	559	548
Parking for visitors	-	31**
Total Parking:	1,393	1,419

Notes: * The 18 spaces for the visitors in Section 5 include 12 previously approved for 159 townhouses, which was deemed insufficient in the approval of SDP-1302-02. With the addition of 134 townhouses only six visitor spaces were added. Based on previous Parkside resident comments, the Planning Board found that additional on-street parking should be provided, wherever feasible, especially in Section 5, in order to ensure sufficient parking for visitors. See detailed discussions in the findings below. Condition 1(f) has been included in this resolution to address this issue.

** The 31 spaces for visitors in Section 6 are not evenly distributed amongst the townhouse pods, which are separated by a primary roadway. Therefore, a condition has been included in this resolution requiring the provided spaces to be redistributed so that all townhouse units have reasonable access to visitor spaces. At the Planning Board hearing, the applicant introduced two exhibits (Applicant's Exhibit 1 A and B) demonstrating that enough parking for the visitors in both Sections 5 and 6 has been provided in on-street parking. See below findings for detailed discussion.

- 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 MD 4 (Pennsylvania Avenue), in Planning Area 78, Council District 6. Sections 5 and 6, totaling approximately 147.79 acres, are located in the far southeastern portion of the larger Parkside development, south of the central park and Blythewood site, on both sides of Woodyard Road (MC-632).
- Surrounding Uses:** Sections 5 and 6 are 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 properties in the Mixed Use–Transportation Oriented (M-X-T) Zone

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, formerly known as Smith Home Farm, 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 larger Parkside project was rezoned from the Residential-Agricultural (R-A) Zone to the R-M Zone (3.6–5.7) and to the L-A-C Zone with a residential component including a mixed-retirement 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, through Zoning Map Amendments A-9965 and A-9966. The Prince George’s County District Council 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 and Type I Tree Conservation Plan, TCPI-038-05 (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, an amendment 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 May 21, 2012, the District Council affirmed the Planning Board’s decision with five conditions.

On March 28, 2016, the District Council reconsidered the approval of Comprehensive Design Plan CDP-0501 and modified Conditions 10, 11, 24, 31 and 32, after adopting the findings and conclusions set forth by the Planning Board, with 31 conditions.

On July 27, 2006, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-05080 and a revised Type I Tree Conservation Plan, TCPI-038-05-01, (PGCPB Resolution No. 06-64(A)) for 1,176 lots (total 3,628 dwelling units) and 355 parcels with 77 conditions. A new Preliminary Plan of Subdivision 4-16001 for Sections 5 and 6, was approved by the Planning Board on September 13, 2018 (PGCPB Resolution No. 18-91) for 441 lots and 81 parcels. This approval superseded PPS 4-05080 for Sections 5 and 6 only.

On July 27, 2006, the Planning Board approved infrastructure Specific Design Plan SDP-0506, and associated Type II Tree Conservation Plan TCPII-057-06, (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-0506-01 was 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. A second amendment, Specific Design Plan SDP-0506-02, was approved by the Planning Board on March 29, 2012 (PGCPB Resolution No. 12-114), subject to conditions contained herein. A third amendment, Specific Design Plan SDP-0506-03, was approved by the Planning Board on July 31, 2014 (PGCPB Resolution No. 14-70), subject to conditions.

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 a 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-1002 for stream restoration, as required by conditions of PPS 4-05080 and Specific Design Plan SDP-0506, was approved by the Planning Board on January 26, 2012 (PGCPB Resolution No. 12-07) and was adopted on February 16, 2012 formalizing that approval, subject to seven conditions. There are several stream restoration projects identified in SDP-1002 as priority projects that are located within Sections 5 and 6.

A Specific Design Plan, SDP-1101, and Type II Tree Conservation Plan TCPII-021-2015 for Westphalia Central Park, which is adjacent to Section 5 and 6, were approved by the Planning Board on February 25, 2016 (PGCPB Resolution No 16-32), subject to conditions of approval for Phase 1 of the central park area. This resulted in a change to the limits of central park, which was expanded to include a portion of Section 6 in the park dedication. This resulted in an amendment to the SDP and revision to TCPII for Section 6 to adjust the section boundary to match the revised park boundary (SDP-1302-01 and TCPII-019-13-01) respectively.

The original Specific Design Plan, SDP-1302 for Sections 5 and 6, and Tree Conservation Plans TCPII-019-13 and TCPII-020-13 were approved by the Planning Director on November 8, 2013 with no conditions, for the limited purpose of providing woodland conservation afforestation in

Sections 5 and 6 to fulfill the woodland conservation requirements of development occurring in Sections 2 and 3. Specific Design Plan SDP-1302-01 for rough grading and infrastructure for stormwater management was approved by the Planning Board on December 15, 2016 (PGCPB Resolution No. 16-140) formalizing that approval, subject to seven conditions. Specific Design Plan SDP-1302-02 is an infrastructure SDP for 159 single-family attached (townhouses) lots for Parkside (formerly Smith Home Farm) in Section 5 and rough grading for Section 6. The Planning Board approved this SDP on September 14, 2017, with eight conditions.

The project is also subject to Stormwater Management (SWM) Concept Plan No. 14846-2006-02, which covers Sections 4, 5, and 6 of the Parkside Development, which was originally approved on August 25, 2009, and updated on May 25, 2017 that will be good through May 25, 2020.

6. **Design Features:** The subject site consists of Sections 5 and 6 of a larger development known as Parkside that is roughly rectangular in shape and bisected by the proposed extension of Woodyard Road (MC-632). Section 5 is located on the west side and Section 6 is located on the east side of MC-632. In Section 5, an additional 134 townhouse units have been added to the west and south of the 159 units previously approved in SDP-1302-02. Access to Section 5 will be from MC-632, via Rock Spring Drive, which is part of MC-635, Oak Winds Lane and Dower House Road (MC-637). In addition, 86 two-family attached dwellings on four parcels have been proposed at the westernmost portion of the section, north of MC-637, on both sides of Snowy Meadow Drive. In Section 6, MC-637 further extends across MC-632 to the east and serves as a spine road for the development. On both sides of MC-637, which is designated as a primary roadway, 274 townhouse units have been shown. Further to the east, pods of single-family detached and townhouse units are proposed. A pod of single-family detached houses is located at the easternmost portion of Section 6. In both sections, a series of private roads and alleys are arranged in a grid pattern incorporating open space components that would be ideal for placement of recreational facilities. Six stormwater management facilities are located to the north of the proposed development pods in both sections.

Architecture

No architecture is included in the subject application. Architecture will be reviewed in a future full-scale SDP.

Recreational Facilities

A tot lot, pre-teen lot and an open play area with equipment have been proposed in a central location in Section 6, on the north side of MC-637. The entire recreational facility site is about 16,000 square feet. The location and the facilities proposed is acceptable for Section 6.

There are no recreational facilities proposed in Section 5. According to the applicant, Section 5 is very close to the Central Park to the north where there will be recreational facilities when it is complete. The Planning Board did not agree with the applicant's reasoning and had concern about the lack of recreational facilities in Section 5, which covers a large area and has 379 units.

The segment of Dower House Road (MC-637) west of MC-632 is designated as a Major Collector roadway with a right-of-way of 96 feet. The townhouses south of the MC-637 is more

than one thousand feet from the Central Park. Given the possible demographic composition of the proposed townhouse units in this section and distance from the future park, a tot lot should be located in the cluster of the townhouses south of the MC-637. A condition is included in this resolution that requires the provision of a tot lot in a central location, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board prior to certification. This addition of a tot lot of a minimum 2,500 square feet may result in the loss of two townhouse lots.

Lighting

The photometric plan indicates the use of a decorative lighting fixture and details of the proposed lighting fixture and photometrics are provided on the plans. However, the landscape plan shows that some pole lights are located on individual lots. Those lights should be relocated to the areas to be dedicated to the homeowners association wherever possible, or an access and maintenance easement provided.

In regard to the level of lighting, the proposed lighting levels are appropriate for residential development as recommended by the Illuminating Engineering Society of North America Handbook. Section 4-197, Parking Lots and Exterior Passageways, governs the lighting of alleyways; the minimum lighting level is one-foot candle for passageways associated with residential development of single-family homes.

Signage

No signage is included in the subject application. Signage will be reviewed in a future full-scale SDP along with the architecture.

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 conditions that are relevant to the review of this application as follows:

1. **The Basic Plan shall be revised as follows prior to the approval of the Comprehensive Design Plan, and submitted to the Office of the Zoning Hearing Examiner for approval and inclusion in the record:**

A. Land use types and quantities:

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

R-M Zone Proposed Land Use Types and Quantities:

- **Total area: 727± acres***

Of which residential use: 572.4 acres
Mixed Retirement Development: 154.6 acres

- **Density permitted under the R-M (Residential Medium 3.6) Zone: 3.6-5.7 dus/ac**
- **Permitted dwelling unit range: 1,877 to 2,973 dwellings**
- **Proposed Residential Development: 2,124 Units**
- **Density permitted in a Mixed Retirement Community in the R-M (Mixed Residential) Zone: 3.6-8 dus/ac**
- **Permitted dwelling unit range: 551 to 1,224 Units**
- **Proposed Residential Development: 1,224 Units**

Note: *The actual acreage may vary to an incremental degree with more detailed survey information available in the future.

The subject application consists of Sections 5 and 6 and includes a total of 147.79 acres of land within the R-M-zoned property. The overall density of the development has been shown in a table on the SDP, for tracking purposes, for conformance with the requirements above, the CDP, and preliminary plan approvals in regard to the final density of the overall site. A new Preliminary Plan of Subdivision (PPS) 4-16001 was recently approved for Sections 5 and 6. The density tracking table should be updated to include the dwelling units approved in 4-16001. In addition, several unit counts of previous approvals are not accurate. If the final unit count were above the approved numbers, the SDP would have to be revised to be consistent with the development caps. A condition has been included in this resolution to require the applicant to update and correct the tracking table prior to certification.

