

Case No.: SDP-1003 Smith Home Farm
Section 1A, 1B, 2 & 3

Applicant: SHF Project Owner, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the Planning Board's decision in Resolution PGCPB No. 12-21, approving with conditions, a specific design plan (SDP) for infrastructure for 1,078 residential dwelling units (786 single-family attached and 292 single-family detached) and attendant recreational facilities in the Residential-Medium (R-M) Zone for Sections 1A, 1B, 2 and 3 of the Smith Home Farm project located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4), measuring approximately 757 acres, sections 1A, 1B, 2 and 3, totaling 265 acres, are located in the western portion of the larger Smith Home Farm development (as per the resolution), is hereby:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which are hereby adopted as the findings of fact and conclusions of the District Council.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to certificate approval of this specific design plan (SDP), the applicant shall revise the plans for the project as follows:
 - a. Historic Site 78-013, Blythewood and Cemetery, and its 33-acre environmental setting shall be consistently and correctly indicated throughout the plans for the project and Page 1A shall be included in the landscape set.

- b. Four copies of the final Phase I and II reports and one copy of the final report (in .pdf [Adobe Acrobat] format) shall be submitted to the Prince George's County Planning Department.
- c. The applicant and the applicant's heirs, successors, and/or assignees shall submit a revised copy of the comprehensive trails plan incorporating the revised layout, if the layout remains modified from that of the approved preliminary plan of subdivision and comprehensive design plan.
- d. The applicant shall add the following trail connections onto SDP-1003, per the previously approved comprehensive trails plan (4-05080): (1) provide a trail connection from the Cabin Branch trail to the stormwater management pond access road on Parcel D1; and (2) a homeowners association (HOA) trail connection from MC-631 to C-627 utilizing the access road for Pond B. Such connector trails shall measure a minimum of six feet wide.
- e. The zoning of the subject property shall be correctly described. The zoning map on Page 1 of the SDP plan set shall be corrected to include only the land area covered by SDP-1003 or it shall be removed and the zoning of the subject property shall otherwise be shown on the overall included also on Page 1 of the plan set.
- f. The specific design plan and the landscape plan shall be reworked so that the key map is identical between the three sets of plans (SDP, landscape plan, and TCP2s), and a specific land area per numbered sheet of the plans will be identical between the three sets.
- g. As the subject project is not a phased project, wherever reference is made to Sections 1A, 1B, 2, and 3, the word "phase" shall be replaced by the word "section."
- h. The overall graphic of SDP-1003 on Sheet 1 shall be corrected so that the full extent of the land area covered by the SDP is shown and "boundary limits" are replaced by "property lines" and the entirety of Section 3 is included on the graphic.
- i. The applicant shall submit acceptable traffic signal warrant studies to the Maryland State Highway Administration (SHA) for signalization at the intersections of the Pennsylvania Avenue (MD 4) ramps and Woodyard Road (MD 223) (both the eastbound and the westbound ramps) utilizing new 12-hour counts and has analyzed signal warrants under total future traffic, as well as existing traffic, at the direction of the operating agency. If signals are deemed warranted at that time, the applicant shall bond the signals with SHA prior to release of any building permits within the subject property, and install them at a time when directed by that agency.

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

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

- (1) Each play area shall include a minimum 2,400-square-foot tot lot and a 5,000-square-foot pre-teen lot.
 - (2) Each play area, which shall provide some shaded areas, shall contain a variety of play equipment providing a minimum of three play opportunities, as defined in the guidelines. A single play structure shall be insufficient to constitute a combined tot lot/pre-teen lot.
 - (3) Each play area shall include, at a minimum, three benches that shall have galvanized legs to be anchored in concrete.
- k. The applicant shall present staff with evidence that Specific Design Plan SDP-1002 has been certified in accordance with the final approval in the case.
- l. All private streets shall measure, at a minimum, 22 feet in width curb face to face.
- m. A sequential platting plan per Section 24-119.01(e)(2) of the Subdivision Regulations shall be provided in the plan set to ensure orderly development of the subject property.
- n. General Note 2 shall be revised to reflect the final acreage included in the subject SDP. General Note 3 shall be revised to reflect the zoning of the site as R-M. General Note 15 shall be amended to include the approval of CDP-0501-02.
- o. Information regarding the acreage and zoning of the entire Smith Home Farm property (757 acres/R-M and L-A-C) shall be included on the overall graphic provided on Sheet IA of the SDP set.
- p. An elevation of the proposed modular block retaining wall shall be included on Sheet 30, details of the SDP set. Such detail shall be approved by the Urban Design Section as designee of the Planning Board.
- q. At the time of acceptance of the specific design plan for signage and monumentation, the applicant shall submit a final landscape plan for the stormwater management ponds. Final design shall be approved by the Urban Design Section as designee of the Planning Board. Enhancements of not more

than ten percent above the Department of Public Works and Transportation's (DPW&T) standard landscaping requirements may be required.

