

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 September 14, 2017, regarding Specific Design Plan SDP-1302-02 for Parkside (formerly Smith Home Farm), Sections 5 and 6, the Planning Board finds:

1. **Request:** The subject application requests approval of an infrastructure specific design plan (SDP) for 159 single-family attached (townhouses) lots for Parkside (formerly Smith Home Farm) in Section 5 and rough grading for Section 6. This infrastructure SDP includes the location and design of the roadways, the lot layout for the townhouse development of 159 single-family attached units, on-street parking, landscaping, utility location, fencing and sidewalks for a portion of Section 5. Another purpose of this Specific Design Plan SDP-1302-02, is to increase the scope of work for Section 5 by 3.59 acres in order to include the Master Planned P-635. Eventually, decreasing the scope of work for Infrastructure Phase Two (not part of this SDP) by 3.59 acres. Therefore, the new total area for Phase Five and Infrastructure Phase Two will be 66.37 acres and 9.16 acres respectively.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-M	R-M
Uses	Vacant	Residential
Total Gross Acreage of SDP	147.79	147.79
Section 5	66.37	66.37
Section 6	81.42	81.42
Floodplain Acreage of SDP	13.83	13.83
Net Acreage of SDP	133.96	133.96
Total Townhouse Lots	0	159 (Section 5)

OTHER DEVELOPMENT DATA

Parking Requirements (Section 5)

Parking Required at 2.04 x 159 townhouse units:	325
Total Parking Provided:	330
Garage Spaces (2 spaces per unit)	318
On-Street Parking	12*

Note: *Based on previous Parkside resident comments, the Planning Board required that additional on-street parking be provided, wherever feasible, in order to ensure sufficient visitor parking. The subject application provides for 12 additional parking spaces for the proposed 159 townhouse lots. Therefore, a condition has been included in this resolution requiring this issue to be further analyzed at the time of review of a future SDP that includes architecture.

- Location:** The larger Parkside (formerly known as Smith Home Farm) subdivision is a tract of land consisting of wooded undeveloped land and active farmland, located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4), in Planning Area 78, Council District 6. Sections 5 and 6, totaling approximately 147.79 acres, are located in the far southeastern portion of the larger Parkside development on both sides of Melwood Road.
- Surrounding Uses:** Specific Design Plan SDP-1302-02 is bounded to the north and west by other sections of the Parkside development, specifically the Central Park to the north and Section 1A to the west. To the south are mostly vacant, Mixed-Use Transportation-Oriented (M-X-T) zoned properties that all have existing approvals for future development, specifically the mixed-use Westphalia Town Center and the Moore Property development. To the east is vacant land in the Rural Residential (R-R) Zone that is part of the future Marlboro Ridge residential development.
- Previous Approvals:** The subject application is for Sections 5 and 6 within a larger project currently known as Parkside, formerly known as Smith Home Farm, which has 757 gross acres, including 727 acres in the Residential Medium Development (R-M) Zone and 30 acres in the Local Activity Center (L-A-C) Zone. The larger Parkside project was rezoned from the Residential-Agricultural (R-A) Zone to the R-M Zone (3.6-5.7) and to the L-A-C Zone with a residential component including a mixed-retirement component for 3,648 dwelling units (a mixture of single-family detached, single-family attached, and multifamily condominiums) and 140,000 square feet of commercial/retail space, through Zoning Map Amendments A-9965 and A-9966. The Prince George's County District Council approved both zoning map amendments on February 13, 2006, and the orders of approval became effective on March 9, 2006.

On February 23, 2006, the Planning Board approved Comprehensive Design Plan CDP-0501 and Type I Tree Conservation Plan, TCPI-038-05 (PGCPB Resolution No. 06-56(C)), for the entire Parkside project with 30 conditions. On June 12, 2006, the District Council adopted the findings of the Planning Board and approved CDP-0501 with 34 conditions.

