

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 April 25, 2019, regarding Specific Design Plan SDP-1601-02 for Parkside, Section 4, the Planning Board finds:

1. **Request:** The subject application requests a specific design plan (SDP) for a mixed retirement development (MRD), with improvements for 168 single-family detached residential lots and 127 single-family attached residential lots, in the Residential Medium Development (R-M) Zone for Parkside, Section 4, part of the larger Parkside development. This SDP includes the location and design of the public roadways and private alleys, the lot and parcel layout, on-street parking, landscaping, utility location, fencing, and sidewalks, but excludes architecture.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
<b>Zone</b>	R-M/M-I-O	R-M/M-I-O
<b>Use</b>	Residential	Residential
<b>Gross Acreage</b>	96.49	96.49
<b>Flood Plain Acreage</b>	2.49	2.49
<b>Net Acreage</b>	94	94
<b>Total Lots</b>	0	295
<b>Total Parcels</b>	2	30

## OTHER DEVELOPMENT DATA

**Parking Requirements**

	<b>Required</b>	<b>Provided</b>
<b>Section 4</b>		
Single-Family Detached 2.0 x 168	336	336
Single-Family Attached at 2.04 x 127	260	254
Standard Visitor Parking Spaces	-	43*
Parallel Visitor Parking Spaces	-	17*
<b>Total Parking:</b>	<b>596</b>	<b>650</b>

**Note:** \*The 60 parking spaces for visitors are not evenly distributed, particularly in Blocks J

and K, which contain single-family attached townhomes. The Planning Board determined that additional on-street parking be provided, wherever feasible, in these areas, in order to ensure sufficient parking for visitors, and approved the location of additional parking spaces, as shown on the applicants parking exhibit that was presented at the Planning Board hearing on April 25, 2019. See a detailed discussion in the findings below, and a condition has been included in this resolution requiring this revision.

3. **Location:** The larger Parkside subdivision (formerly Smith Home Farm) is a tract of land consisting of wooded and partially developed land, approximately 3,000 feet east of the intersection of Westphalia Road and MD 4 (Pennsylvania Avenue), and measuring approximately 757 acres, in Planning Area 78, Council District 6. The subject property, Section 4 of the Parkside development, is located in the north-central portion of the development, north of Central Park Drive at the terminus of Melwood Road, approximately 1,570 feet south of its intersection with Westphalia Road.
4. **Surrounding Uses:** The subject site is bounded to the north by vacant land and single-family detached residential units in the Rural Residential (R-R) and Open Space Zones; to the east by Section 7 of the Parkside development, which is currently undeveloped and in the Local Activity Center (L-A-C) and R-M Zones; to the south by Section 3 of the Parkside development, Central Park Drive, and the proposed Westphalia Central Park; and to the west by the proposed Rock Spring Drive, with Section 2 of the Parkside development in the R-M Zone and some scattered existing development in the Commercial Shopping Center, Commercial Office, Commercial Miscellaneous, and the R-R Zones beyond.
5. **Previous Approvals:** The subject application is for Section 4 within a larger project currently known as Parkside, formerly known as Smith Home Farm, which is comprised of 757 gross acres, including 727 acres in the R-M Zone and 30 acres in the L-A-C Zone. The larger Parkside project was rezoned from the Residential-Agricultural Zone to the R-M Zone (3.6–5.7 dwelling units per acre) 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 Prince George’s County 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 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 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 (a total of 3,628 dwelling units) and 355 parcels, with 77 conditions. A new PPS (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 and does not impact Section 4.

On July 27, 2006, the Planning Board approved infrastructure 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 Presidential Parkway, also known as A-67.

On December 12, 2007, 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, 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, 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 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 CDP-0501 for Smith Home Farm to require submission of an SDP for the Central Park following approval of the Westphalia Sector Plan and SMA, and not as the second SDP as stated in the original Condition 23 of CDP-0501.

SDP-1002 for stream restoration, as required by conditions of PPS 4-05080 and 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 Section 4.

The original SDP-1601 for Section 4 was approved by the Planning Board on October 27, 2016 (PGCPB Resolution No. 16-125) for infrastructure and the grading and installation of three stormwater management (SWM) ponds. On December 19, 2017, SDP-1601-01 was approved by the Planning Director for the purpose of rough grading and detailed engineering for the restoration of Stream Reach 6-2.

This SDP is subject to SWM Concept Plan 14846-2006-03, for Sections 4, 5, and 6 of the Parkside development, which was approved on March 19, 2019 and is valid until May 25, 2020.

6. **Design Features:** The subject application proposes to include all site design elements for the proposed MRD, such as the location and design of public and private roadways and alleys, lot and parcel layout, on-street parking, landscaping, utility locations, fencing, and sidewalks, excluding architecture. Stormwater is being accommodated within existing ponds within the overall boundary, and by additional on-site infiltration, including bioretention facilities and submerged gravel wetlands.

The submitted site plan shows the proposed alley rights-of-way at 20 to 28 feet wide to accommodate parallel parking and drive aisles that are generally 18 feet in width, with the exception of Alley 2 on Parcel K2, which is shown as 16 feet in width and shall not be less than 18 feet to provide safe, efficient, vehicular access to individual lots pursuant to Section 24-128(b)(7) of the Subdivision Regulations. A condition has been included herein requiring that all of the alleys be shown at 18 feet in width. The public and private rights-of-way are 50 feet wide and propose a pavement width of 26 feet. Victoria Park Drive runs along the southern portion of the site and connects Rock Spring Drive with Section 7 of the Parkside development, east of the subject site. Victoria Park Drive includes a 60-foot-wide right-of way and 36 feet of pavement.