- r. Prior to signature approval, the layout of the specific design plan shall be revised as follows:
 - (1) The applicant shall submit evidence that the soils in Section 1A (Sheets 19 and 22) do not permit the construction of three multifamily buildings as shown on approved Preliminary Plan of Subdivision 4-05080 or that single-family attached units cannot replace the multifamily buildings. Otherwise, multifamily buildings and/or single-family attached units shall be shown.
 - (2) Dead end and cul-de-sac streets shall be utilized only where it can be affirmatively demonstrated to staff as designee of the Planning Board that a suitable grid pattern alternative cannot be utilized for that particular location and adequate turnarounds are provided at each such termination of a street. This may result in loss of lots.
 - (3) Lotting patterns shall be modified to restore central green open area embedded in development pods as follows: (1) An additional 27,000 square feet for a total of 48,500 square feet of open space in Section 2 and applicant will eliminate the tot lot previously planned to be located in Section 2. (2) A minimum additional 12,500 square feet for a total of 25,000 square feet of open space in Section 3.
 - (4) The previously approved single-family detached dwelling unit land bay at the northern end of Section 2 shall replace the currently proposed one-family attached residential dwelling units. The land bay to the south shall be converted to one-family attached residential dwelling units.

Final redesign of the specific design plan in the above respects shall be approved by the Urban Design Section as designee of the Planning Board.

- s. The applicant shall revise the section plan to add the boundary of the central park to the northern side of master-planned D'Arcy Road extension (MC-635) as shown on attached Exhibit B.
- t. The applicant shall revise the SDP-1003 plans to designate retention of all tributaries of the Cabin Branch Stream Valley within the scope of this SDP by the homeowners association (HOA) consistent with Preliminary Plan Exhibit A (DPR, dated June 7, 2006). This condition is subject to the finding that determined the provision of public use easements on homeowners association land.

2. Prior to issuance of the first grading permit for the project, the applicant shall process and have approved a revision to the final approval of Specific Design Plan SDP-1003, if and as necessary to make the specific design plan conform to the requirements of the final Planning Board resolution or District Council order in approval of the following currently pending applications: Comprehensive Design Plan CDP-0501-02 and Specific Design Plans SDP-1002 and SDP-0506-02.
3. Prior to issuance of the 200th residential building permit, the first 10,000-square-foot community building in the R-M Zone shall be bonded, and prior to issuance of the 400th residential building permit, the community building shall be complete and open to residents.
4. If the applicant decides to build two community buildings only (not including the community building for the seniors), prior to issuance of the 1,325th residential building permit in the R-M Zone, the second 5,000-square-foot community building shall be bonded, and prior to the issuance of the 1,550th building permit, the community building shall be complete and open to residents. The exact size, timing of construction, and completion of the additional community buildings shall be established by the Planning Board at the time of appropriate SDP approvals.
5. Prior to issuance of each residential building permit for construction of a unit within the 65 dBA Ldn line, plans for that building shall be certified by an acoustical engineer stating that internal noise levels shall be 45 dBA Ldn or less.
6. The SDP for the central park shall include an appropriate location and design of facilities for a trailhead for the Cabin Branch Trail as part of its design program.
7. Unless the timing is modified by the District Council, the applicant shall submit the required SDP for the central park to be approved by the Planning Board, prior to issuance of the 90th building permit.¹
8. The recreational facilities to be included in the subject project shall be bonded and constructed in accordance with the following schedule:

PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
Private Recreation center Outdoor recreation facilities	Prior to the issuance of the 200th building permit overall	Complete by 400th building permit overall
Pocket Parks (including Playgrounds) within each phase	Prior to the issuance of any building permits for that phase	Complete before 50% of the building permits are issued in that phase
Trail system Within each phase	Prior to the issuance of any building permits for that phase	Complete before 50% of the building permits are issued in that phase

¹ District Council will modify the timing of this condition as outlined in Conditions 32 and 33.