On July 20, 2011, an amendment to CDP-0501 was filed to modify Condition 3 regarding the construction of the MD 4/Westphalia Road interchange, Condition 7 regarding the location and size of the proposed community center and pool, and Condition 16 regarding the size of the market-rate single-family attached lots in the R-M Zone. On December 1, 2011, the Planning Board approved CDP-0501-01 (PGCPB Resolution No. 11-112) with four conditions. On May 21, 2012, the District Council affirmed the Planning Board's decision with five conditions.

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

On July 27, 2006, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-05080 and a revised Type I Tree Conservation Plan, TCPI-038-05-01, (PGCPB Resolution No. 06-64(A)) for 1,176 lots (total 3,628 dwelling units) and 355 parcels with 77 conditions.

On July 27, 2006, the Planning Board approved infrastructure Specific Design Plan SDP-0506, and associated Type II Tree Conservation Plan TCPII-057-06, (PGCPB Resolution No. 06-192) for portions of roadways identified as MC-631 (oriented east/west, also known as C-631) and C-627 (oriented north/south) in the R-M Zone. This application also showed a portion of the roadway between MC-631 and the Presidential Parkway, also known as A-67. On December 12, 2007, Specific Design Plan SDP-0506-01 was approved by the Planning Director for the purpose of revising A-67 to a 120-foot right-of-way and adding bus stops and a roundabout. A second amendment, SDP-0506-02, was approved by the Planning Board on March 29, 2012, subject to conditions contained in PGCPB Resolution No. 12-114. A third amendment, SDP-0506-03, was approved by the Planning Board on July 31, 2014 subject to conditions contained in PGCPB Resolution No. 14-70.

In addition to the prior approvals for the site mentioned above, two later actions by the District Council have revised several conditions of Comprehensive Design Plan CDP-0501 that governs the development of the entire Smith Home Farm project. The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA) was approved by the District Council on February 6, 2007. In Prince George's County Council Resolution CR-2-2007, the District Council modified several conditions in CDP-0501. Specifically, the District Council prescribed a minimum residential lot size for single-family attached lots (Condition 16) near the Westphalia Town Center to be in the range of 1,300 to 1,800 square feet in Amendment 1 and further, in the resolution, established a minimum lot size for single-family attached dwellings in the R-M Zone (Market rate) to be 1,300 square feet; established park fees (Condition 22) of \$3,500 per new dwelling unit (in 2006 dollars) in Amendment 8; and further clarified the intent of the District Council regarding Conditions 10–23 in Comprehensive Design Plan CDP-0501 for Smith Home Farm to require submission of a SDP for the Central Park following approval of the Westphalia Sector Plan and SMA, and not as the second SDP as stated in the original Condition 23 of CDP-0501.

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

Specific Design Plan SDP-1002 for stream restoration, as required by conditions of Preliminary Plan 4-05080 and Specific Design Plan SDP-0506, was approved by the Planning Board on January 26, 2012 and PGCPB Resolution No. 12-07 was adopted on February 16, 2012 formalizing that approval, subject to seven conditions. There are several stream restoration projects identified in SDP-1002 as priority projects, and one is located within Section 5 along Reach 3-4, and will be addressed by the current application.

The original Specific Design Plan, SDP-1302 for Sections 5 and 6, and Tree Conservation Plans TCPII-019-13 and TCPII-020-13 were approved by the Planning Director on November 8, 2013 with no conditions, for the limited purpose of providing woodland conservation afforestation in Sections 5 and 6 to fulfill the woodland conservation requirements of development occurring in Sections 2 and 3. Specific Design Plan SDP-1302-01 for rough grading and infrastructure for stormwater management was approved by the Planning Board on December 15, 2016 and PGCPB Resolution No. 16-140 formalizing that approval, subject to seven conditions.

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

The project is also subject to Stormwater Management Concept Plan 14846-2006-02, which covers Sections 4, 5, and 6 of the Parkside Development, which was originally approved on August 25, 2009, and updated on May 25, 2017.