2. The following conditions of approval shall be printed on the face of the Basic Plan:

- E. The Applicant shall provide adequate private recreational facilities to meet the future subdivision requirements for the proposed development. The private recreational facilities shall be determined at time of Specific Design Plan and be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.**

The subject SDP provides a centrally located recreational area including a tot lot, a pre-teen lot and an open play area in Section 6; but does not provide for any recreational facilities within Section 5, even though this section will have a higher population. With this application, additional units will be added to Section 5. The Planning Board had concerns about the lack of recreational opportunities for young children in this section, even though Section 5 is in the vicinity of the planned Central Park. Section 5 covers a

large area and the southernmost cluster of townhouses and the two-family attached units are more than one thousand feet away from the Central Park. In addition, the townhouse units are further separated from the Central Park by a major collector roadway (MC-637) that makes the walk to the Central Park from those townhouse units difficult. The Planning Board decided that a minimum of one tot lot be provided in the southernmost cluster of townhouses, near MC-637. A condition has been included in this resolution requiring the provision of one tot lot.

H. At the time of the first Specific Design Plan, the Applicant shall:

1. Provide a comprehensive trail and sidewalk map for the entire site.

The applicant has provided the most up-to-date comprehensive trail plan for the project and the plans have been reviewed and found to be adequate.

2. Provide noise mitigation construction methods to reduce the internal noise level of the residential buildings to 45 dBA (Ldn) or lower.

This condition relates to the design of residential structures on the site and was carried forward to be addressed as appropriate at time of a full-scale SDP. The current application is an SDP for infrastructure only.

L. The development of this site should be designed to minimize impacts by making all road crossings perpendicular to the streams, by using existing road crossings to the extent possible and by minimizing the creation of ponds within the regulated areas.

Minimization of impacts to the regulated environmental features of the site was addressed during the review of PPS 4-16001 and SDP-1302. This SDP is consistent with prior applicable approvals.

M. The woodland conservation threshold for the site shall be 25 percent for the R-M portion of the site and 15 percent for the L-A-C portion. At a minimum, the woodland conservation threshold shall be met on-site.

With the review of previous SDPs and their associated TCPs, it is significant to note that this condition requires that the woodland conservation threshold of 159.09 acres for the overall development must be met on-site. The TCPII continues to meet this requirement.

N. All Tree Conservation Plans shall have the following note:

“Woodland cleared within the Patuxent River Primary Management Area Preservation Area shall be mitigated on-site at a ratio of 1:1.”

The required note has been provided with Type I Tree Conservation Plan (TCPI-038-01) and subsequent revisions, and with original approvals and subsequent revisions to Type II Tree Conservation Plans TCPII-019-13 and TCPII-020-13, including the current application.

O. No woodland conservation shall be provided on any residential lots.

No woodland conservation has been provided on residential lots. This condition has been satisfied.

P. Prior to issuance of any residential building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building plans stating that building shells of structures have been designed to reduce interior noise level to 45 dBA or less.

This condition relates to the design of residential structures on the site and was carried forward to be addressed as appropriate at time of a full-scale SDP, which included architecture.

3. Before approval of the first Specific Design Plan, staff and Planning Board shall review and evaluate the buffers between this development project and the adjoining properties, to determine appropriate buffering between the subject property and existing development on adjacent properties.

This condition has been fulfilled. The property is subject to the requirements of the 2010 *Prince George's County Landscape Manual* and a discussion of the application's conformance with Section 4.7, Buffering Incompatible Uses, is contained in Finding 14 below.

8. Prince George's County Zoning Ordinance: The subject SDP is in general compliance with the applicable requirements of the Prince George's County Zoning Ordinance in the R-M and M-I-O Zones 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 as demonstrated in the prior approvals. The proposed single-family and two-family residential uses are permitted in the R-M Zone.
- b. Military Installation Overlay Zone: A portion of the project is also located within the Noise Impact Zone (60-74 dBA noise contour) of the Military Installation Overlay Zone. A Phase II noise study will be needed at time of a full-scale SDP that shows all interior noise levels of the residential homes will be mitigated to 45 dBA Ldn or less.

The western portion of the property is located within Height Zone 'D' and the eastern

portion of the property is located within Height Zone 'E.' The maximum building height limits are 234 and 360 feet respectively. The proposed single-family attached buildings usually measure 40 feet in height and two-family attached buildings usually measure 70 feet in height; both of which are well below the maximum building height limits.

- c. 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 addition of 134 townhouses lots and 86 two-over-two units in Section 5 and 274 single-family attached and 32 single-family detached units in Section 6. This infrastructure SDP includes the location and design of the roadways, the lot layout, on-street parking, lighting, landscaping, utility location, fencing and sidewalks for both Sections 5 and 6. In addition, there is a recreational complex that includes a tot lot, pre-teen lot and an open play area in Section 6. Four parcels are proposed for residential development of 86 two-over-two units in Section 5.

The application has an approved SWM Concept Plan (14846-2006-02), for Sections 4, 5, and 6. Based on a referral from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) dated November 6, 2018, the subject project is in general conformance with the approved SWM concept plan, however, a revision is required. Therefore, a condition has been included in this resolution requiring this to be done prior to certification. Subject to that condition, the Planning Board finds 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 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 amendment, and reconsideration:** Comprehensive Design Plan CDP-0501 for Smith Home Farm was approved by the Planning Board on February 23, 2006 (PGCPB Resolution No. 06-56) 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 (PGCPB Resolution No. 06-56(C)(A)). The following conditions warrant discussion in relation to the review of the subject SDP:

9. **At time of the applicable SDP, the following areas shall be carefully reviewed:**
- d. **Pedestrian network connectivity, including provision of sidewalks, various trails and connectivity along all internal roadways, and streets of the L-A-C and along the Cabin Branch stream valley. A comprehensive pedestrian network map connecting all major destinations and open spaces shall be submitted with the first SDP.**
 - f. **A multiuse, stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails shall be provided from the stream valley trail to adjacent residential development as shown on the CDP.**
 - g. **A trailhead facility for the Cabin Branch Trail.**
 - h. **The architectural design around the Central Park and the view sheds and vistas from the Central Park.**
 - i. **The subject site's boundary areas that are adjacent to the existing single-family detached houses.**

An updated comprehensive trails network exhibit has been provided with this SDP. The Planning Board found that the trails network is consistent with the prior approvals. Since this SDP is for infrastructure only, architecture will be reviewed at time of future full-scale SDP.

10. **Consistent with Condition 22, the applicant (SHF Project Owner, LLC), its heirs, successors and/or assignees will perform design and construction work calculated up to \$13,900,000 (which shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI), beginning in 2016) of which approximately \$6,500,000 will be reimbursed from the applicant's generated park club permit fees and the balance of \$7,400,000 will be reimbursed from other developer generated park club fees or other sources. The applicant's obligation to provide design and construction work for the central park is applicable only through the 1600th building permit, beyond the 1600th building permit, the applicant shall only be required to make a contribution to the Westphalia Park Club per Condition 22. Design and construction work performed by the applicant shall be subject to the following:**
- a. **\$100,000 shall be used by the applicant for the retention of an urban park planner for the programming and development of the overall**

Master Plan for the Central Park. DPR staff shall review and approve the Master Plan for the Central Park. Said consultant is to assist staff/applicant in programming the park. These actions shall occur prior to approval of the first residential SDP.

- b. \$400,000 shall be used by the applicant for the schematic design and specific design plan for the central park. DPR staff shall review and approve the design plan. These actions shall occur prior to the issuance of the 500th building permit.**
- c. \$500,000 shall be used by the applicant for the development of construction documents sufficient to permit and build Phase 1 (as shown in attached Exhibit-A) of the central park. DPR staff shall review and approve the construction documents. Final approval of the construction documents by DPR for Phase 1 of the central park, pursuant to the agreed upon scope of work as reflected in attached Exhibit A, shall occur prior to the issuance of the 700th building permit. DPR shall respond to applicant in writing with any comments pertaining to the construction documents within 15 business days of the applicant's submission of said documents to DPR. DPR's approval of the construction documents submitted by the applicant shall not be unreasonably withheld.**
- d. \$12,900,000 (which will include funds to be contributed by other developers within the Westphalia Sector or other sources) shall be used by the applicant for the grading and construction of Phase 1 (as shown in attached Exhibits B and C) of the central park prior to issuance of the 1,600th building permit. The amount of \$12,900,000 referenced in this Condition 10(d) shall be adjusted for inflation on an annual basis using the CPI, beginning in 2016.**
- e. The applicant shall complete the pond construction and rough grading of Phase 1 of the central park prior to issuance of the 1,000th building permit.**
- f. In the event that sufficient funding is not available to fully construct Phase 1 at time of the 1400th permit, DPR and the applicant will work together to determine how the available funding will be used to construct portions of Phase 1 as called for in Exhibits A and B. Prior to the issuance of the 1400th building permit, the applicant and DPR shall enter into a Recreational Facilities Agreement ("RFA") establishing both scope and a schedule for construction of Phase 1 of the central park.**

DPR staff shall review the actual expenditures associated with each phase described above. The applicant's obligation to provide services for the design, grading and construction of the central park set forth in Condition 10 herein shall be limited to: (i.) the amount of funds to be generated from 1600 of the applicant's building permits pursuant to Condition 22; OR (ii.) the amount of funds available in the Westphalia Park Club Fund (which will include amounts to be contributed by other developers in the Westphalia Sector) or other sources at time of issuance of the applicant's 1599th building permit, whichever is greater provided that the total amount of applicant's services do not exceed \$13,900,000 (adjusted for inflation on an annual basis using the CPI, beginning in 2016). Based on the foregoing, the applicant shall have no further obligations for in-kind services and/or construction of the central park beyond the limits of this condition 10. The applicant shall be entitled to receive reimbursement(s) from the Westphalia Park Club Fund for costs incurred and paid for by the applicant for design, grading and construction of the central park pursuant to this Condition 10. The applicant shall also be entitled to receive progress billing payments from the Westphalia Park Club Fund for costs incurred for services rendered toward the design and /or construction of the central park (provided said funds are available in the Westphalia Central Park Fund). All reimbursement and/or progress billing payments from the Westphalia Park Club Fund shall be paid to the applicant according to a progress completion schedule established by DPR in the RFA. Such payments shall be made by DPR to the applicant on a priority basis. Thirty (30) days prior to the start of construction of the central park, a performance bond equal to the amount of construction work agreed upon between DPR and the applicant for Phase 1 work shall be posted with DPR for applicant's construction of the central park. The cost for such bond(s) will be included as part of the cost of construction of the central park. If Phase 1 (as shown in attached Exhibit A and B) construction costs exceeds \$12,900,000 (adjusted for inflation on an annual basis using the CPI, beginning in 2016) and the Westphalia Park Club Fund has sufficient funds to support construction beyond that amount, the applicant will assign its current contracts to the Commission to complete Phase 1 construction at the Commission's request. In the event of such an assignment to the Commission, and upon confirmatory inspection by DPR that the recreational facilities provided by applicant were constructed pursuant to the approved construction documents set forth in Condition 10(d), the required performance bond will be released to the applicant. DPR and the applicant shall revise the Westphalia Park Club Contribution Agreement (dated

May 15, 2013) and Central Park Escrow Agreement (dated May 15, 2013) to reflect the terms of this Condition 10.