A number of retaining walls, up to a maximum of approximately 14 feet high, are proposed on-site, adjacent to the residential lots. The approximately 10-foot-high retaining wall proposed to the north of Lot 28, Block B, is approximately 6 feet away from the future single-family attached house. A condition has been included in this resolution requiring that this retaining wall be moved at least 10 feet from the property line to ensure the future safety of the house and usability of the lot.

It was noted that there is a lack of sufficient parking for visitors in the proposed development. Overall, Section 4 provides more parking than required. However, not counting the visitors' parking spaces, Section 4 provides less parking than required. As such, the real number of parking spaces for visitors will be less than that shown in the parking table. For example, in Section 4, the applicant provides six spaces less than the required parking for townhouses units. This means that a reduced number of visitor parking spaces will be available if they are occupied by homeowners. Therefore, additional parking spaces for visitors should be provided. At a minimum, five percent of the total required parking spaces will be needed for visitors. The parking spaces for visitors in Section 4 meets the five percent minimum. However, additional spaces are needed and should be provided for the proposed townhouses and distributed amongst the pods in Section 4 in the appropriate locations.

At the Planning Board hearing on April 25, 2019, the applicant presented an exhibit showing additional parking locations and relative revised condition, which the Planning Board found acceptable. The condition is included in this resolution requiring a revision to the plan per the applicant's parking exhibit.

#### **Recreational Facilities**

At this time, no passive or active recreational facilities are proposed with this SDP. Private recreational facilities on homeowners association (HOA) parcels will be evaluated at the time of future SDPs.

#### **Architecture**

No architecture is included in the subject application. Architecture will need to be reviewed in a future SDP.

#### **Lighting**

The photometric plan indicates the use of a decorative light-emitting diode fixture on a 14-foot-high black pole. Details of the proposed lighting fixture and photometrics are provided on the SDP. However, lighting and lighting levels are not shown for all of the proposed private roads and alleys, and should be, to allow for safe passage and usage. Therefore, a condition is included in this resolution requiring this to be provided.

#### **Signage**

No signage is included in the subject application. Any proposed signage will need to be reviewed with a future SDP.

### **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 for Section 4 includes a total of 97.20 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, in conformance with the requirements above, and includes the CDP and PPS approvals, regarding the final density of the overall site. PPS 4-05080 was approved for the entire Parkside development (formerly Smith Home Farm). PPS 4-16001 was recently approved for Sections 5 and 6 and superseded PPS 4-05080 for Sections 5 and 6 only. The density tracking table has been updated to include the dwelling units approved in 4-16001.

The Planning Board adopted herein by reference a memorandum, dated March 28, 2019 (Onyebuchi to Bishop), and noted that the CDP established the dwelling unit limit for the entire property at 3,648. Subsequently, PPS 4-05080 was approved for 3,648 dwelling units and PPS 4-16001 was approved for 441 lots and 81 parcels containing a total of 527 dwelling units. The 527 dwelling units approved with PPS 4-16001 shall be counted against, and not in addition to, the 3,648 dwelling unit limit established by CDP-0501, which still governs the overall site development limitation. The Planning Board noted that during the review, the applicant provided this information within the tracking table, in order to clarify the relationship between the two PPSs and the CDP. The revised chart has been adopted as an attachment in the backup of this resolution and notes that the SDPs approved with Sections 5 and 6 of the Parkside development propose a total of 84 parcels, 3 more than approved. The revised plans should show the addition of PPS 4-16001 with the associated development, and clarify the lots, parcels, and unit counts proposed for the overall development.

To date, 1,814 dwelling units have been approved through several SDPs. The applicant is proposing an additional 295 dwelling units with this application. Approval of this SDP

would bring the total dwelling unit count for the entire Parkside development to approximately 2,109, which is well within the 3,648 dwelling unit limit established with the CDP. A condition has been included in this resolution requiring 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*.**

No recreational facilities are included in the subject application and, at this time, no passive or active recreational facilities are proposed. Private recreational facilities should be located on HOA parcels and will be evaluated at the time of future SDPs.

**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 will be addressed, as appropriate, at the time of an SDP that includes architecture.

- 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 were addressed during the review of PPS 4-05080. The Planning Board reviewed this application and determined that this SDP is consistent with prior 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.**

The Planning Board reviewed the revised TCPII and determined that this condition has been addressed.

**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 the revised Type II Tree Conservation Plan (TCPII-014-2016-02) submitted with this application, as required.

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

No woodland conservation has been provided on residential lots, satisfying this condition.

**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.**

Noise impacts associated with Joint Base Andrews aviation shall be mitigated through acoustical shell certification prior to issuance of building permits. Acoustical shell certification will be required for all residential units proposed in Section 4.

**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* (Landscape Manual) and this subject application conforms with Section 4.7, Buffering Incompatible Uses, as discussed in Finding 15 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 prior approvals.