6. **Design Features:** Specific Design Plan SDP-1302-02 is roughly rectangular in shape and bisected by proposed extension of Woodyard Road (MC-632). In Section 5, which lies to the west of MC-632, a 159-lot subdivision is proposed for a portion of the land area. The proposed townhouse lots, which will be accessed off MC-632 and a series of private roads and alleys, are arranged in a grid pattern incorporating open space component that would be ideal for placement of recreational facilities. In Section 6, which lies to the east of MC-632, rough grading of the entire section is proposed with stormwater management facilities. Grading and the limits of disturbance are shown on the SDP, together with environmental features occurring on the subject property, such as wetlands and primary management areas.

Recreational Facilities

No recreational facilities are included in the subject application. The PPS requirement for mandatory parkland dedication is being met through land that was previously dedicated to M-NCPPC to the west of the subject property. At this time, no passive or active recreational facilities are developed on that property.

Therefore, the Planning Board believed that on-site active recreational facilities, including attractively designed tot-lots and/or combined tot-lot and pre-teenage play areas, would be appropriate to provide for the youngest population within the community. It is anticipated that this proposal for the 159 townhouse lots, will be expanded to include two-family dwellings as a condominium type ownership in the area to the south and west of the subject area shown for development. A condition has been included in this resolution requiring the incorporation of on-site recreational facilities at the time of a future SDP for the full development of Section 5.

Architecture

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

Lighting

The photometric plan indicates the use of a decorative lighting fixture and details of the proposed lighting fixture and photometrics are provided on the plans. However, no lighting is provided within the proposed alleys or common areas. The applicant should light the alleys using freestanding pole-mounted lighting fixtures, and the photometric plan should be revised to demonstrate sufficient levels of illumination in all alleys.

In regard to the level of lighting, the Planning Board decided that the applicant should consider lighting the alleys to a level appropriate for residential development as recommended by the Illuminating Engineering Society of North America Handbook. Section 4-197, Parking Lots and Exterior Passageways, governs the lighting of alleyways; the minimum lighting level is one-foot candle for passageways associated with residential development of single-family homes. The plans should be revised to include a photo metric plan indicating lighting levels in the alleys. Therefore, a condition is included in this resolution requiring this to be provided.

Signage

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

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9965-C:** On February 13, 2006, the District Council approved Zoning Map Amendment (Basic Plan) A-9965-C subject to the following conditions that are relevant to the subject application:

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

A. Land use types and quantities:

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

R-M Zone Proposed Land Use Types and Quantities:

- **Total area: 727± acres***
Of which residential use: 572.4 acres
Mixed Retirement Development: 154.6 acres
- **Density permitted under the R-M (Residential Medium 3.6) Zone: 3.6-5.7 dus/ac**
- **Permitted dwelling unit range: 1,877 to 2,973 dwellings**
- **Proposed Residential Development: 2,124 Units**
- **Density permitted in a Mixed Retirement Community in the R-M (Mixed Residential) Zone: 3.6-8 dus/ac**
- **Permitted dwelling unit range: 551 to 1,224 Units**
- **Proposed Residential Development: 1,224 Units**

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

The subject application consists of Sections 5 and 6 and include a total of 147.79 acres of land within the R-M zoned property. The overall density of the development should be shown on the coversheet of the SDP, for tracking purpose for conformance with the requirements above, the CDP, and PPS approvals in regard to the final density of the overall site. The SDP is still within the approved limit.

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

A. At time of Comprehensive Design Plan, the Applicant shall:

- 1. Submit a signed natural resources inventory (NRI). The NRI shall be used by the designers to prepare a site layout that results in no impacts on the regulated areas of the site.**

The property was reviewed for a Natural Resources Inventory, NRI-006-05, which was signed by the Environmental Planning Section on August 8, 2005. An '-01' revision to the NRI was signed on November 14, 2006.