The permit tracking associated with this condition must include the proposed building permits associated with the future development of the subject SDP. At time of each building permit, the required park fee will be collected in accordance with this condition.

11. Per the applicant's offer, the recreational facilities shall be bonded and constructed in accordance with the following schedule:

PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
Private Recreation Center Outdoor Recreation Facilities on HOA property	Prior to the issuance of the 200th building permit overall	Complete by 400th building permit overall
Pocket Parks (including Playgrounds) within each phase on HOA property	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 on HOA property	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		

The need for additional private recreational facilities to serve both sections has been discussed. An additional tot lot should be provided in Section 5 to meet the recreational needs of the young children who live more than a thousand feet to the Central Park. Since those on-site recreational facilities are serving the needs of future residents in each section, the triggers for installation of the facilities will be tied to specific development of each section. For Section 5, prior to issuance of the 220th townhouse building permit, the recreational facilities should be completed and for Section 6, the recreational facility should be completed prior to issuance of 205th townhouse building permit. A condition has been included in this resolution for these specific triggers. The above phasing related to regional facilities will remain effective. At time of the public hearing on December 13, 2018, for this application, the applicant presented a tot lot exhibit (The Applicant Exhibit's #3) and asked the Planning Board to use this layout as a design guide for Urban Design staff to review the required tot lot prior to certification. The Planning Board approved this request and added a phrase in Condition 1 b. to specifically refer to this exhibit.

12. All future SDPs shall include a tabulation of all lots that have been approved

previously for this project. The tabulation shall include the breakdown of each type of housing units approved, SDP number and Planning Board resolution number.

As previously discussed, the required table has been provided. However, updates and revisions are needed, and a condition has been included in this resolution requiring this to be completed.

- 19. Prior to the approval of any residential building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building plans in the R-M Zone stating that building shells of structures have been designed to reduce interior noise level to 45 dBA or less.**

This condition will be addressed at the time of future full-scale SDP with architecture.

- 20. Approximately 148± acres of parkland shall be dedicated to M-NCPPC as shown on DPR Exhibit “A.”**
- 22. The applicant shall make a monetary contribution into a “park club.” The total value of the payment shall be in the range of \$2,500 to \$3,500 per dwelling unit in 2006 dollars. The exact amount of the financial contribution shall be decided after the approval of the Sector Plan and Sectional Map Amendment for the Westphalia Area by the District Council, but prior to the second SDP. Beginning from the date of issuance of the 50th building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI). The funds shall be used for the construction and maintenance of the recreational facilities in the Westphalia study area and the other parks that will serve the Westphalia study area. The “park club” shall be established and managed by DPR. The applicant may make a contribution into the “park club” or provide an equivalent amount of recreational facilities. The value of the recreational facilities shall be reviewed and approved by DPR staff.**
- 23. The applicant shall develop a SDP for the Central Park. The SDP for the Central Park shall be reviewed and approved by the Planning Board as the second SDP in the CDP-0501 area or after the approval of the Sector Plan and Sectional Map Amendment for the Westphalia Area by the District Council, whichever comes first. The SDP shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of SDP plans. The SDP shall include a phasing plan.**

Per Conditions 20–23 above, the applicant offered at the time of Comprehensive Design Plan CDP-0501 approval, the dedication of parkland, and provided design services for the development of the SDP for the Westphalia Central Park and construction documents for the Phase 1 of the park. In addition, the applicant will construct recreational facilities in Phase 1 of the park in lieu of a financial contribution into the Westphalia Park Club as set forth in CDP-0501. It is anticipated that the cost for these services will be reimbursed to the applicant from an Escrow Account established, administered and maintained by the DPR. The remaining future phases of the Central Park will be constructed by DPR using Westphalia Central Park Club funds, which will include funds contributed by other developers in the Westphalia Sector Plan area and/ or other sources. The timing for the design and construction documents for future phases of the Central Park should be determined by DPR through the Capital Improvement Program (CIP), subject to available funding from park club fees and/or other sources. As of this resolution, the first phase of the Central Park has been approved with Specific Design Plan SDP-1101.

- 25. Prior to issuance of the 2,000th building permit in the R-M- or L-A-C-zoned land, a minimum 70,000 square feet of the proposed commercial gross floor area in the L-A-C Zone shall be constructed.**

The number of building permits released for the overall development of the project is still less than 2,000. No commercial floor area has been constructed in Parkside.

- 28. 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 property is subject to the requirements of the 2010 *Prince George's County Landscape Manual* and a discussion of the application's conformance with Section 4.7, Buffering Incompatible Uses, is contained in Finding 14 below.

- 31. Prior to SDP approval, the height for all structures shall be determined, and the density percentages shall be determined based on any variances necessary.**

The subject SDP does not include architecture and the issue of height of structures will be investigated further at the time of the submittal that includes architectural elevations.

On December 1, 2011, Comprehensive Design Plan CDP-0501-01 was approved by the Planning Board subject to four conditions and the modification of 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 (PGCPB Resolution No. 11-112). The following conditions warrant discussion in relation to the subject SDP:

- 2. The following three conditions attached to previously approved Comprehensive Design Plan CDP 0501 shall be revised as follows**

(underlined text is added/changed):

- 16. The following standards shall apply to the development. (Variations to the standards may be permitted on a case-by-case basis by the Planning Board at the time of specific design plan if circumstances warrant).**

R-M ZONE

	<u>Condominiums</u>	<u>Single-family Attached</u>	<u>Single-family Detached</u>
<u>Minimum Lot size:</u>	<u>N/A</u>	<u>1,300 sf†</u>	<u>6,000 sf</u>
<u>Minimum frontage at street R.O.W:</u>	<u>N/A</u>	<u>N/A</u>	<u>45*</u>
<u>Minimum frontage at Front B.R.L.</u>	<u>N/A</u>	<u>N/A</u>	<u>60**</u>
<u>Maximum Lot Coverage</u>	<u>N/A</u>	<u>N/A</u>	<u>75%</u>
<u>Minimum front setback from R.O.W.</u>	<u>10'***</u>	<u>10'***</u>	<u>10'***</u>
<u>Minimum side setback:</u>	<u>N/A</u>	<u>N/A</u>	<u>0'-12'***</u>
<u>Minimum rear setback:</u>	<u>N/A</u>	<u>10'</u>	<u>15'</u>
<u>Minimum corner setback to side street R-O-W.</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<u>Maximum residential building height:</u>	<u>50'</u>	<u>40'</u>	<u>35'</u>

Notes:

- * For perimeter lots adjacent to the existing single-family houses, the minimum frontage at street shall be 50 feet and minimum frontage at front BRL shall be 60 feet.**
- ** See discussion of side setbacks in Section E of CDP text Chapter III. Zero lot line development will be employed.**
- *** Stoops and or steps can encroach into the front setback, but shall not be more than one-third of the yard depth. For the multistory, multifamily condominium building, the minimum setback from street should be 25 feet.**
- † 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 above design standards will be further reviewed at time of full-scale SDP including architecture. The subject SDP is for infrastructure only. Even though lot

lines have been shown, there is not enough information available for reviewing the conformance with those standards.

The following three conditions were added by the District Council in May 21, 2012, when the District Council affirmed the Planning Board's decision and approved CDP-0501-01.

3. **Prior to the 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 the issuance of the 400th residential building permit, the community building shall be complete and open to the residents.**
4. **If the applicant decides to build two community buildings only (not including the community building for the seniors), prior to the 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 the residents. The exact size, timing of construction and completion of the additional community buildings shall be established by the Planning Board at time of appropriate SDP approvals.**
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 & occupancy permit and be open to the residents prior to the 1,550th building permit.**

The applicant decided to build one community building consisting of 15,017 square feet that was approved in Specific Design Plan SDP-1003-05 on September 10, 2015 (PGCPB Resolution No. 15-91), further revised in SDP-1003-13 and is currently bonded and under construction. The building was bonded prior to the 1,325th building permit and will be open to the residents prior to the 1,550th building permit.

10. **Preliminary Plan of Subdivision 4-05080:** On April 6, 2006, the Planning Board approved Preliminary Plan of Subdivision (PPS) 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 approved them with conditions.

10. **Prior to the issuance of building permits for proposed residential structures, the**

applicant shall submit certification by a professional engineer with competency in acoustical analysis to the Environmental Planning Section demonstrating that the design and construction of building shells will attenuate noise to interior noise levels of 45 dBA (Ldn) or less.

This condition will be addressed at the time of a future full-scale SDP with architecture and building permits for residential structures.

- 13. The applicant, his heirs, successors, and/or assignees shall provide a multiuse, stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Timing for the construction shall be determined with the appropriate SDP. Connector trails should be provided from the stream valley trail to adjacent residential development as shown on the approved CDP-0501.**
- 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 grading of the existing Melwood Road in the area where MC-632 replaces the old alignment. At this location, the Melwood Legacy Trail will be accommodated by the trail along the master plan road. The applicant has submitted evidence that existing Melwood Road has gone through the road closure process. A comprehensive trail network exhibit has also been submitted to address the above two conditions.