An MRD is defined in the Zoning Ordinance as a residential community for retirement-aged persons developed under a uniform scheme of development containing a mix of attached, detached, or multifamily dwelling units, nursing or care homes, or assisted living facilities. Each community shall be developed with not less than two types of dwelling units. This use is permitted in the R-M Zone, subject to Footnote 28 of Section 27-515(b), which reads as follows:

**The owner of the property shall record among the Land Records of Prince George's County a declaration of covenants which establishes that the premises will be solely occupied by elderly persons, in accordance with State and Federal Fair Housing laws, for a fixed term of not less than sixty (60) years. The covenant shall run to the benefit of the County.**

This requirement was addressed by Condition 51 of the PPS 4-05080 approval and will be enforced through that approval.

- 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 M-I-O Zone. A Phase II noise study will be needed at the time of a full-scale SDP, which shows that all interior noise levels of the residential homes will be mitigated to 45 dBA Ldn or less.

The eastern portion of the property is located within Height Zone D and the rest of the property is located within Height Zone E. The maximum building height limits are approximately 234 to 360 feet. The proposed single-family detached and attached buildings that will be constructed with this application measure approximately 40 feet in height, below the maximum building height limits.

- c. Section 27-528(a) of the Zoning Ordinance sets forth the following criteria for approval of an SDP:

- (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

The subject application was found in conformance with the approved CDP. While the current SDP application proposes increased density in Section 4, it was found that the application is in general conformance with CDP-0501.

- (1.1) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

The subject application is not in a regional urban community, and it should be noted that this use is permitted in the R-M Zone, subject to Footnote 28 of Section 27-515(b), as discussed.

- (2) The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

Conformance to Section 24-124(a)(8) of the Subdivision Regulations was found with the approval of PPS 4-05080, and it is noted that this application will not change that prior finding. Therefore, it is determined that the development will be adequately served within a reasonable period of time with existing or programmed public facilities.

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

The application has an approved SWM Concept Plan, 14846-2006-03 (for Sections 4, 5, and 6) and, in a memorandum dated February 19, 2016 (Giles to Bishop), the Department of Permitting, Inspections and Enforcement (DPIE) stated that the subject project is in conformance with the approved SWM concept plan. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

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

The Planning Board adopted herein by reference a memorandum dated March 27, 2019 (Finch to Bishop), that noted the subject project is in conformance with TCPII-014-2016-02, subject to conditions that have been included in this resolution.

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

The Planning Board adopted herein by reference a memorandum dated March 27, 2019 (Finch to Bishop) and determined that the regulated environmental features are preserved and/or restored to the fullest extent possible, in accordance with the requirements of Section 24-130 (b)(5) of the Subdivision Regulations. The impacts proposed to the regulated environmental features on this site are consistent with those approved with PPS 4-05080. Therefore, it was determined that the regulated environmental features are preserved and/or restored to the fullest extent.

9. **Comprehensive Design Plan CDP-0501 and its revision and reconsideration:** 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, for 3,648 residential dwelling units and 170,000 square feet of commercial/retail. 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 was 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:**

- 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 trails network exhibit has been provided with this SDP and it was noted that the Cabin Branch Trail is located south of Section 4 and will be accessed via the Melwood Legacy Trail, the internal sidewalk network, and the shared-use path along MC-631.

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

<b><u>PHASING OF AMENITIES</u></b>		
<b><u>FACILITY</u></b>	<b><u>BOND</u></b>	<b><u>FINISH CONSTRUCTION</u></b>

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

The need for private recreational facilities to serve Section 4 is important and should include facilities to meet the needs of all residents. However, it is noted that no recreational facilities are proposed with this application, as discussed. The triggers for installation of the facilities will be tied to the specific development of each section and will be established with a future SDP which includes the development of those facilities.

- 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.**

The required table has been provided; however, it is noted that updates and revisions are needed, and a condition has been included in this resolution requiring this to be completed.

- 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 SDP if circumstances warrant.):**

**R-M Zone**

	<b>Condominiums</b>	<b>Single-family Attached</b>	<b>Single-family Detached</b>
<b>Minimum Lot size:</b>	N/A	1,800 sf	6,000 sf
<b>Minimum frontage at street R.O.W:</b>	N/A	N/A	45'
<b>Minimum frontage at Front B.R.L.</b>	N/A	N/A	60'***
<b>Maximum Lot Coverage</b>	N/A	N/A	75%
<b>Minimum front setback from R.O.W.</b>	10'***	10'***	10'***
<b>Minimum side setback:</b>	N/A	N/A	0'-12'***
<b>Minimum rear setback:</b>	N/A	10'	15'

<b>Minimum corner setback to side street R-O-W.</b>	<b>10'</b>	<b>10'</b>	<b>10'</b>
<b>Maximum residential building height:</b>	<b>50'****</b>	<b>40'</b>	<b>35'</b>

**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.**

**\*\* Additional height up to 75 feet may be permitted at time of SDP with sufficient design justification.**

**R-M MRD Zone**

	<b>Condominiums</b>	<b>Single-family Attached</b>	<b>Single-family Detached</b>
<b>Minimum Lot size:</b>	<b>N/A</b>	<b>1,300 sf</b>	<b>N/A</b>
<b>Minimum frontage at street R.O.W:</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Minimum frontage at Front B.R.L.</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Maximum Lot Coverage</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Minimum front setback from R.O.W.</b>	<b>10'*</b>	<b>10'*</b>	<b>N/A</b>
<b>Minimum side setback:</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Minimum rear setback:</b>	<b>N/A</b>	<b>10'</b>	<b>N/A</b>
<b>Minimum corner setback to side street R-O-W.</b>	<b>10'</b>	<b>10'</b>	<b>N/A</b>
<b>Maximum residential building height:</b>	<b>50'***</b>	<b>40'</b>	<b>N/A</b>