- 3. If recommended by the appropriate agency to be on site, provide the sites for the following public facilities to be reviewed and approved by the respective agencies:**

- (a) A fire station site**
- (b) A middle school site**
- (c) A library site**
- (d) A police office complex site**

Comprehensive Design Plan CDP-0501 (PGCPB Resolution No. 06-56(A)(C)) included the above list of public facilities, which were proposed at the time of the Zoning Map Amendment review for this site based on the Westphalia Comprehensive Conceptual Planning (WCCP) Study, in order to support the development in the Westphalia area. None of the facilities on the list is located on the site of this application. Pursuant to the WCCP Study, the above four public facilities, except for a middle school site, are located to the south of the subject site in the areas envisioned as a mixed-use urban core area and a mixed-use edge area. The middle school site is envisioned on the property included in a Zoning Map Amendment application known as Woodside Village.

- 4. Submit a timetable and plan for the ultimate re-use of the historic buildings for appropriate recreational or interpretive uses.**

The subject site does not contain any of the historic structures.

- 10. Provide standard sidewalks along 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 specific design plan.**

The Planning Board reviewed the application and required that the sidewalks be five feet in width, with bike lanes along MC-637, as was previously approved for the property to the south of the subject site. The Planning Board further decided that the sidewalk and bike lanes be provided along both sides of MC-635 as well.

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

The subject SDP does not provide for any recreational facilities within Section 5, even though this section will provide for an intense population. The Planning Board suggests that the future revisions to the SDP to add the two-family dwellings would be a good time to determine the amount the recreational facilities that should be provided for the development. A condition relating to this is included in this resolution.

- 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 accordingly.

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

This condition relates to the design of residential structures on the site, and was carried forward to be addressed as appropriate at the time of SDP. The current application is a SDP for infrastructure only. This issue will be addressed at a later phase of the development process when architectural elevations are proposed.

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

Minimization of impacts to the regulated environmental features of the site was addressed during the review of Preliminary Plan 4- 05080 and SDP-1302.

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

With the review of SDPs and their associated TCPs, it is significant to note that Condition 2.M requires that the woodland conservation threshold of 159.09 acres for the overall development must be met on-site.

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

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

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

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

No woodland conservation has been provided on residential lots with Type I Tree Conservation Plan TCPI-038-01 and subsequent revisions, or with original approvals and subsequent revisions to Type II Tree Conservation Plans TCPII-019-13 and TCPII-020-13, including the current application.

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

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

Q. The following note shall be placed on the Basic Plan for the subject property and the Final Subdivision Plat for any part of the property:

“Properties within this subdivision have been identified as possibly having noise levels that exceed 70 dBA Ldn due to military aircraft overflights. This level of noise is above the Maryland designated acceptable noise level for residential uses.”

The subdivision plat will be required to include the above condition.

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

This condition has been fulfilled. The property is subject to the requirements of the 2010 *Prince George's County Landscape Manual* and a discussion of the application's conformance to Section 4.7, Buffering Incompatible Uses is contained in Finding 13 below.

8. **Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of the 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.
- b. **Military Installation Overlay Zone:** A portion of the project is also located within the Noise Impact Zone (60-74 dBA noise contour) of the Military Installation Overlay Zone. A Phase II noise study will be needed at the time of a full-scale SDP that shows all interior noise levels of the residential homes will be mitigated to 45 dBA Ldn or less and there is no outdoor play area located within noise levels higher than 65 dBA Ldn.

The western portion of the property is located within Height Zone 'D' and the eastern portion of the property is located within Height Zone 'E.' The maximum building height limits are 234 and 360 feet respectively. The proposed single-family attached buildings usually measure 40 feet in height that is well below the maximum building height limits.

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

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

The subject SDP is for 159 single-family attached (townhouses) lots in Section 5 and rough grading for Section 6. This infrastructure SDP includes the location and design of the roadways, the lot layout for the townhouse development, on-street parking, landscaping, utility location, fencing and sidewalks for a portion of Section 5 and rough grading in Section 6.