- 15. The applicant, his heirs, successors, and/or assignees shall provide:**
 - a. The Cabin Branch Trail from P-615 to the proposed trail east of Road RR. This connection will allow for a continuous stream valley trail through the site and extend the Cabin Branch Trail Road W. If feasible, the stream crossing should correspond with the construction required for stormwater management pond number 4 (access road and outfall) in order to minimize impacts to the PMA.**

- b. Where the Melwood Legacy Trail crosses Blocks L, P, and R, it should be within a 30-foot-wide HOA parcel(s). This 30-foot-wide parcel will include Parcels 16, 17, and 20 (currently shown as 20 feet wide) shown on the submitted plans, plus an additional five feet on each side (30-feet-wide total. This additional green space will accommodate a buffer between the trail and the adjacent residential lots on both sides of the trail and allow the trail to be in the green corridor envisioned in the Westphalia Sector Plan (Sector Plan, page 28). Additional plantings and/or pedestrian amenities or other design modifications may be considered at the time of specific design plan.**
- c. Provide a ten-foot-wide multiuse trail along the subject site's entire portion of Suitland Parkway extended (MC-631) (Preliminary Westphalia Sector Plan, page 28). This trail shall be asphalt and separated from the curb by a planting strip.**
- d. Provide a six-foot-wide asphalt trail connector from Road FF to the Cabin Branch Trail. This trail may utilize a portion of the access road for SWM Pond number 19.**
- e. Provide a six-foot-wide trail connector from Road YY to the Cabin Branch Trail. This connection shall, unless another location is determined appropriate, be located between Lots 33 and 34, Block H within a 30-foot-wide HOA access strip.**

The Cabin Branch Trail, Melwood Legacy Trail and the trail along MC-631 are beyond the limits of the subject application. A comprehensive trail network exhibit has been submitted with this SDP to address all trail-related conditions that encumber the subject site. The Planning Board found that the applicable conditions have been satisfied, subject to the conditions of approval.

- 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 are shown along both sides of all internal roads on the submitted site plan, excluding alleys, consistent with prior approvals. Similarly, standard sidewalks and designated bike lanes are also provided on both sides of MC-637 (Dower House Road).

- 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 applicant already dedicated a majority of the parkland. The remaining parkland will be conveyed in accordance with the sequential platting plan.

- 40. The applicant, his heirs, successors and/or assignees shall convey to the Board of Education (BOE) upon their agreement approximately seven acres at the same time as the dedication of the rights-of-way of MC 632 and Road C, whichever comes first, on which the BOE school property fronts. The BOE property shall not suffer the disposition of improvements necessary to support the Smith Home Farm development, unless upon specific agreement with the BOE. HOA land shall not be utilized to support development of the BOE property for public use, to include but not be limited to stormwater management.**

The Board of Education property is contained within Section 6 of the subject application. MC-632, is also known as Woodyard Road extension. This requirement will be fulfilled at the time of final plats for lots associated with Section 5.

- 48. The SDP and final plat shall demonstrate a primary residential street connection at the end of Road DD, Block SS (public 60-foot-wide ROW) north to connect to the Woodside Village property. This connection shall not be required only if a preliminary plan of subdivision has been approved for the Woodside Village Subdivision to the north that does not require the connection.**

This condition requires a primary street connection to Woodside Village by extending Road DD, Block SS. Road DD was replaced on the master plan by P-619, which the Planning Board found was no longer appropriate in the approval of PPS 4-16001, and did not require it to be dedicated or reserved, and therefore, is not reflected on the submitted plan.

- 49. The following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency, with all issues of timing and implementation to be addressed as Specific Design Plans proposing development are reviewed:**

- a. MC-631/Presidential Parkway intersection: The applicant shall submit, at the time of the initial Specific Design Plan proposing development, an acceptable traffic signal warrant study to DPW&T. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T, the applicant shall bond the signal**

prior to the release of any building permits within the subject property and install it at a time when directed by DPW&T. Installation of the signal, or any other traffic control device deemed to be appropriate by DPW&T, shall include any needed physical improvement needed to ensure adequate and safe operations.

This condition was satisfied during the Specific Design Plan SDP-0506-02 review.

- b. At the intersection of Westphalia Road/D'Arcy Road and MC-635, signalization shall be studied and a signal shall be installed if deemed warranted. Such study shall be required prior to specific design plan approval for the age-restricted portion of the development. Installation of the signal, or any other traffic control device deemed to be appropriate by DPW&T, shall include any needed physical improvement needed to ensure adequate and safe operations, including the alignment of MC-635 with D'Arcy Road.**

This condition was satisfied during the Specific Design Plan SDP-0506-02 review.

- c. At the intersection of MC-631 and MC-635/P-615, signalization shall be studied, and a signal shall be installed, if deemed warranted. Such study shall be required prior to specific design plan approval for either the age-restricted portion of the development or the L-A-C portion of the development.**

This SDP contains only Sections 5 and 6 of the regular residential portions of the larger development.

- d. At the intersection of MC-631 and MC-632/P-616, signalization shall be studied, and a signal shall be installed, if deemed warranted. Such study shall be required prior to specific design plan approval for the L-A-C portion of the development.**
- e. At the intersection of MC-632 and P-615, in accordance with the master plan recommendation for a four-lane major collector, the intended one-lane roundabout shall be designed for a two-lane roundabout in order that sufficient right-of-way for the ultimate facility is obtained. Affirmative approval of DPW&T shall be received for the conceptual design of the roundabout prior to the approval of the initial specific design plan that includes any portion of this intersection. DPW&T shall determine whether a one-lane or a two-lane roundabout will be implemented at this location by the applicant; however, such determination shall, if a one-lane roundabout is**

chosen, also indicate the ultimate responsibility for upgrading the roundabout.

This SDP contains only Sections 5 and 6 of the regular residential portions of the large development. The intersections in question are not located within the boundary of this SDP.

- h. All proposed traffic calming devices, as shown on the plan “Smith Home Farm Traffic Calming,” shall be reflected on the appropriate specific design plans and verified by transportation staff. Installation of such devices must have specific approval of DPW&T prior to approval of the appropriate specific design plan.**

This condition is not relevant to these sections of the development.

- 50. Total development within the subject property shall be limited to uses generating no more than the number of peak-hour trips (1,847 AM peak-hour vehicle trips and 1,726 PM peak-hour vehicle trips). Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This condition was reviewed at time of Preliminary Plan of Subdivision 4-16001 that governs the development proposed in this SDP. Given the amount of development being proposed, as well as development previously built, the Planning Board found that the original trip cap in Condition 50 has not and will not be exceeded by this proposal and the development to date.

- 65. At the time of specific design plan, the TCPII shall contain a phased worksheet for each phase of development and the sheet layout of the TCPII shall be the same as the SDP for all phases.**

The plans are consistent with the phasing plan.

- 69. Each specific design plan that contains trails shall show the field identified location for all trails and the associated grading.**

This condition has been satisfied. The trails shown in both sections have been field identified.

- 77. Prior to specific design plan approval for the applicable area, the road network shall show a connection (r/w to be determined) between the cul-de-sac of Private Road DD to the north to connect to the Woodside Village property (Sheet 10), and to the south to connect to the Westphalia Town Center as a dedicated public right-of-way.**

The subject application includes the land areas associated with the connection to the Westphalia Town Center and shows the proposed dedicated public right-of-way correctly.

11. **Preliminary Plan of Subdivision 4-16001:** On September 13, 2018, the Planning Board approved Preliminary Plan of Subdivision 4-16001 for Sections 5 and 6 with 42 conditions (PGCPB Resolution No. 18-91). PPS 4-16001 must be signature approved prior to certification of this SDP. The following conditions warrant discussion in relation to the subject SDP:

1. **Prior to signature approval of the preliminary plan of subdivision (PPS), the plans shall be revised to:**

- c. **Provide alleys which are a minimum of 22 feet wide, where alleys provide the sole frontage and access to a lot.**

This condition is intended to ensure adequate access to affected lots by fire and rescue services. The SDP addresses this requirement and provides the 22-foot-wide pavement width, where appropriate. The applicant must provide 18-foot-wide pavement for all other alleys pursuant to Section 24-128(16)(B) of the Subdivision Regulations.

- e. **Add the following general note:**

“Pursuant to Section 24-128(b)(7)(A), the Planning Board may approve a subdivision within the R-M Zone with alleys that serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. There are several lots within the subject site that do not have frontage on a public street and are served by alleys. This relationship was reviewed with the preliminary plan, however the applicant did not submit a variation from Section 24-128 (b)(7)(A). Therefore, the layout will be further reviewed at SDP and if the current layout is supported, a variation will be required prior to final plat.”

The subject SDP will provide for a lot layout that continues to provide lots served by alleys that do not have frontage on a public street. The applicant will need to submit a variation request prior to final plat for those lots, as set forth in Condition 2 below.

2. **Total development within the subject property shall be limited to uses which generate no more than a net total of 341 AM and 273 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The SDP shows the exact layout and development quantities as approved in 4-16001 and

the project is in conformance with this condition.

7. The following road improvements shall be addressed as specific design plans (SDPs) proposing development are reviewed:

- a. All intersections along the major collector facilities shall include exclusive left-turn lanes, where appropriate. Unless the intersection will be a roundabout, plans must show left-turn lanes, unless specifically waived by the Prince George's County Department of Public Works and Transportation. Any road improvements required shall be verified at the time of SDP review for the appropriate sections of roadway and constructed through the permit process for the County.**

This condition is still valid with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development. The access and circulation are acceptable and master plan transportation facilities are properly reflected, as determined during preliminary plan review.

8. Prior to approval of any specific design plans that include buildings in the vicinity of the Blythewood Historic Site (78-013) and its environmental setting, the applicant shall provide viewshed studies that demonstrate the extent to which proposed new construction will be visible.

The Blythewood Historic Site (78-013) is located directly north of Section 6. A viewshed study has been provided with this SDP and was reviewed by the Historic Preservation Commission at their meeting on November 20, 2018.

9. Based on the findings of the required viewshed studies for the vicinity of the Blythewood Historic Site (78-013) and its environmental setting, any proposed new construction determined to be visible from the historic site shall be subject to a limited specific design plan review for scale, mass, proportion, materials, architecture, landscaping, and lighting, as they would impact the character of the historic site.