**Notes:**

**\* 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.**

**\*\* Additional height up to 75 feet may be permitted at time of SDP with sufficient design justification.**

This application includes the MRD portion of the overall subdivision and is subject to the standards for the MRD that were approved with CDP-0501. The proposed SDP shows lot lines, which meet the minimum requirements for lot size, frontage, and setbacks. However, in keeping with the intent of the original condition to allow variations to the standards on a case-by-case basis, as approved by the Planning Board at the time of individual SDPs, the applicant is proposing to revise the standards for the MRD to include single-family homes in Section 4, which were not initially envisioned with the approval of CDP-0501. Therefore, a condition has been included in this resolution requiring the applicant to provide a revised set of standards to establish the requirements for single-family homes in the MRD, consistent with those approved in the R-M portion of the development. The information needed for reviewing conformance with standards related to building height and form are not being reviewed at this time because architecture is not being proposed with this application and will be evaluated at the time of a future SDP that includes architecture.

- 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 Landscape Manual, and a discussion of the application's conformance to Section 4.7 is contained in Finding 15 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, 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**

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

**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.

\*\*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.

\*\*\*\*Additional height up to 75 feet may be permitted at time of SDP with sufficient design justification.

† 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.**

Even though lot lines have been shown, there is not enough information available for reviewing conformance with those standards. The above design standards are being revised with this application, as conditioned in this resolution, and will be further reviewed at the time of a full-scale SDP including architecture.

Three conditions were added by the District Council in May 21, 2012 regarding the community building, which is in Section 3 of the overall development. This facility was approved with SDP-1003-05 on September 10, 2015 (PGCPB Resolution No. 15-91), and was further revised in SDP-1003-13. The community building is currently bonded and under construction. These conditions are not related to the subject application.

10. **Preliminary Plan of Subdivision 4-05080:** The Planning Board approved PPS 4-05080 for the entire Parkside development (formerly Smith Home Farm) on March 9, 2006. PGCPB Resolution No. 06-64 was adopted on March 16, 2006, formalizing that approval. The approval was reconsidered several times, including on April 6, 2006 (PGCPB Resolution No. 06-64(A) and adopted on September 7, 2006); on July 27, 2006 (PGCPB Resolution No. 06-64(A/1)(C) and adopted on September 7, 2006); and, most recently, on May 24, 2012 (PGCPB Resolution No. 06-64(A/2)(C) and adopted on June 14, 2012), with 77 conditions. The conditions that are applicable to the review of this SDP are discussed below.

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

A TCP II has been submitted with this application, and the Planning Board approved this plan, with conditions.

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

In a memorandum dated February 19, 2019 (Giles to Bishop), DPIE stated that the subject project is in conformance with approved SWM Concept Plan 14846-2006-03, as required by this condition.

**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.**

In a memorandum dated February 1, 2019 (Shaffer to Bishop), the trails reviewer indicated that the SDP proposes sidewalks along both sides of all internal roads, as required by this condition. However additional trail connections are requested and included in this resolution.



- 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.**

The Planning Board adopted herein by reference a memorandum dated March 14, 2019 (Burton to Bishop) and noted that the proposed development occupies approximately 97 acres of the original Smith Home Farm PPS area. The PPS was approved with a trip cap (Condition 50), and the overall property is being developed under several specific development plans. Table 1 below illustrates the summary of trips that are being assigned to various SDPs.

Table 1			
Previous Approvals	Dwelling Units	Peak Hour Trips	
		AM	PM
SDP-1003	1129	740	598
SDP-1302/02 (including PPS 4-16001)	685	441	352
<i>SDP-1601-02 (Pending)</i>	296	54	47
<b>Total</b>	<b>2110</b>	<b>1235</b>	<b>997</b>
Original Trip Cap (4-05080)		1847	1726
<b>Remaining (Unused) Trip Cap</b>		<b>612</b>	<b>729</b>

The analysis summarized in Table 1 indicates that Condition 50 of PGCPB Resolution No. 06-64(A/2)(C) has been met. Therefore, the Planning Board determined that resubdivision of a portion of PPS 4-05080 would generate no net trips as a result of the resubdivision. There would be no net additional impact on critical off-site intersections. The provisions of Condition 42 of PGCPB Resolution No. 06-64(A/2)(C) must be addressed at the time of permitting.

- 51. The applicant, his heirs, successors and/or assignees shall record among the Land Records of Prince George's County a declaration of covenants which establishes that the premises will be solely occupied by elderly persons, in accordance with state and federal fair housing laws, for a fixed term of not less than 60 years. The covenant shall run to the benefit of the county and be reflected on all final plats for the R-M Zoned Mixed Retirement Community portion of this project.**

Section 4 covered under this SDP is the area approved for the mixed retirement community. The covenant required by this condition will be required at the time of final plat.

- 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.**

A phased worksheet, as well as an individual TCPII worksheet, has been provided on TCPII-014-2016-02. The sheet layout of the TCPII matches the layout of the SDP for Section 4.

- 67. No part of the Patuxent River Primary Management Area shall be located on any single-family detached or attached lot.**

The Planning Board noted that the current SDP for Section 4 shows the lot and parcel lines in relation to the streams, wetlands, and floodplains associated with the Patuxent River basin on the property, and noted that none are shown on the single-family lots. In addition, it is determined that this condition will be further evaluated and confirmed at the time of final plat when the primary management area (PMA), except for areas of approved impacts, will be placed into a conservation easement.