The application has an approved Stormwater Management Concept Plan, 14846-2006-01, for Sections 4, 5, and 6. Based on a referral received from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), dated August 29, 2017, the subject project is in general conformance with the approved stormwater management

concept plan, however, a revision may be required. Therefore, a condition has been included in this resolution requiring this to be done prior to approval of an SDP that includes the construction of master-planned Roads P-619, C-636, and a portion of P-615. With that condition, it can be found that adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties. The subject application will prevent off-site property damage, and prevent environmental degradation to safeguard the public's health, safety, welfare, and economic well-being because the proposed grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge are consistent with previous approvals.

9. **Comprehensive Design Plan CDP-0501, its amendment, and reconsideration:** Comprehensive Design Plan CDP-0501 for Smith Home Farm was approved by the Planning Board on February 23, 2006 and by the District Council on June 12, 2006. This approval was reconsidered to revise five conditions and findings related to certain services for the design, grading, and construction of the Westphalia Central Park and the issuance of building permits, and reapproved by the District Council on March 28, 2016. The following conditions warrant discussion in relation to the subject SDP:

9. At time of the applicable SDP, the following areas shall be carefully reviewed:

- d. Pedestrian network connectivity, including provision of sidewalks, various trails and connectivity along all internal roadways, and streets of the L-A-C and along the Cabin Branch stream valley. A comprehensive pedestrian network map connecting all major destinations and open spaces shall be submitted with the first SDP.**
 - f. A multiuse, stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails shall be provided from the stream valley trail to adjacent residential development as shown on the CDP.**
 - g. A trailhead facility for the Cabin Branch Trail.**
 - h. The architectural design around the Central Park and the view sheds and vistas from the Central Park.**
 - i. The subject site's boundary areas that are adjacent to the existing single-family detached houses.**
10. **Consistent with Condition 22, the applicant (SHF Project Owner, LLC), its heirs, successors and/or assignees will perform design and construction work calculated up to \$13,900,000 (which shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI), beginning in 2016) of which approximately \$6,500,000 will be reimbursed from the applicant's generated park club permit fees and the**

balance of \$7,400,000 will be reimbursed from other developer generated park club fees or other sources. The applicant's obligation to provide design and construction work for the central park is applicable only through the 1600th building permit, beyond the 1600th building permit, the applicant shall only be required to make a contribution to the Westphalia Park Club per Condition 22. Design and construction work performed by the applicant shall be subject to the following:

- a. \$100,000 shall be used by the applicant for the retention of an urban park planner for the programming and development of the overall Master Plan for the Central Park. DPR staff shall review and approve the Master Plan for the Central Park. Said consultant is to assist staff/applicant in programming the park. These actions shall occur prior to approval of the first residential SDP.**
- b. \$400,000 shall be used by the applicant for the schematic design and specific design plan for the central park. DPR staff shall review and approve the design plan. These actions shall occur prior to the issuance of the 500th building permit.**
- c. \$500,000 shall be used by the applicant for the development of construction documents sufficient to permit and build Phase 1(as shown in attached Exhibit-A) of the central park. DPR staff shall review and approve the construction documents. Final approval of the construction documents by DPR for Phase 1 of the central park, pursuant to the agreed upon scope of work as reflected in attached Exhibit A, shall occur prior to the issuance of the 700th building permit. DPR shall respond to applicant in writing with any comments pertaining to the construction documents within 15 business days of the applicant's submission of said documents to DPR. DPR's approval of the construction documents submitted by the applicant shall not be unreasonably withheld.**
- d. \$12,900,000 (which will include funds to be contributed by other developers within the Westphalia Sector or other sources) shall be used by the applicant for the grading and construction of Phase 1(as shown in attached Exhibits B and C) of the central park prior to issuance of the 1,600th building permit. The amount of \$12,900,000 referenced in this Condition 10(d) shall be adjusted for inflation on an annual basis using the CPI, beginning in 2016.**
- e. The applicant shall complete the pond construction and rough grading of Phase 1 of the central park prior to issuance of the 1,000th building permit.**
- f. In the event that sufficient funding is not available to fully construct Phase 1 at time of the 1400th permit, DPR and the applicant will work together to determine how the available funding will be used to construct portions of**