This SDP is for infrastructure only. The viewshed study demonstrates information limited to scale and mass only. Detailed review of specific architecture for conformance with this condition will be carried out at time of a full-scale SDP.

12. No part of the Patuxent River primary management area shall be placed on any single-family detached or attached lot.

The SDP meets this condition.

- 18. Prior to signature approval of the preliminary plan of subdivision, the approved limits of Marlboro clay, as shown on Type 1 Tree Conservation Plan TCP1-038-05 or as modified by an updated geotechnical study, shall be shown on the plan. Any lots within the 1.5 safety factor line shall be relocated outside of that line, unless a slope stability study to determine a new mitigated 1.5 safety factor line is submitted and approved by appropriate staff.**

All lots should conform to this requirement. A delineation of the limits of Marlboro clay has been shown on TCP1-019-13-03. Stormwater Management (SWM) Concept Approval Letter (14846-2006-02), issued by DPIE on May 25, 2017, indicates in Condition 19 that: "A geotechnical report is required for the southern portion of the property to address Marlboro clay and slope stability analysis. All lots must have a slope stability safety factor of 1.5 or greater." EPS is dependent on the geotechnical expertise of DPIE for the evaluation of geotechnical studies, and determination of the location of the 1.5 safety factor line.

The original PPS 4-05080 and TCP1-038-05 addressed the location of Marlboro Clay and the 1.5 safety factor line. PPS 4-16001 and TCP1-038-05-02 did not address the location of the 1.5 safety factor line for the site. As part of the approval of 4-16001, this information was required prior to certification, which is still pending. Because the 1.5 safety factor line is not shown on the plan, a condition has been included in this resolution.

- 19. At the time of specific design plan for the subject property, a detail of the 10-foot-wide master plan trail connector to Westphalia Central Park, to be constructed within this subdivision, shall be coordinated with and approved by the Prince George's County Department of Parks and Recreation.**

A comprehensive trail network exhibit has been provided with this SDP. This condition has been met.

- 22. Development of this site shall be in conformance with an approved Stormwater Management Concept Plan (14846-2006-02) and any subsequent revisions.**

The application has an approved Stormwater Management Concept Plan, 14846-2006-02, for Sections 4, 5, and 6. Based on the review by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), the subject project is in general conformance with the approved stormwater management concept plan; however, a revision is required. A condition has been included in this resolution that requires this revision to the concept plan to be done prior to certification.

- 31. In conformance with the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, the 2009 *Approved Countywide Master Plan of Transportation*, and approved specific design plans (SDPs), the applicant and the applicant's heirs,**

successors, and/or assignees shall provide the following:

- a. Standard sidewalks along both sides of all internal roads, excluding alleys. A detailed analysis of the internal sidewalk network will be made at the time of each SDP.**
- b. A multi-use, stream valley trail along the subject site's portion of Cabin Branch, in conformance with the *Park and Recreation Facilities Guidelines*. Timing for the construction shall be determined with the appropriate SDP. Connector trails shall be provided from the stream valley trail to adjacent residential development.**
- c. A shared-use sidepath (or wide sidewalk) along the subject site's entire portion of MC-632. Within Sections 5 and 6, the shared-use sidepath will serve as a segment of the Melwood Legacy Trail.**
- d. A connector trail within the limits of this application from Dower House Road to the adjacent Cabin Branch Stream Valley Trail, as indicated on the previously approved comprehensive trails plan.**
- e. Provide standard sidewalks and designate bike lanes with appropriate signage and pavement markings along both sides of C-635 and P-615, unless modified by DPW&T or DPIE.**

All of the above trails and sidewalks are shown on the SDP, as required.

- f. Trails shall be constructed in conjunction with each section of development, with bonding prior to issuance of the first building permit, and completion prior to issuance of 50 percent of the building permits, as required in Condition 11 of Comprehensive Design Plan CDP-0501.**

This condition will be carried forward as a condition of approval. For Section 5, prior to issuance of the 190th building permit, all trails shall be completely constructed. For Section 6, prior to issuance of the 151st building permit, all trails shall be completely constructed.

- g. Each SDP that contains trails shall show the field-identified location for all trails and the associated grading.**

The SDP shows trails as required.

- 34. The applicant and the applicant's 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 Westphalia Comprehensive Concept Plan**

study. Consideration should be given to the use of existing Melwood Road as a pedestrian/trail corridor east and west of MC-632 at the time of specific design plan.

Because of the site's location within Westphalia Center, it was subject to Section 24-124.01 and the Transportation Review Guidelines at the time of Preliminary Plan 4-16001. Based on Section (C) and the 527 dwelling units proposed, the cost cap for 4-16001 was \$158,100. Improvements along the Melwood Road Legacy Trail were recommended at that time, which would include improvements along the trail corridor above and beyond what would ordinarily be provided. The specific improvements are to be determined with the SDP and an exhibit was submitted by the applicant that outlines improvements and amenities to be provided along the trail. Cost estimates were also provided. According to the review by the Planning Board, the above conditions are satisfied if the conditions of approval in this resolution are implemented.

- 42. The applicant must obtain approval of more than six dwelling units in a row at the time of specific design plan, pursuant to Section 27-480(d) of the Prince George's County Zoning Ordinance.**

This SDP contains two groups of townhouses in Section 5 that contain seven units, which were also approved in SDP-1302-02. There is one group of townhouses in Section 6 that has seven units in a row. The rest of the groups contain no more than six units in a row. At time of a full-scale SDP when architecture information is available, special attention should be paid to the elevations of those buildings with seven units in a row to ensure sufficient articulation, such as projection between two adjoining units, are in the design to avoid monotonous appearance.

- 12. Specific Design Plan SDP-0506 and its amendments:** The Planning Board approved Specific Design Plan SDP-0506 for infrastructure with three conditions. The condition that is relevant to the review of this SDP is discussed 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).**

A limited detailed site plan for stream restoration, Specific Design Plan SDP-1002, was approved with conditions by the Planning Board on January 26, 2012. Per the conditions above, SDPs that include priority stream restoration projects shall be designed or revised to reflect conformance with the approved stormwater management concept approval for the stream restoration prior to the issuance of grading permits. Affected SDPs and associated TCPIIs shall include the detailed engineering necessary for stream restoration implementation. This requirement is addressed for Reach 3-4 in Section 5 with the current application.

13. **Specific Design Plan SDP-1302, and its amendments:** Specific Design Plan SDP-1302 was approved by the Planning Director on November 8, 2013, with no conditions, to show the locations of afforestation areas within Sections 5 and 6. Specific Design Plan SDP-1302-01 was approved by the Planning Director on December 1, 2016 (PGCPB Resolution No. 16-140), with conditions, which are relevant to the subject application as follows:

- 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.

The condition is in full force and effect.

Specific Design Plan SDP-1302-02 was approved by the Planning Director on September 14, 2017 (PGCPB Resolution No. 17-120), with eight conditions. The conditions relevant to the subject application are discussed as follows:

- 4. Prior to approval of a specific design plan for architecture for Section 5, the plans shall be analyzed to determine if additional parking spaces shall be provided above the 12 spaces shown on the plans.**

The SDP includes the layout of 159 townhouse lots previously approved with SDP-1302-02. In addition, 134 townhouse lots have been added to the west and south of those 159 lots. A total of 18 parking spaces for visitors have been proposed in the SDP for Section 5. In Section 6, a total of 31 parking spaces have been provided for visitors.

The Planning Board found that the lack of sufficient parking for visitors in the proposed development, specifically in Section 5. Overall, both Sections 5 and 6 provide more parking than required. However, if not counting the visitors' parking spaces, both sections provide less parking than required. As such, the real number of parking spaces for visitors will be less than shown in the parking table. For example, in Section 5, the applicant provides 15 spaces less than the required parking for townhouses and two-over-two units. This means only three of the 18 visitor parking spaces will be available for visitors. Therefore, additional parking spaces for visitors must be provided. At a minimum, five percent of the total required parking spaces will be needed for visitors. This means a minimum of 39 parking spaces for visitors and 15 spaces for both townhouses and two-over-two units are needed for Section 5. In addition, both sections should provide the required number of parking spaces for the proposed residential dwelling units. The parking spaces for visitors in Section 6 meets the five percent minimum. However, an additional 11 spaces should be provided for the proposed townhouses and be evenly distributed amongst the pods. During the Planning Board hearing, the applicant introduced two exhibits (Applicant's Exhibits 1 A and B) that provide possible on-street parking spaces to provide the required parking for both Sections 5 and 6. Considering the number of parking spaces that will be available to serve the proposed development, the Planning Board found that a minimum five percent is required for visitor parking. The Planning Board directed technical staff to work with DPIE and the Fire Department to verify that on-street parking spaces on the public streets will be available and those on private streets will not impact the circulation of emergency vehicles. Conditions have been included in this resolution requiring the provision of parking spaces for visitors.

- 5. Prior to approval of a specific design plan that includes construction of MC-637 (Dower House Road extended), five-foot-wide sidewalks, sufficient room for street**

tree planting and survival (a five- to six-foot-wide planting strip), and designated bike lanes along both sides of MC-637 shall be shown on the plan, unless modified by DPW&T/DPIE.

A five-foot-wide sidewalk, a five-foot-wide landscape strip, and a five-foot-wide bicycle lane have been shown on both sides of MC-637 for the segment west of MC-632. For the segment east of MC-632, a five-foot-wide sidewalk and a five-foot-wide landscape strip have been shown on both sides of MC-637. This condition has been met.

- 6. Prior to approval of a specific design plan that includes construction of master-planned Roads P-619, C-636, and any portion of P-615 that is not currently shown on Specific Design Plan SDP-1302-02, Stormwater Management Concept Plan 14846-2006-02 shall be revised to include the master-planned roads (P-615, P-619, and C-636).**

As discussed previously, the submitted SWM Concept Plan (14846-2006-02) requires revisions in accordance with the review by DPIE. This condition will be addressed at time of the revision. A condition has been included in this resolution to require the revision to be done prior to certification of this SDP.