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

The plans show the field identification of the Melwood Legacy Trail within Section 4, as well as the associated grading.

- 74. Prior to signature approval of the preliminary plan of subdivision the following Urban Design issues shall be addressed:**

- a. All dead-end private alleys that are longer than 100 feet shall be designed to provide adequate turn around capabilities in accordance with standards and recommendations of the Department of Public Works and Transportation that will allow an emergency vehicle to negotiate a turn.**

The applicant has provided adequate turnaround capability within these alleys.

- 11. Specific Design Plan SDP-0506 and its amendments:** The Planning Board approved SDP-0506 (PGCPB Resolution No. 06-192) for infrastructure of roadway construction for portions of C-631 (oriented east/west, also known as MC-631) and C-627 (oriented north/south, also known as MC-635), with three conditions. Condition 2 is related to the review of the subject SDP, as follows:

- 2. A limited SDP for stream restoration shall be developed outlining areas that are identified to be in need of stream restoration. The limited SDP shall receive certificate approval prior to the certificate approval of the SDP for the first phase of development, excluding SDP-0506. Prior to issuance of any grading permits, all**

**SDP's shall be revised to reflect conformance with the certified stream restoration SDP. There will not be a separate TCPII phase for the stream restoration work; it shall be addressed with each phase of development that contains that area of the plan. Each subsequent SDP and associated TCPII revision shall reflect the stream restoration work for that phase. As each SDP is designed, it shall include the detailed engineering for the stream restoration for that phase.**

**The limited SDP for stream restoration shall:**

- a. Be coordinated with the Department of Parks and Recreation for land to be dedicated to DPR, other agencies who have jurisdiction over any other land to be dedicated to that agency and the review agency that has authority over stormwater management;**
- b. Consider the stormwater management facilities proposed;**
- c. Include all land necessary to accommodate the proposed grading for stream restoration;**
- d. Address all of the stream systems on the site as shown on the submitted Stream Corridor Assessment and provide a detailed phasing schedule that is coordinated with the phases of development of the site;**
- e. Be developed using engineering methods that ensure that the stream restoration measures anticipate future development of the site and the addition of large expanses of impervious surfaces;**
- f. Identify what areas of stream restoration will be associated with future road crossings, stormwater management and utility crossings; and**
- g. Identify areas of stream restoration that are not associated with future road crossings, stormwater management and utility crossings that have an installation cost of no less than \$1,476,600 which reflects the density increment granted in the M-R-D portion of the project (see Finding No. 8, 15 of CDP-0504).**

The Planning Board adopted herein by reference a memorandum dated March 27, 2019 (Finch to Bishop) and noted that this condition has been addressed for Section 4. The required limited SDP for stream restoration, SDP-1002, was approved by the Planning Board on January 26, 2012, subject to conditions contained in PGCPB Resolution No. 12-07. The subject application of Section 4 includes the first stream restoration (Reach 6-2) to be implemented on-site. SDP-1601-01 incorporated the approved stream restoration design on the plan.

12. **SDP-1002 Smith Home Farm Stream Restoration:** The Planning Board approved SDP-1002 (PGCPB Resolution No. 12-07) on January 26, 2012 for stream restoration required by Condition 56 of the approval of PPS 4-04080 and Condition 2 of the approval of SDP-0506. The applicable environmental conditions, or those that have not yet been fully addressed with subsequent development steps, are discussed as follows:

2. **Prior to certification of the site development plan for each phase containing priority areas of stream restoration, a detailed stream restoration plan for that area shall be certified. Each plan shall 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.**

The stream restoration plan for Reach 6-2 was approved with SDP-1601-01 and TCPII-014-2016-01, which included the submittal of detailed engineered stream restoration plans. The current application includes the previously approved stream restoration work, which has not yet been implemented.

3. **Prior to issuance of the first building permit for each individual phase/section of development containing the stream restoration for all reaches located within that individual phase/section shall be completed. Evidence of completion including a summary of all work performed and photographs shall be submitted to and approved by the Environmental Planning Section, following a confirmatory site visit by an Environmental Planning Section staff member.**
4. **Should the required minimum \$1,476,600 expenditure in stream restoration efforts not be met upon completion of work on the identified priority areas, the subject specific design plan (SDP-1002) shall be revised and additional priority area(s) recommended as necessary to meet the minimum required expenditure. The applicant shall be required to undertake stream restoration efforts specified in the revision approval in accordance with all other requirements of the SDP approval, until such time as the required minimum expenditure is met.**

Six priority stream restoration projects identified in SDP-1002 would not fulfill the minimum required stream restoration expenditure. SDP-1002 estimated the preliminary cost for the six priority project locations at \$775,065.00, or 52 percent of the required minimum expenditure. Only two projects are identified in Sections 1 through 6, Reach 6-2 (Section 4) and Reach 3-4 (Section 5). The conceptual cost estimate was \$266,125.00 in 2012 for 950 linear feet of stream restoration. Detailed cost estimates for these two projects now total \$554,185.60, which is significantly higher than originally estimated. Final construction costs may be higher. This results in a remainder of \$922,414.40 of the required minimum expenditure to be provided for the four remaining projects located in Section 7. The conceptual cost estimate for priority projects in Section 7 was \$511,924.00 and addressed 3,189 linear feet of stream restoration. It is now anticipated that the remaining four priority projects will exceed the remaining funds available.