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.

9. At the time of approval of an umbrella architecture specific design plan for the subject project, the individual single-family detached units shall be dimensioned on a template sheet. Also in that application, set back requirements shall be established for additions, such as decks.
10. Prior to certification of the SDP, the SDP and TCP2s shall be revised to show the primary management area (PMA) as shown on the approved natural resources inventory (NRI) and the difference in total area between the plans shall be reconciled.
11. Prior to signature approval of the SDP and TCP2s, the SDP and TCP2s shall show the 1.5 safety factor line and a 25-foot building restriction line for Marlboro clay which may affect the future location of proposed structures. If there is no Marlboro clay 1.5 safety factor line or 25-foot setback affecting the phase or phases under review, a note shall be added to the general notes of the SDP and TCP2s which states that.
12. Prior to signature approval of the SDP, the SDP and the TCP2s shall be revised to show the noise contours associated with Joint Base Andrews Naval Air Facility Washington as depicted on the latest Air Installation Compatibility Use Zone Study (2009) and a note shall be added to the SDP and TCP2s indicating the source of the noise contours delineated.
13. Prior to certificate approval of the SDP, the proposed dedication of any open space parcel to The Maryland-National Capital Park and Planning Commission (M-NCPPC) shall be labeled on the SDP and TCP2s.
14. Prior to certification of the SDP, the TCP2s shall be revised to show the retention of existing woodland within the viewshed of historic Westphalia Road to be a minimum of 100 feet.
15. Prior to certificate approval of the SDP, the TCPs shall be revised to include a corrected overall woodland conservation worksheet as follows:
 - a. Demonstrate that the worksheet accurately reflects the woodland conservation areas proposed on-site for Phases 1A, 1B, 2, and 3 after technical revisions are made to the TCP2s, and confirm how much woodland conservation is being provided on individual phases in the overall worksheet.
 - b. Eliminate any woodland conservation outside the 100-year floodplain on land to be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the central park area.

- c. Eliminate any off-site woodland conservation requirement on land to be dedicated to M-NCPPC for the central park area. The total off-site woodland conservation requirement for the Smith Home Farm development shall be distributed proportionally based on the net tract area between all of the sections of the development which will not be dedicated to M-NCPPC, with the exception of the TCPIIs for Infrastructure 1 (TCPII-057-06) and Infrastructure 2.
 - d. Demonstrate how the entire woodland conservation requirement for the development will be met in conformance to the requirements of the Woodland Conservation Ordinance and the Forest Conservation Act.
- 16. Prior to issuance of grading permits for any phases of the Smith Home Farm site, the applicant must demonstrate how the woodland conservation requirements will be implemented by bonding of afforestation/reforestation requirements, and/or submitting recorded transfer certificates for off-site woodland conservation requirements. The location of off-site woodland conservation requirements shall be in accordance with the priorities listed in Section 24-122(a)(6) of the Subdivision Regulations: within the same eight-digit sub-watershed (Cabin Branch), within the same watershed (Western Branch), within the same river basin (Patuxent), within the same growth policy tier (Developing), or within Prince George's County. The applicant shall demonstrate to the Planning Director or its designee due diligence in seeking out appropriate location opportunities for off-site woodland.
- 17. Prior to certification of the SDP, the TCP2 shall be revised as follows:
 - a. The quantities shown in the overall woodland conservation worksheet shall reflect the most current approved TCP2 for all sections included.
 - b. The section lines shown on the cover sheet shall conform to the section lines shown for all previously approved specific design plans.
- 18. Prior to certificate approval of the SDP, the TCP2 shall be revised to develop individual plan sets for each designated section. The TCP2s for SDP-1003 and all future TCPs associated with this development shall be consistent with regard to the following elements. Individual plan sets shall be provided for each designated TCP.
 - a. A cover sheet based on the cover sheet (Sheet 1) submitted with this document showing revisions, corrections, and additional information as follows:
 - (1) A note shall be added to the plan which states that the noise contours shown on the cover sheet reflect the Joint Base Andrews Naval Air Facility Washington, Joint Land Use Study (December 2009).
 - (2) A note shall be added to the plan which indicates that Westphalia Road is a designated historic road.