Phase 1 as called for in Exhibits A and B. Prior to the issuance of the 1400th building permit, the applicant and DPR shall enter into a Recreational Facilities Agreement (“RFA”) establishing both scope and a schedule for construction of Phase 1 of the central park.

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

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

The permit tracking associated with this condition must include the proposed building permits associated with the future development of the subject SDP.

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

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

The need for additional private recreational facilities to serve the 159 proposed lots for the development of single family detached lots will be decided in future SDP review.

- 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.**

A condition requiring the above is included in this resolution.

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

This condition will be addressed at the time of a future SDP with architecture and at the time of building permit.

- 20. Approximately 148± acres of parkland shall be dedicated to M-NCPPC as shown on DPR Exhibit "A."**
- 21. The land to be conveyed to M-NCPPC shall be subject to the conditions as follows:**
 - a. An original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The M-NCPPC, along with the final plat.**
 - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.**
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.**
 - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.**
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.**
 - f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance prior to dedication.**

- g. All existing structures shall be removed from the property to be conveyed unless the applicant obtains the written consent of the DPR.**
 - h. The applicant shall terminate any leasehold interests on property to be conveyed to M NCPPC.**
 - i. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and maintenance and easement agreements shall be required prior to the issuance of grading permits.**
- 22. The applicant shall make a monetary contribution into a “park club.” The total value of the payment shall be in the range of \$2,500 to \$3,500 per dwelling unit in 2006 dollars. The exact amount of the financial contribution shall be decided after the approval of the Sector Plan and Sectional Map Amendment for the Westphalia Area by the District Council, but prior to the second SDP. Beginning from the date of issuance of the 50th building permit, this amount shall be adjusted for inflation on an annual basis using the Consumer Price Index (CPI). The funds shall be used for the construction and maintenance of the recreational facilities in the Westphalia study area and the other parks that will serve the Westphalia study area. The “park club” shall be established and managed by DPR. The applicant may make a contribution into the “park club” or provide an equivalent amount of recreational facilities. The value of the recreational facilities shall be reviewed and approved by DPR staff.**
- 23. The applicant shall develop a SDP for the Central Park. The SDP for the Central Park shall be reviewed and approved by the Planning Board as the second SDP in the CDP-0501 area or after the approval of the Sector Plan and Sectional Map Amendment for the Westphalia Area by the District Council, whichever comes first. The SDP shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of SDP plans. The SDP shall include a phasing plan.**

Per Conditions 20–23 above, the applicant’s proffer at the time of Comprehensive Design Plan CDP-0501 approval, the applicant dedicated parkland and provided design services for the development of the SDP for the Westphalia Central Park and construction documents for Phase 1 of the park. In addition, the applicant will construct recreational facilities in Phase 1 of the park in lieu of a financial contribution to the Westphalia Park Club as set forth in CDP-0501. It is anticipated that the cost for these services will be reimbursed to the applicant from an Escrow Account established, administered and maintained by the DPR. The remaining future phases of the Central Park will be constructed by DPR using Westphalia Central Park Club funds, which will

include funds contributed by other developers in the Westphalia Sector Plan area and/or other sources. The timing for the design and construction documents for future phases of the Central Park should be determined by DPR through the Capital Improvement Program (CIP), subject to available funding from park club fees and/or other sources.

- 24. Prior to application for the building permit for the construction of any recreational facilities in the Central Park, DPR staff shall review credentials and approve the contractor for the park construction based on qualifications and experience.**

This has been completed.