At the Planning Board hearing on April 25, 2019, the applicant proposed a revised condition that was found acceptable by the Planning Board. This condition has been included in this resolution and requires the applicant to provide evidence to the Environmental Planning Section of the total amount that is spent for stream restoration, prior to the issuance of the first building permit within Section 4.

7. **Prior to approval of each individual specific design plan for the lotting out of the various sections of Smith Home Farm, areas of stream restoration to be associated with future road crossings, stormwater management, and utility crossings shall be identified. Should the above-identified items significantly alter the concept plan for stream restoration established through the subject application, as judged by the Environmental Planning Section as designee of the Planning Board, revision of SDP-1002 shall be required.**

The areas of stream restoration to be associated with future road crossings, SWM, and areas for utility crossings in Section 4 are consistent with SDP-1002 for stream restoration, and no revision is required with the current application.

13. **Specific Design Plan SDP-1601 and its amendment:** SDP-1601 was approved by the Planning Board on October 27, 2019 (PGCPB Resolution No. 16-125), with eight conditions for an infrastructure SDP for the grading and installation of three SWM ponds for Parkside, Section 4, a part of the larger Parkside development. The conditions relevant to the subject application are as follows:

3. **Prior to approval of any future specific design plan (SDP) and Type II tree conservation plan (TCPII) for Section 4, the SDP and TCPII shall be revised as follows:**
  - a. **To reflect the location of the master plan trail. The location of the master plan trail shall be confirmed by the trails coordinator.**
  - b. **The SDP, TCPII, and detailed stream restoration plan shall indicate the removal of the roadbed and culvert crossing the stream at a diagonal and, if a crossing is needed within the primary management area, it shall be provided by a bridge or boardwalk which provides dry passage over the stream and allows free flowing of water under the conveyance structure within the 100-year floodplain.**

The SDP and TCPII reflect the location of the master-planned trails, as confirmed by the trails coordinator. The detailed stream restoration plan presented on the SDP and TCPII do not currently address dry trail passage of the Melwood Legacy Trail across the stream or the connector trail to the park. The Planning Board noted that the SDP and TCPII shall be revised to show the measures and grading impacts necessary to provide dry passage within the delineated PMA impacted by the Melwood Legacy Trail and the Westphalia

Central Park connector trail, and is conditioned herein.

4. **Prior to issuance of the first building permit for lots located within Section 4, the required stream restoration project for Reach 6-2 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.**

Stream restoration work in Reach 6-2 will be completed prior to building permits for Section 4.

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

This condition was not addressed with the approval of SDP-1602-01 because the revision was limited to stream restoration and was approved at Planning Director level. This condition needs to be addressed with the current SDP. Therefore, a condition has been included in this resolution indicating that prior to issuance of the first building permit, the applicant, his heirs, successors and/or assignees shall provide evidence to the Environmental Planning Section of the total amount spent for stream restoration within Section 4.

SDP-1601-01 was approved on December 19, 2017 by the Planning Director for infrastructure, including rough grading and detailed engineering for restoration of stream Reach 6-2, and did not include any conditions. The current application includes the approved stream restoration work, which has not yet been implemented.

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 Landscape Manual. The proposed residential development 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.
15. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This property is not subject to the Woodland and Wildlife Habitat Conservation Ordinance, but is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it is grandfathered due to the previously approved Type I Tree Conservation Plan, that was approved prior to September of 2010. The gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site, and a Type I Tree

Conservation Plan, TCPI-38-05-01 was approved for the site with PPS 4-05080.

- 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 PMA. The information on the NRI is correctly shown on the current SDP and TCPII submittals.
  - b. The total woodland conservation requirement for the overall development is 253.52 acres, which is distributed proportionally over the development sections. The TCPII associated with Section 4 is TCPII-014-2016, and the -02 revision to TCPII-014-2016 was submitted with the subject application and was approved, with conditions. The Woodland Conservation Worksheet meets the requirements for Section 4 and is being satisfied with 6.07 acres of on-site preservation and 16.44 acres of on-site afforestation. The conditions of approval have been included in this resolution and, if implemented, the project shall be in conformance with the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance.
16. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties zoned R-M are required to provide a minimum of 15 percent of the gross tract area in TCC. The subject application provides the required schedule demonstrating conformance to this ordinance.
17. **Further Planning Board Findings and Comments from Other Entities:** The subject case was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
- a. **Historic Preservation**—The Planning Board adopted herein by reference a memorandum dated January 24, 2019 (Stabler to Bishop) and noted that a Phase I archeological survey was conducted on the subject property in 2005. Four archeological sites were identified within the area included in the subject application: 18PR766, 18PR767, 18PR770, and 18PR772. A Phase II investigation was conducted on Site 18PR766. The Planning Board determined that significant information was gained from this excavation, and no further work was required on the other three archeological sites.

The subject property is near, but is not adjacent to the Blythewood Historic Site (78-013). One early nineteenth-century tobacco barn, 78-012, was documented within the subject property in 1974; however, the barn was no longer standing when the 2005 cultural resources survey was conducted on the subject property, and from aerial photographs appears to have collapsed by 1977.