- (3) The phasing lines shown on the plan must accurately reflect the phasing proposed in the SDP.
 - (4) The general notes must indicate the presence of Marlboro clay on the property.
 - (5) A sheet key shall be provided which includes phasing lines for reference.
 - (6) Each section will be delineated and labeled with an SDP number, TCP number, and gross tract area (GTA).
 - (7) The park will be labeled “central park” for clarification.
 - (8) The woodland summary table shall be correctly labeled “woodland retained-not credited” and terminology used on the TCP2s shall be consistent with the Environmental Technical Manual.
 - (9) The woodland conservation summary tables shall be revised to limit the areas shown to those that are being approved with the current TCP2 application.
 - (10) The woodland conservation summary tables shall correctly reference sections that are shown on the phasing and location map.
 - (11) An approval block for the phase covered shall be provided on the cover sheet and on all appropriate sheets that include areas of that phase with the correct assigned TCP2 number.
- b. A details, notes, and computations sheet based on Sheet 2 submitted with the current application showing the following revisions, corrections, or additional information:
- (1) The woodland conservation worksheet shall be labeled “overall woodland conservation worksheet,” and the most recently approved version of the overall worksheet, as revised for the current application, shall be included.
 - (2) Individual worksheets for a “TCP2 with a Prior TCP1 Approval” shall be included on each TCP2 plan set.
 - (3) The timing matrix/location shall be removed from the plan. All information with regard to the sequence of woodland conservation requirements shall be included in the overall woodland conservation summary table.

- c. Individual TCP plan sheets shall be provided which correspond directly with the sections of the SDP in this application. To the extent possible, plan sheet boundaries shall correspond with the limits of phases for ease of review and revision. Each plan sheet shall include the following revisions, corrections, or additional information:
 - (1) All plan sheets shall include a legend.
 - (2) All plan sheets shall include labeling which allows for identification of what phase the sheet is located in. The phasing labels shown on the plan sheet shall conform to the phasing names on the cover sheet and in the overall woodland conservation worksheet.
 - (3) All plan sheets shall include a TCP2 approval block for the phase addressed on the sheet.
 - (4) Each plan sheet shall identify and label all woodland conservation areas and their associated acreage. A separate summary table shall be provided for each methodology by section in an appropriate location in the plan set.
- d. A details, notes, and computations sheet based on Sheet 49 submitted with the current application which includes the following revisions, corrections, or additional information:
 - (1) An approval block shall be included for the TCP2 with the correct number.
 - (2) A detail shall be provided showing how the reforestation area sign can be attached to the permanent (split rail) tree preservation fence.
 - (3) The temporary tree protection fence shall indicate that the use of timber cross bracing is optional.
- e. A details, notes, and computations sheet based on Sheet 50 submitted with the current application which includes the following revisions, corrections, or additional information:
 - (1) Indicate in the Specimen Tree Table what section each specimen tree is located in, and graphically identify with the current table which trees are proposed to be removed under the current application, or reduce the specimen tree table to only those trees impacted by the current application.
 - (2) The term “remove” should be used with regards to disposition of the tree, not “clear.”

- (3) The note which reads “These trees were cleared as part of Type II Tree Conservation Plan TCPII-57-06” shall be removed from the plan.
 - (4) The tree canopy coverage schedule shall be removed and placed on the landscape plan.
- f. A details, notes, and computation sheet based on Sheet 52 submitted with this plan with the following revisions, corrections, or additional information:
 - (1) Only the planting schedules for the afforestation/reforestation area under review with the appropriate TCP2 shall be included.
 - (2) All planting area schedules shall be identified by the phase they are located in.
 - (3) Provide a summary planting schedule for all planting proposed as part of the TCP plan approval.
- 19. Prior to certification of the SDP, the TCP shall be revised in accordance with the following design guidelines:
 - a. In areas of one-family attached residential dwelling unit lots, a ten-foot-wide clear zone outside the property limits of one-family attached residential dwelling unit sticks shall be maintained.
 - b. When afforestation/reforestation areas overlap with proposed landscaping in designated woodland conservation areas, the landscaping elements shall be shown on the TCP2 plan so coordination can occur between the planting. If landscape materials are provided in lieu of the seedling planting proposed in the plant schedule for woodland conservation areas, then a stocking rate equivalent to 400 caliper inches per acre shall be demonstrated.
 - c. Where afforestation/reforestation is proposed adjacent to the right-of-way, the afforestation/reforestation shall be extended to the edge of the public utility easement whenever feasible.
- 20. Prior to certification of the SDP, consistency between the SDP, TCP2, and stormwater management concept approval plans shall be confirmed.
- 21. Prior to issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
- 22. All future specific design plans for the project shall include a tabulation of all lots that have been approved previously for this project. The tabulation shall include a breakdown