- 7. Prior to approval of any future specific design plans for Sections 5 and 6, the plans shall be reviewed for the incorporation of on-site recreational facilities, in accordance with Zoning Map Amendment A-9965-C (Basic Plan) Condition 2(E).**

As previously discussed, on-site recreational facilities have been provided only for Section 6; no facilities have been proposed for Section 5. The Planning Board attached a condition of approval that requires, the provision of a tot lot in Section 5 prior to certification.

- 14. 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 residential infrastructure is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual. The required plantings and schedules have been provided on the submitted landscape plan demonstrating conformance with these sections, except for Sections 4.6 and 4.7.

Alternative compliance (AC) was requested from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) for Section 4.6, Buffering Development from Streets, along master plan roadways MC-637 and P-165, Dower House Road; and Section 4.7, Buffering Incompatible Uses, along the northern property line of Section 6, adjacent to the Blythewood Historic Site (78-013) as follows:

- a. Section 4.6 (c)(1)(A)(iii)** for a reduction in the buffer width along MC-637 (Dower

House Road), a master-planned major collector roadway, for Block B, Lot 22; Block G, Lots 6 and 13; and Block H, Lots 1, 24, 37, 54, and 61 within Section 5.

- b. **Section 4.6 (c)(1)(A)(i)** for a reduction in the buffer width along P-615 (Dower House Road), a master-planned primary roadway, for Block A, Lots 11, 51, 52, and 144 within Section 6.
- c. **Section 4.7(c)(7)(B)** for the relocation of 677 linear feet of the required landscaped yard to be positioned adjacent to Alley 6B and offset 150–210 feet from the shared property line.

Section 4.6, Buffering Development from Streets

ALTERNATIVE COMPLIANCE REQUEST: Section 4.6, Buffering Residential Development from Streets, along MC-637 within Section 5.

Block	Lot	REQUIRED				PROVIDED			
		Minimum Width of Buffer Required	Number of Shade Trees Required	Number of Evergreen Trees Required	Number of Shrubs Required	Minimum Width of Buffer Provided	Number of Shade Trees Provided	Number of Evergreen Trees Provided	Number of Shrubs Provided
B	22	50 feet	1	3	5	38 feet	1	3	5
G	6	50 feet	1	3	5	47 feet	1	3	5
G	13	50 feet	1	3	5	27 feet	1	3	5
H	1	50 feet	1	3	5	31 feet	1	3	5
H	24	50 feet	1	3	5	27 feet	1	3	5
H	37	50 feet	1	3	5	27 feet	1	3	5
H	54	50 feet	1	3	5	27 feet	1	3	5
H	61	50 feet	1	3	5	27 feet	1	3	5

ALTERNATIVE COMPLIANCE REQUEST: Section 4.6, Buffering Residential Development from Streets, along P-615 within Section 6.

Block	Lot	REQUIRED				PROVIDED			
		Minimum Width of Buffer Required	Number of Shade Trees Required	Number of Evergreen Trees Required	Number of Shrubs Required	Minimum Width of Buffer Provided	Number of Shade Trees Provided	Number of Evergreen Trees Provided	Number of Shrubs Provided
A	11	20 feet	1	2	3	17 feet	1	2	3
A	51	20 feet	1	2	3	11 feet	0	0	7
A	52	20 feet	1	2	3	11 feet	0	0	5
A	144	20 feet	1	2	3	17 feet	1	2	3

Justification

The applicant requests AC from Section 4.6 for a reduction in the buffer width for multiple lots along MC-637 (Dower House Road). However, in the applicant's calculation of the provided

buffer widths does not include the 10-foot-wide public utility easement (PUE) along the public right-of-way. This width can be counted as part of the provided buffer width; however, plantings cannot be located within it. When the PUE is incorporated, multiple lots that the applicant identified as needing AC in the statement of justification meet the requirements and do not need AC. The remaining lots provide buffers that range from 27–47 feet in width, or 54–94 percent of the required 50-foot-wide buffer.

The applicant requests AC from Section 4.6 for a reduction in the buffer width for multiple lots along P-615 (Dower House Road). Again, the applicant’s calculation of the proposed buffer width did not incorporate the PUE, so the plan needs to be revised to do so. When the PUE is incorporated, the provided widths range from 11–17 feet, or 55–85 percent of the required 20-foot-wide buffer.

For all lots requiring AC from Section 4.6, the side of the rear yard is oriented toward the street, which is a less impactful orientation, and for many of these lots, the rear yard includes the driveway. In addition, the full number of plant units required is provided for all lots requiring AC, except for Block A, Lots 51 and 52, where the provision of only one foot outside of the PUE does not leave sufficient room for the required plants, and only shrubs are provided.

The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* identifies this property as part of the Town Center Edge, which envisions this area as a:

“...medium- to high-density urban pattern surrounding the high-density town center core, including medium-density mixed use commercial and office, and several interconnected residential neighborhoods that have diverse housing styles and a network of open space.”

Furthermore, the sector plan recommends that this area is developed to be “...attractive, walkable, and include diverse housing styles and open space.” A key component of a walkable area is a defined streetscape, which can be achieved through landscaping or building presence. Pulling the sides of the townhomes closer to the major roadways, while providing the full planting requirement, will be the optimal situation for creating a defined streetscape in this area that was intended to have a denser pattern. For all of these reasons, the Planning Board found the applicant’s proposal equally effective as strict compliance with Section 4.6 of the Landscape Manual for Block B, Lot 22; Block G, Lots 6 and 13; Block H, Lots 1, 24, 37, 54, and 61 within Section 5; and Block A, Lots 11 and 144 within Section 6. Due to the lack of provision of the full planting requirement, a condition has been included in this resolution to eliminate Block A, Lots 51 and 52 in Section 6, or revise the plans to demonstrate conformance to Section 4.6 for these lots.

Section 4.7, Buffering Incompatible Uses

REQUIRED: 4.7 Buffering Incompatible Uses, along the northern property line of Section 6, adjacent to a historic site

Length of bufferyard

1563 feet

Minimum building setback	60 feet
Minimum landscaped yard	50 feet
Fence or wall	None
Existing trees	None
Plant units (180 per 100 l.f.)	2,813

PROVIDED: 4.7 Buffering Incompatible Uses, along the northern property line of Section 6, adjacent to a historic site

Length of bufferyard	1563 feet
Minimum building setback	60 feet
Minimum landscaped yard	50 feet*
Fence or wall	None
Percent with existing trees	0%
Plant units	2,813

Note: *Approximately 677 linear feet of the required landscaped yard is offset 150–210 feet from the shared property line, on the other side of a stormwater management pond.

Justification

The applicant requests AC from the Section 4.7 requirements to reposition 677 linear feet of the required landscaped yard 150–210 feet south of the shared property line with the Blythewood historic site, in order to properly accommodate a previously approved stormwater management pond. Due to the structural requirements for stormwater management ponds, no plantings are permitted to the north of the pond along the shared property line. The Alternative Compliance Committee consulted with Historic Preservation Commission staff, who are agreeable to this request, provided that the full landscaped yard is planted with native plantings, in a naturalized manner, prior to construction of the townhomes in Sections 5 and 6, which has been conditioned in the technical staff report for the SDP. Given the provision of the full requirements between the proposed use and the historic site, and the installation of the buffer prior to building construction, the Planning Board found the applicant's proposal equally effective as strict compliance with Section 4.7 of the Landscape Manual.

Recommendation

The Planning Board APPROVED Alternative Compliance AC-18019, Parkside, Sections 5 and 6, from the requirements of Section 4.7 of the 2010 *Prince George's County Landscape Manual*, along the Section 6 northern property line, adjacent to the historic site; and from the requirements of Section 4.6 for Block B, Lot 22; Block G, Lots 6 and 13; and Block H, Lots 1, 24, 37, 54, and 61 within Section 5; and Block A, Lots 11 and 144 within Section 6, subject to conditions that have been included in this resolution.

15. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:**

This site is subject to the provisions of the Woodland Conservation Ordinance (WCO) because it is more than 40,000 square feet in size, contains more than 10,000 square feet of woodland, and

there are previously approved tree conservation plans. The Planning Board made the following findings:

- a. The most current plan, Natural Resources Inventory NRI-006-05-03 approved on March 7, 2018, was submitted with the review package for the current application. The NRI indicates that streams, wetlands, 100-year floodplain, and areas of steep slopes are found within the limits of the SDP and comprise the primary management area (PMA). The information on the NRI is correctly shown on the current SDP and TCPII submittals.
- b. The subject area of this SDP is part of the overall Type 1 Tree Conservation Plan (TCPI-038-05), which covers the entire Parkside development. Type 1 Tree Conservation Plan, TCPI-038-05-02, was most recently revised with Preliminary Plan 4-16011 for Sections 5 and 6. The revised TCPI has not received signature approval. The required finding for approval of an SDP is that the TCPII can be found to be in conformance with the approved TCPI.

With the first TCPII for the Parkside development, an overall woodland conservation worksheet for the entire site was developed, 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 is also used to confirm that the woodland conservation threshold is being met on-site per the Final Decision of the District Council in ZMAs A-9965-C and A-9966-A. Based on the overall site area of 648.28 net tract 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 provides 168.08 acres of woodland conservation on-site, which exceeds the on-site requirement.

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 104.20 acres of net tract woodlands, 5.02 acres of woodland floodplain, 3.46 acres of wooded PMA, and 3.51 acres of off-site woodland clearing results in a total woodland conservation requirement of 253.52 acres, which is distributed over the 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 off-site requirement, which could not be satisfied on-site, was proportionally distributed among all sections of the project, so the woodland conservation requirements would be provided on and off-site in sequence with development, and not be front-end loaded with

the early sections, or deferred until the end of development. With the most recent review of the overall worksheet, 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 total quantity of woodland conservation provided in Sections 5 and 6 has also been adjusted to be in conformance with the overall implementation schedule, which indicates a minimum of 37.20 acres and 43.97 acres of woodland conservation provided, respectively.

Other changes in the quantities of preservation and afforestation/reforestation may result from other revisions to the TCPIIs, 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.

There are two revised TCPII plans associated with SDP-1302-03; TCPII-019-13-03 (Section 6), and TCPII-020-13-03 (Section 5), which were submitted with the current application. There have been changes to the proposed layout of Sections 5 and 6 since prior approvals of this plan because the approval of a new preliminary plan affected unit types and density on the site.