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

The number of building permits released for the overall development of the project, at the time of this approval, is approximately 225 permits.

- 28. At time of the applicable Specific Design Plan approval, an appropriate bufferyard shall be evaluated and be determined to be placed between the proposed development and the existing adjacent subdivisions.**

The property is subject to the requirements of the 2010 *Prince George's County Landscape Manual* and a discussion of the application's conformance to Section 4.7, Buffering Incompatible Uses is contained in Finding 13 below.

- 29. Prior to approval of the Preliminary Plan, the technical staff, in conjunction with the Department of Public Works and Transportation, shall determine the disposition of existing Melwood Road for the property immediately adjoining the subject property.**
- 30. The L-A-C land located south of the park access road (C-631) shall be dedicated to the DPR and in no event shall it be developed other than in concert with the Central Park.**
- 31. Prior to SDP approval, the height for all structures shall be determined, and the density percentages shall be determined based on any variances necessary.**

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

On December 1, 2011, Comprehensive Design Plan CDP-0501-01 was approved by the Planning Board subject to four conditions and modifying Conditions 3, 7, and 16 of the original approval. On May 21, 2012, the District Council affirmed the Planning Board's decision and approved CDP-0501-01. The following conditions 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):**

3. **Prior to issuance of each building permit for the Smith Home Farms, applicant or applicant's heirs, successors and/or assignees shall pay to Prince George's County (or its designee) a fee per dwelling unit based on either the current cost estimate to construct the MD4/Westphalia interchange and interim improvements or, if determined, the final cost estimate to construct the interchange. In no case shall the total per dwelling unit fees paid by Smith Home Farms, the applicant, its heirs, successors and/or assigns exceed the current or final cost estimate of \$80 million and any overpayment of the total per dwelling unit fees may be reimbursed to the applicant.**

7. **Prior to acceptance of the applicable SDPs:**
 - a. **The following shall be shown on or submitted with the plans:**
 - (1) **The community building or buildings shall be shown as a combined minimum of 15,000 square feet, in addition to the space proposed to be occupied by the pool facilities.**
 - (2) **The swimming pool shall be a 25-meter, 8-lane competition pool, and a minimum of 4,000-square-foot wading/activity pool.**

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).**

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

Notes:

*For perimeter lots adjacent to the existing single-family houses, the minimum frontage at street shall be 50 feet and minimum frontage at front BRL shall be 60 feet.

**See discussion of side setbacks in Section E of CDP text Chapter III. Zero lot line development will be employed.

***Stoops and or steps can encroach into the front setback, but shall not be more than one-third of the yard depth. For the multistory, multifamily condominium building, the minimum setback from street should be 25 feet.

† No more than 50 percent of the single-family attached lots shall have a lot size smaller than 1,600 square feet. The minimum lot width of any single-family attached lot shall not be less than 16 feet with varied lot width ranging from 16 -28 feet. The 50 percent limit can be modified by the Planning Board at time of SDP approval, based on the design merits of specific site layout and architectural products.

The following three conditions were added (in addition to the modification of previously-approved Conditions 3, 7, and 16, as stated above) by the District Council. On May 21, 2012, the District Council affirmed the Planning Board's decision and approved CDP-0501-01.

- 3. Prior to the issuance of the 200th residential building permit, the first 10,000-square-foot community building in the R-M Zone shall be bonded, and prior to the issuance of the 400th residential building permit, the community building shall be complete and open to the residents.**

The community building has been bonded and is located in another section of the larger development.

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

The applicant has obtained an approval of a SDP for a single-community building.

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

The above condition will determine the construction schedule for the community building. Approximately 225 building permits have been recommended for approval by M-NCPPC to DPIE, at the time of this approval.

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

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

Two TCPIIs have been submitted with this application, and the Planning Board found that the project is in conformance with this requirement.