- of each type of housing units approved, the specific design plan number, and the Planning Board resolution number.
23. A raze permit is required prior to removal of the existing houses found on the subject property. Any hazardous materials located in the houses on-site shall be removed and properly stored or discarded prior to the structure being razed. A note shall be affixed to the plan that requires that the structure is to be razed and the well and septic system properly abandoned before release of the grading permit.
 24. Any abandoned well found within the confines of the above-referenced property shall be backfilled and sealed in accordance with Code of Maryland Regulations (COMAR) 26,04.04 by a licensed well driller or witnessed by a representative of the Health Department as part of the grading permit. The location of the well shall be shown on the plan.
 25. Any abandoned septic tank shall be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic system shall be shown on the plan.
 26. All trails shall be constructed to assure dry passage. If wet areas (i.e. stream crossings and wetlands) must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by the Department of Parks and Recreation (DPR) for trails on The Maryland-National Capital Park and Planning Commission (M-NCPPC) parkland.
 27. Prior to signature approval of the plans, the applicant shall submit acceptable traffic signal warrant studies for the intersection of MC-631/Presidential Parkway to the Department of Public Works and Transportation (DPW&T). The applicant shall use 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 release of any building permits within the subject property and shall 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 physical improvement needed to ensure adequate and safe operation.
 28. Prior to signature approval, all proposed traffic calming devices, as shown on the plan "Smith Home Farm Traffic Calming," as part of the preliminary plan of subdivision approval located in Sections 1A, 1B, 2, and 3 shall be reflected on the subject specific design plan and verified by Transportation Planning staff. Installation of such devices on public roads must have conceptual approval of DPW&T prior to signature approval of the specific design plan, unless modified by DPW&T.
 29. All proposed transit facilities, as shown on the plan "Transit Plan—Smith Farm," as part of the preliminary plan of subdivision approval located in Sections 1A, 1B, 2, and 3 shall

be reflected on the subject specific design plan prior to signature approval of the specific design plan.

30. Prior to acceptance of final plats for the project:
 - a. A reconsideration of the preliminary plan of subdivision shall be granted and approved to be able to use the Public Facility Financing and Improvement Program (PFFIP) District for fulfillment of Condition 42 (PGCPB Resolution No. 06-64(A)) regarding the construction of the MD 4/Westphalia Road interchange. If the reconsideration is not granted, which is at the discretion of the Planning Board, a new preliminary plan of subdivision is required to utilize the PFFIP (County Council Resolution CR-66-2010); and
 - b. The Westphalia Facilities Financing and Implementation Program District Memorandum of Understanding (CR-66-2010) shall be recorded in land records and the liber folio reflected on the final plat(s).
31. Prior to certification of the SDP, the applicant shall demonstrate that all of the primary management area (PMA) impacts shown on SDP-1003 are in substantial conceptual conformance with those approved by the Planning Board at the time of preliminary plan of subdivision.

Affirmance is also subject to the following additional conditions by the District Council.

As a basis for this action, the District Council hereby adopts the findings of fact and conclusions of the Planning Board in its resolution.

32. The Central Park shall be planned in phases. An SDP for Phase I shall be approved prior to issuance of the 90th building permit. The timing for the design and construction documents for Phase II of the Central Park shall be established by District Council at the time of the Phase I SDP for the Central Park and include analysis of the anticipated funding expected to be available. Phase II design shall also include a detailed analysis of the feasibility of constructing an amphitheater and other recreational facilities in the Central Park.
33. The Applicant and DPR staff shall develop mutually acceptable boundaries for Phase I. Applicant shall submit an Exhibit showing the boundaries and remaining portions of the Central Park prior to submission of the SDP for Phase I of the Central Park.

Ordered this 24th day of July, 2012, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Olson, Patterson, Toles and Turner

Opposed: Council Member Lehman

Abstained:

Absent:

Vote: 8-1

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council