TCPII-020-13-03 (Section 5): The previous TCPII approvals for Section 5 included afforestation/reforestation credited to early phases of the development, construction of stormwater management facilities, the restoration of Reach 3-4, and infrastructure development for a portion of Section 5. The current application for Section 5 has a net tract area of 53.54 acres, with a distributed Woodland Conservation Threshold (WCT) of 69.48 percent of the net tract area or 37.20 acres. The woodland conservation requirement is proposed to be satisfied with 2.82 acres of on-site preservation, 8.02 acres of on-site afforestation, and 10.56 acres of off-site woodland conservation credits.

The TCP plan requires technical revisions to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance, and the appropriate conditions have been included in this resolution. Additional technical revisions may be required to be in conformance with the approved TCP1-038-05-02 prior to certification.

TCPII-019-13-03 (Section 6): The previous TCPII approvals for Section 6 included afforestation/reforestation credited to early phases of the development, construction of stormwater management facilities, and rough grading of portions of Section 6. The current application for Section 6 has a net tract area of 80.39 acres, with a distributed Woodland Conservation Threshold (WCT) of 54.69 percent of the net tract area or 43.97 acres. The woodland conservation requirement is proposed to be satisfied with 0.62 acres of on-site preservation, 11.02 acres of on-site afforestation, and 32.33 acres of off-site woodland conservation credits.

Per PGCPB Resolution No. 18-62, Section 6 is also obligated to provide 1.01 acres of additional afforestation as mitigation required by Condition 2(a) as follows:

2. **Mitigation for environmental impacts to regulated environmental features in Section 1B, resulting from revisions proposed with Specific Design Plan SDP-1003-15, shall be provided, as follows:**
 - a. **Prior to approval of any amendment to Specific Design Plan SDP-1302-02, Parkside, Section 6, Type II Tree Conservation Plan TCPII-019-13-02 shall be revised to provide an additional 1.01 acres of afforestation/reforestation. The additional afforestation/reforestation shall not be placed within the environmental setting for the Blythewood Historic Site or on the possible future school site.**

The TCP plan requires technical revisions to be in conformance with the Woodland Conservation Ordinance, including adding a note regarding the above condition. A revised overall woodland conservation worksheet shall be provided to address revisions to Section 6, and any other technical revisions required. Additional afforestation mitigation provided on Section 6 shall be added to the overall and individual woodland conservation worksheet as off-site mitigation provided on this property. Additional technical revisions may be required to be in conformance with the approved TCPI-038-05-02 prior to certification.

The Planning Board concluded that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible. The temporary and permanent PMA impacts shown on SDP-1302-03, TCPII-019-13-03, and TCPII-020-13-03 are generally consistent with those approved with Preliminary Plans 4-05080 and 4-16001, SDP-1002, and SDP-1302-02.

Both Tree Conservation Plans TCPII-020-13-03 (Section 5) and TCPII-019-13-03 (Section 6) can be found to be in general conformance with Type I Tree Conservation Plan TCPI-038-05-02, if revised in accordance with the conditions that have been included in this resolution.

16. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage (TCC) 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. Properties that are zoned R-M are required to provide a minimum of 15 percent of the gross tract area in tree canopy coverage. According to the TCC schedule, Sections 5 and 6 are 158.64 acres in size, resulting in a tree canopy coverage requirement of 23.8 acres, or 1,036,728 square feet. The TCC schedule shows the requirement will be met on-site through a combination of woodland preservation, reforestation, and proposed landscaping of 1,547,449 square feet. The site area, as shown on the TCC schedule, is larger than the area shown on the SDP, which is also different from the acreage of the approved Preliminary Plan of Subdivision 4-16001. A condition has been

included in this resolution requiring the applicant to revise the schedule to reflect the correct site acreage.

17. **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 Commission (HPC)**—In a memorandum dated November 26, 2018, (HPC, Berger to Zhang), incorporated herein by reference, the Historic Preservation Commission reviewed the subject application and recommends approval of this SDP with two conditions that have been included in this resolution. HPC's findings and conclusion are summarized as follows:

The Parkside development includes a Prince George's County Historic Site, Blythewood (78-013). The area included within the boundaries of this SDP includes area to the south of the Blythewood Historic Site. The subject application proposes grading and filling in the western portion of the Blythewood Environmental Setting for the construction of Woodyard Road (MC-632) and the new entry lane to the historic site, visible on Sheets 11 and 13 of the Specific Design Plan. The stormwater management ponds shown on the plans were approved through HAWP 2016-055 and have been constructed.

The area included within the subject specific design plan was surveyed for archeological resources in 2006. No significant archeological sites were identified. No further archeological investigations are recommended.

The applicant submitted a viewshed study that provides sections illustrating the topography and visible features from the Blythewood Historic Site to the developing property to the southwest, south and southeast.

Section A details the view from Blythewood to the southwest and shows that existing trees on the Blythewood property, along with proposed plantings on either side of Woodyard Road (MC-632) and on the townhouse lots will provide screening of the new construction from the historic site. The landscaping proposed by the applicant in this portion of the development should be sufficient to screen the views from the Blythewood Historic Site to the new development.

Section B details the view from Blythewood to the south. This section shows that there is a substantial vegetative buffer within the Blythewood Environmental Setting. This is the portion of the development that will be most visible from Blythewood. An enhanced vegetative buffer should be provided along the north side of Alley 6B as shown on Sheet 12 of the Landscape and Lighting Plan.

Section C details the view from Blythewood to the southeast. This section shows that the existing vegetation within the Blythewood Environmental Setting, along with existing trees in the Westphalia Central Park and proposed plantings in the reforestation area will

substantially screen this portion of the development from the historic site.

Any grading proposed in this plan that is within the Blythewood Environmental Setting will require approval through the Historic Area Work Permit process.

- b. **Subdivision Review**—The Planning Board reviewed the subject SDP for conformance with the conditions attached to the approval of 4-16001 and approved his SDP with two conditions that have been included in this resolution.
- c. **Transportation Planning**—The Planning Board conducted a review of the SDP's conformance with most recent Preliminary Plan of Subdivision 4-16001 and concluded that the subject development will be adequately served within a reasonable time with existing or programmed public facilities, either shown in the appropriate Capital Improvement Program or provided as part of the private development.
- d. **Environmental Planning**—The Planning Board conducted a comprehensive analysis of the SDP's conformance with all applicable environmentally related conditions attached to previous approvals that has been included in above findings. Additional findings are as follows:

The site has previously approved impacts to regulated environmental features associated with Preliminary Plan 4-05080 and 4-16001. The impacts involve the installation of one stormwater management facility outfall, one water loop, five sanitary sewer outfalls, three road crossings, and one grading area. Prior to approving an SDP, the Planning Board must find that the plan demonstrates that the regulated environmental features are fully preserved and/or restored to the fullest extent possible in accordance with the requirement of Section 24-130(b)(5) of the Subdivision Regulations. The Statement of Justification (SOJ) submitted with the subject application (SDP-1302-03) states that there are no new environmental impacts proposed with the current application, and that the impacts shown are consistent with prior approvals.

The Planning Board approved Specific Design Plan SDP-1302-03 and revised Type II Tree Conservation Plans; TCPII-019-13-03 and TCPII-020-13-03 subject to three conditions that have been included in this resolution.

- e. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated November 6, 2018 (Giles to Zhang), DPIE stated that they have no objection to the proposed development in Sections 5 and 6. They also noted that a revision to the previously approved Stormwater Management Concept Plan and the Storm Drain and Paving Plan are required. A condition has been included in this resolution requiring that prior to the certification of the plans, the applicant should amend the approved concept plan accordingly.
- f. **Soil Conservation District**—At the time of this resolution, the Soil Conservation District did not provide comments on the subject application.

- g. **Special Projects**—The Planning Board reviewed the SDP in accordance with Section 27-528(a)(2) of the Zoning Ordinance and determined that police and water and sewer service will be adequate to serve the proposed development. Regarding fire and rescue adequacy, the Planning Board found that:

The proposed project is served by Forestville Fire/EMS Co. 823, which is located at 8321 Old Marlboro Pike. The Fire Chief, as of May 16, 2016, outlined the adequacy of personnel and equipment as required by Section 24-122.01(e).

The Assistant Fire Chief James V. Reilly, Emergency Services Command of the Prince George's County Fire/EMS Department, reaffirmed in writing that "as of November 15, 2018" *only a portion* of the project is within a seven-minute travel time from the first due station". The applicant may offer to mitigate for the failed portion.

The Public Safety Mitigation Fee will be assessed when the applicant applies for grading permits with the DPIE.

The Planning Department has established a practice regarding the designation of lots that are split by the seven-minute travel time response line. If any portion of a proposed lot is beyond the response time, the lot will be considered as beyond the response time and mitigation will be required. At the time of PPS 4-16001 (PGCPB No. 18-91), 115 lots were considered beyond the seven-minute response time line and the fee per dwelling unit was established in Condition 40 of that approval.

This SDP revised the lot layout and increased the number of properties; therefore, a total of 122 units are now beyond the response time and mitigation will be required at the time of grading or building permit as conditioned by the PPS.

- h. **Trails**—The Planning Board reviewed the SDP application for conformance with all applicable conditions attached to prior approvals. The relevant comments have been included in the above findings. The Planning Board approved this SDP with one condition regarding interpretative and wayfinding signage as shown on the BPIS exhibit that has been included in this resolution.
- i. **Prince George's County Health Department**—In a memorandum dated November 2, 2018 (Adepoju to Zhang), incorporated herein by reference, the Health Department provided three comments regarding engaging stakeholders in the review process, lack of healthy food choices in the area and water conservation practices for the proposed building and landscaping. Those comments have been transmitted to the applicant during the review process.
- j. **Prince George's County Police Department**—At the time of this resolution, the Police Department did not provide comments on the subject project.