In addition, it was noted that the subject application includes a portion of the

Melwood Legacy Trail. The Planning Board determined that interpretive signage shall be placed along the trail to provide information on the significant findings of the archeological investigations that were conducted near the trail, and be installed at the time of the trail construction as conditioned in this resolution. The subject application will not affect any historic sites or resources.

- b. **Community Planning**—The Planning Board adopted herein by reference a memorandum dated January 24, 2019 (Wooden to Bishop) and noted the SDP’s conformance with the *Plan Prince George’s 2035 Approved General Plan*, and indicated that master plan conformance is not required for this application.
- c. **Transportation Planning**—The Planning Board adopted herein by reference a memorandum dated March 14, 2019 (Burton to Bishop) and noted the relevant previous conditions of approval that are incorporated into the findings above. The site plan was revised to show the proposed Victoria Park Drive with a 60-foot-wide roadway terminating at the property line, separating Sections 7 and 4, and this is acceptable. Overall, from the standpoint of transportation, the Planning Board found that this plan is acceptable and meets the findings required for an SDP.
- d. **Subdivision Review**—The Planning Board adopted herein by reference a memorandum dated March 28, 2019 (Onyebuchi to Bishop), and noted the relative conditions of approval, as discussed in Finding 11 above, in addition to minor technical corrections that need to be made to the site plan, which have been incorporated into this resolution.
- e. **Trails**—The Planning Board adopted herein by reference a memorandum dated February 1, 2019 (Shaffer to Bishop) and noted the SDP application’s conformance with all applicable conditions of prior approvals. The relevant comments have been included in the above findings. The Planning Board approved this SDP with conditions included in this resolution regarding sidewalk connections and interpretative and wayfinding signage, as shown on the bicycle and pedestrian impact statement exhibit.
- f. **Prince George’s County Department of Parks and Recreation (DPR)**—The Planning Board adopted herein by reference a memorandum dated February 11, 2019 (Zyla to Bishop), and DPR recommended approval of this SDP with three conditions that have been included in this resolution.
- g. **Environmental Planning**—The Planning Board adopted herein by reference a memorandum dated March 27, 2019 (Finch to Bishop) and noted the SDPs conformance with all applicable environmental-related conditions attached to previous approvals that have been included in above findings. Additional comments are as follows:



### **Stream Restoration**

An approved SWM Concept Letter and Plan (48330-2016) for restoration of Reach 6-2 was approved by DPIE on September 20, 2016, as the first step towards final technical approval. The approved stream restoration concept plan was consistent with the concept for the restoration expressed in SDP-1002, which called for a full stream valley restoration.

The restoration technique proposed calls for relocation of the stream channel within the limits of the floodplain. The stream channel was designed to allow the 1.5-year storm event to spill out onto the excavated floodplain, allowing for frequent inundation of the surrounding wetland areas. The stream channel will be cut down to the existing groundwater elevation and will be designed to optimize base flow habitat. Grade control structures have been added to avoid future entrenchment.

The Planning Board supported the concept as approved, except for retention of the existing crossing of the Melwood Legacy Trail over the roadbed and the continued channeling of stream flow through the culvert, which appears to work against the success of the project. The roadbed and culvert shall be removed and replaced with a boardwalk or bridge, which allows for the free flowing of water from the upstream wetlands and provides dry passage across the stream, if needed. Removal of this constriction will eliminate an existing impact to wetland and wetland buffers and allows for the restoration of impacted PMA. The Planning Board noted that this concern has been discussed with DPIE, who have determined that this is acceptable. Replacement of the existing crossing will not require a revision to the SWM concept approval, but shall be incorporated into the final technical design of Reach 6-2.

The SWM concept approval letter prepared by DPIE included ten conditions of approval, two of which were a concern:

- “Condition 8 required stream monitoring for a minimum of three years after the construction and the submittal of monitoring information to ‘Park and Planning.’ The Planning Board has determined that the stream restoration work will require permitting from the Maryland Department of the Environment (MDE), who will require monitoring and reporting in accordance with statewide requirements.
- “Condition 10 indicated that ‘Park and Planning’ would maintain the stream restoration improvements. The project is not located on Park property, M-NCPPC does not want to take responsibility for maintenance of the project and believes that responsibility lies with the underlying property owner, who will be the HOA. Both conditions shall be revisited and revised as appropriate at time of technical approval.”

A detailed stream restoration plan for Reach 6-2 by DPIE was included in the approval of SDP-1601-01 and is shown on the current application. Therefore, it is noted that long-term maintenance for the stream restoration project on Reach 6-2, in Section 4 of the Parkside development, shall be the responsibility of the property owner and is conditioned herein.

**Protection of Regulated Environmental Features**

Prior to approving an SDP for infrastructure, the Planning Board shall find that the plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible, in accordance with the requirements of Section 24-130 (b)(5). The impacts proposed to the regulated environmental features on this site are consistent with those approved with PPS 4-05080.

**Stormwater Management**

The site has a revised SWM Concept Letter (14846-2006-03), which was approved on March 19, 2019. The plan was found in conformance with Subtitle 32, Water Resources Protection and Grading Code, by DPIE. The plan is consistent with the previous SWM concept plan for Sections 4, 5, and 6, which moved forward to implementation prior to May 4, 2017, under grandfathering provisions. SWM structures in Section 4 include three existing extended detention ponds.

The Planning Board approved SDP-1601-02 and TCPII-014-2016-02, subject to four environmental conditions that have been included in this resolution.

- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated February 19, 2019 (Giles to Bishop), adopted herein by reference, DPIE provided comments on issues such as right-of-way, dedication, and frontage improvements, in order to be in accordance with the requirements of DPW&T. These will be addressed with DPIE in their separate permitting process. Key issues discussed in the referral are as follows:
- (1) The Master Planned Roadways C-626 (Collector), C-627, MC-631 (Major Collector), MC-634, MC-635, and MC-637 impacting this property will require coordination with the Maryland-National Capital Park and Planning Commission (M-NCPPC) and DPIE.
  - (2) Frontage improvements are required for Rock Spring Drive (C-627), MC-631, and Victoria Park Drive in accordance with the County Road Ordinance, and Prince George's County Department of Public Works and Transportation's (DPW&T) Specifications and Standards.
  - (3) Applicant shall provide right-of-way dedication and road construction, in accordance with the County road ordinance, DPW&T Specifications and Standards, and the Americans with Disabilities Act.

- i. **Prince George's County Police Department**—At the time of the writing of this resolution, the Police Department did not provide comments on the subject project.
- j. **Prince George's County Health Department**—The Planning Board adopted herein by reference a memorandum dated February 6, 2019 (Adebola to Bishop), in which the Health Department noted that affordable and healthy food options should be made available due to the health impacts associated with eating fresh produce. In addition, it was noted that conversion of large areas of open space to impervious surface, such as proposed with this application, could have impacts on the sustainability of groundwater resources, and requested that the application demonstrate that the site is in compliance with the County's Watershed Implementation Plan.
- k. **Prince George's County Fire/EMS Department**—The Planning Board adopted herein by reference a memorandum dated December 28, 2019 (Reilly to Bishop), in which the Fire/EMS Department provided standard comments regarding the application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type II Tree Conservation Plan TCPII-014-2016-02, and further APPROVED Specific Design Plan SDP-1601-02 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of this specific design plan (SDP), the applicant shall provide the specified information or make the following revisions to the plans:
  - a. The SDP and Type II tree conservation plan shall be revised to show measures and grading impacts necessary to provide dry passage within the delineated primary management area impacted by the Melwood Legacy Trail and the Westphalia Park connector trail.
  - b. Include the Melwood Legacy Trail amenities and improvements within Section 4, as approved with the Bicycle and Pedestrian Impact Statement Exhibit of Specific Design Plan SDP-1302-03.
  - c. Alleys shall have a minimum pavement width of 18 feet.
  - d. Clearly label the dedication of right-of-way for Melwood Road East on the plans.
  - e. Revise the tracking chart to reflect both preliminary plans of subdivision (PPS) approved for the overall development and organize the approved SDP information according to the relevant PPS. Move Specific Design Plan SDP-1302 for part of Sections 5 and 6 in the tracking chart and place its data under Preliminary Plan of Subdivision 4-16001.
  - f. Provide lighting and lighting levels for all private streets and alleys.

- g. Relocate the proposed retaining wall located adjacent to Lot 28 in Block B to be at least 10 feet from the lot line.
  - h. Revise the plans to clearly indicate Section 4 as a mixed retirement development.
  - i. Distribute the visitor parking spaces throughout the townhouse pods within Section 4, to be reviewed and approved by the Urban Design Section, as designee of the Prince George's County Planning Board, as shown on Applicant's Parking Exhibit.
- 2. Prior to final plat of subdivision within Specific Design Plan SDP-1601, the applicant shall enter into a public recreational facilities agreement for construction of the 8-foot-wide asphalt hiker/biker trail on the property to be conveyed to The Maryland-National Capital Park and Planning Commission.
- 3. Prior to issuance of the first building permit, the applicant shall provide the text, images, and details of the interpretive signage for archeological Site 18PR766. The wording and placement of the interpretive signage shall be reviewed and approved by the Historic Preservation Section.
- 4. Prior to issuance of building permits for Lots 22 and 23, Block B, construct the 8-foot-wide asphalt hiker/biker trail. The final alignment shall be staked in the field and approved by the Prince George's County Department of Parks and Recreation prior to construction.
- 5. Prior to approval of the 148th building permit, the applicant and the applicant's heirs, successors, and/or assignees shall install the interpretive sign for archeological Site 18PR766. The details and specifications for the sign shall be reviewed and approved by the Historic Preservation Section prior to installation.
- 6. Long-term maintenance for the stream restoration project on Reach 6-2 in Section 4 of the Parkside development shall be the responsibility of the property owner.
- 7. Monitoring and reporting on the Reach 6-2 stream restoration project shall be in accordance with conditions established by permits issued by the Maryland Department of the Environment (MDE) for projects proposed to occur in stream and wetland areas. Copies of the periodic monitoring and reporting information required by MDE shall be submitted to the Environmental Planning Section during the required 3-year monitoring period.
- 8. 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

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

**Notes:**

\* For perimeter lots adjacent to the existing single-family houses, the minimum frontage at street shall be 50 feet and the 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.

\*\*\*\* Additional height up to 75 feet may be permitted at time of SDP with sufficient design justification.

† 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 the time of SDP approval, based on the design merits of specific site layout and architectural products.

9. Prior to issuance of the first building permit, the applicant, his heirs, successors and/or assignees shall provide evidence to the Environmental Planning Section of the total amount spent for stream restoration within Section 4.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with

the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, April 25, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of May 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:NAB:gh