- k. **Prince George's County Fire/EMS Department**—In a memorandum dated November 14, 2018 (Reilly to Zhang), incorporated herein by reference, the Fire Department provided comments regarding water pressure, hydrant location, and turning radii, most of which will be addressed through the Fire Department's permitting process. However, the following warrant discussion:

With regard to fire department access, any code required fire access road must be 22 feet wide. Fire access roads shall extend to within 150 feet of an exterior door, other than the garage door, on every unit. Specifically, we have concerns about the following units/lots that front on alleys where fire access is not assured and where responding fire department responders may have difficulty locating or determining the address of a unit:

Sheet 5	Lots/Units 162-185
Sheet 7	Lots/Units 120-139
Sheet 10	Lots/Units 43-48 and 67-71
Sheet 12	Lots/Units 7-18
Sheet 14	Lots/Units 40-44 and 45-51
Sheet 19	Lots/Units 98-105 and 148-150

Applicant's submission should show a minimum 22-foot drivable width of all roads (paved surface from the face of the curb to the face of the opposite curb) and a minimum of 18-foot alleys (width of total paved surface to include asphalt and depressed curb) not required for fire department access.

All the comments above have been transmitted to the applicant during the review process. As far as the roadway width is concerned, a condition has been included in this resolution that requires a minimum 18 feet of pavement width to be provided for all alleys.

- l. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated November 20, 2018 (Zyla to Zhang), DPR recommends approval of this SDP with four conditions that have been included in this resolution, as appropriate.
- m. **Westphalia Section Development Review Council (WSDRC)**—At the time of the writing of this resolution, WSDRC did not provide comments 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 APPROVED Type II Tree Conservation Plan TCPII-020-13-03, APPROVED Type II Tree Conservation Plan TCPII-019-13-03, and APPROVED Alternative Compliance AC-18019, and further APPROVED Specific Design Plan SDP-1302-03 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. Obtain signature approval of Preliminary Plan of Subdivision 4-16001.
- b. Provide a tot lot of at least 2,500 square feet at a central location in the townhouse cluster in Section 5, as shown on the applicant's exhibit # 3, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
- c. Relocate lighting fixtures off of single-family lots where possible. In the event relocation of the lighting fixtures are not possible, provide evidence of an access and maintenance easement for the homeowner's association to maintain the fixtures.
- d. Revise the parking table to provide the required number of parking spaces in Sections 5 and 6.
- e. Distribute the visitor parking spaces evenly throughout the townhouse pods within Section 6 to be reviewed and approved by the Urban Design Sections as the designees of the Planning Board.
- f. Provide additional parking spaces for visitors for a total of 39 spaces to be evenly distributed in the townhouse pods within Section 5 to be reviewed and approved by the Urban Design Sections as the designees of the Planning Board.
- g. Update and correct the density chart for tracking purposes, to demonstrate full conformance with the previously approved CDP, the preliminary plan and specific design plans for the overall site, in accordance with Condition 12 of Comprehensive Design Plan CDP-0501.
- h. Revise the Tree Canopy Coverage schedule to reflect the correct gross tract area.
- i. Revise the Stormwater Management Concept Plan No. 14846-2006-02.
- j. Revise the landscape plan as follows:
 - (1) Eliminate Block A, Lots 51 and 52 in Section 6, or revise the plans to demonstrate conformance with Section 4.6 of the *2010 Prince George's County Landscape Manual* for these lots.
 - (2) Update the Section 4.6 Buffer Matrix Tables for Sections 5 and 6:
 - (a) To correct the provided buffer widths;
 - (b) Include all applicable lots;
 - (c) Indicate which lots are subject to Alternative Compliance AC-18019.

- (3) Demonstrate conformance with Section 4.6 of the *2010 Prince George's County Landscape Manual* for Block A, Lots 151 and 169 in Section 6, and any other lots, as required, that are not approved in Alternative Compliance AC-18019.
- k. With the exception of the alleys approved in SDP-1302-02, revise the plan to reflect a pavement width of 18 feet for all alleys, not including alleys that must have 22 feet of pavement width for fire access, that do not meet the minimum requirement pursuant to Section 24-128(b)(7)(A)(ii) of the Subdivision Regulations.
- l. Type II Tree Conservation Plan TCPII-020-13-03 for Section 5 shall be revised as follows:
 - (1) Revise note 9 to reference the grandfathering provisions of Section 25-119(g) of the code (not 117(G) as stated).
 - (2) Revise note 1 to remove SDP-1003 and revise the SDP number as SDP-1302-03.
 - (3) Revise the last sentence of Standard Note 10 to "Revisions to the TCPII may require a revision to the recorded easement prior to signature approval of this TCPII."
 - (4) Revise the plan to add standard note regarding the recordation of the required on-site woodland conservation easement.
 - (5) Standard details for root pruning (DET-10) and the standard detail for tree pruning (DET-11) found in the Environmental Technical Manual must be added to the plan for edge and/or specimen tree treatments.
 - (6) A revised overall woodland conservation worksheet shall be provided to include revisions to Section 6, and any other technical revisions required to find conformance with TCP1-038-05-02 and the Environmental Technical Manual. Additional afforestation mitigation provided on Section 6 shall be added to the overall and individual woodland conservation worksheet as off-site mitigation provided on this property.
 - (7) Any areas of off-site grading shall be labeled as follows: "Off-site grading with this plan is subject to the submittal of written permission from property owner prior to the issuance of grading permits. Replacement requirements for off-site clearing of woodlands must be addressed with the current application."
 - (8) A note shall be added to the Specimen Tree Table that states the following:

“Note: The specimen trees indicated for removal in Section 5 are not subject to approval of a Subtitle 25 variance because of prior approval for removal under TCP2-020-19-13-02.”

- (9) On Sheet 4, SP-233 which falls within the LOD, shall be shown for removal, and the specimen tree table disposition shall be revised.
 - (10) On all plan sheets, include bearings and distance for property and parcel lines.
 - (11) After all revisions have been made, revise and reconcile calculations and tables as necessary.
 - (12) Have the plan signed by the qualified professional who prepared it.
- m. Type II Tree Conservation Plan TCPII-019-13-03 for Section 6 shall be revised as follows:
- (1) Revise Note 9 to reference the grandfathering provisions of Section 25-119(g) of the code (not 117(G) as stated).
 - (2) Revise Note 1 to remove SDP-1003 and revise the SDP number as SDP-1302-03.
 - (3) Revise the last sentence of Standard Note 10 to: “Revisions to the TCPII may require a revision to the recorded easement prior to signature approval of this TCPII.”
 - (4) Revise the plan to add standard note regarding the recordation of the required on-site woodland conservation easement.
 - (5) Standard details for root pruning (DET-10) and the standard detail for tree pruning (DET-11) found in the Environmental Technical Manual must be added to the plan for edge and/or specimen tree treatments.
 - (6) On the cover sheet, the Afforestation Area Summary Table and the Woodland Afforestation-Not Credited Summary Table shall be combined, and a note shall be provided regarding Condition 2(a) of PGCPB Resolution No. 18-62.
 - (7) A revised overall woodland conservation worksheet shall be provided to include revisions to Section 6, and any other technical revisions required to find conformance with TCP1-038-05-02 and the Environmental Technical Manual. Additional afforestation mitigation provided on Section 6 shall be added to the overall and individual woodland conservation worksheet as off-site mitigation provided on this property.

- (8) Any areas of off-site grading shall be labeled as follows: “Off-site grading with this plan is subject to the submittal of written permission from property owner prior to the issuance of grading permits. Replacement requirements for off-site clearing of woodlands must be addressed with the current application.”
 - (9) A note shall be added to the Specimen Tree Table that states the following:

“Note: The specimen trees indicated for removal in Section 5 are not subject to approval of a Subtitle 25 variance because of prior approval for removal under TCP2-020-19-13-02.”
 - (10) The legend and sheet summary tables shall be revised to indicate that “Woodland Afforestation – Not Credited” is “Woodland Afforestation Provided per PGCPB Resolution No. 18-62, Condition 2(a).”
 - (11) On TCP Sheet 5, the limit of disturbance and Tree Protection Fence shall be revised to show the retention of Specimen Trees 88, 89, and 90, or their disposition shall be revised.
 - (12) On all plan sheets, include bearings and distance for property and parcel lines.
 - (13) After all revisions have been made, revise and reconcile calculations and tables as necessary.
 - (14) Have the plan signed by the qualified professional who prepared it.
- n. Show the approved limits of Marlboro clay, as shown on Type I Tree Conservation Plan TCPI-038-05, or as modified by an updated geo-technical study. Any lots within the 1.5 safety factor line shall be relocated outside of that line, unless a slope stability study to determine a new mitigated 1.5 safety factor line is submitted and approved by appropriate staff.
 - o. Provide on the site plan the details and specifications for the interpretative and wayfinding signage indicated on the BPIS exhibit.
 - p. Show a 24-foot-wide curb cut along Rock Spring Drive to accommodate future planned development on adjacent parkland. This entrance shall be located at the intersection with Alley 5R, Parcel A4, or at a location mutually acceptable to DPW&T and DPR.
- 2. Prior to final plat, the applicant shall submit a variation request from Section 24-128(b)(7)(A) to allow lots that do not have frontage on or pedestrian access to a public right-of-way to be served by alleys.
 - 3. Prior to issuance of the grading permit in Section 5, the applicant shall raze any remaining structures on adjacent parkland located on the north side of Rock Spring Drive.

4. Prior to approval of a grading permit for portions of the development within the Blythewood Environmental Setting, the applicant shall obtain a Historic Area Work Permit.
5. Prior to issuance of the first building permit within Parkside Sections 5 & 6, the applicant shall install the Section 4.7 landscape buffer adjacent to the Blythewood Historic Site, as shown on the specific design plan.
6. Prior to issuance of the 190th building permit for Section 5, all trails in the section shall be completely constructed, with bonding prior to issuance of the first building permit.
7. Prior to the issuance of the 220th townhouse building permit for Section 5, the tot lot in Section 5 shall be completed and open to the residents.
8. Prior to issuance of the 151st building permit for Section 6, all trails in the section shall be completely constructed, with bonding prior to issuance of the first building permit.
9. Prior to issuance of the 205th townhouse building permit for Section 6, the tot lot and pre-teen lot in Section 6 shall be completed and open to the residents.

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, December 13, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of January 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:HZ:gh