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

The proposed SDP meets the intent of the approved Stormwater Management Concept Plan (14846-2006-02) originally approved on August 25, 2009 and updated on May 25, 2017. However, a revision to this concept plan may be required to include master-planned Roads P-615, P-619, and C-636, per DPIE. General Note 12 on the SDP and the TCPII states that the property has approved Stormwater Management Concept Plans, 36059-2005-03 and 14846-2006-02. The approval date of the revised stormwater management concept plans should be added to General Note 12.

5. Prior to the approval of building permits associated with residential development, the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.

This condition will be addressed at the time of building permits for residential structures.

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

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

13. The applicant, his heirs, successors and/or assignees shall provide a multiuse, stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation Guidelines and standards. Timing for the construction shall be determined with the appropriate SDP. Connector trails should be provided from the stream valley trail to adjacent residential development as shown on the approved CDP-0501.

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

Branch Stream Valley trail at major road crossings. The SDP for the central park shall identify all needed road crossings and bridging.

The subject SDP proposes grading of the existing Melwood Road in the area where MC-632 replaces the old alignment. At this location, the Melwood Legacy Trail will be accommodated by the trail along the master plan road. The applicant should submit evidence that existing Melwood Road has gone through the road closure process, been abandoned and/or quit claimed to the benefit of the applicant prior to issuance of a grading permit.

15. The applicant, his heirs, successors and/or assignees shall provide:

- a. The Cabin Branch Trail from P-615 to the proposed trail east of Road RR. This connection will allow for a continuous stream valley trail through the site and extend the Cabin Branch Trail Road W. If feasible, the stream crossing should correspond with the construction required for stormwater management pond number 4 (access road and outfall) in order to minimize impacts to the PMA.**
- b. Where the Melwood Legacy Trail crosses Blocks L, P, and R, it should be within a 30-foot-wide HOA parcel(s). This 30-foot-wide parcel will include Parcels 16, 17, and 20 (currently shown as 20 feet wide) shown on the submitted plans, plus an additional five feet on each side (30-foot-wide total). This additional green space will accommodate a buffer between the trail and the adjacent residential lots on both sides of the trail and allow the trail to be in the green corridor envisioned in the Westphalia Sector Plan (Sector Plan, page 28). Additional plantings and/or pedestrian amenities or other design modifications may be considered at the time of specific design plan.**
- c. Provide a ten-foot-wide multiuse trail along the subject site's entire portion of Suitland Parkway extended (MC-631) (Preliminary Westphalia Sector Plan, page 28). This trail shall be asphalt and separated from the curb by a planting strip.**
- d. Provide a six-foot-wide asphalt trail connector from Road FF to the Cabin Branch Trail. This trail may utilize a portion of the access road for SWM Pond number 19.**
- e. Provide a six-foot wide trail connector from Road YY to the Cabin Branch Trail. This connection shall, unless another location is determined appropriate, be located between Lots 33 and 34, Block H within a 30-foot wide HOA access strip.**

The Cabin Branch Trail, Melwood Legacy Trail and the trail along MC-631 are beyond the limits of the subject application.

- 16. The applicant, his heirs, successors and/or assignees shall provide standard sidewalks along both sides of all internal roads. Wide sidewalks may be recommended within the community core or at the L-A-C. A detailed analysis of the internal sidewalk network will be made at the time of each SDP.**

Sidewalks are shown along both sides of all internal roads on the submitted site plan, excluding alleys. The Planning Board required that the cross section for Dower House Road (MC-637) be revised to include five-foot-wide sidewalks, sufficient room for street tree planting and survival (a five- to six-foot-wide planting strip) and designated bike lanes along both sides, consistent with what was approved for the adjacent Westphalia Center. Similarly, a standard sidewalk is recommended along the south side of Rock Spring Road (MC-635).

- 19. Prior to signature approval of the preliminary plan the applicant shall submit a comprehensive trail map. All trails and trail connections shall be constructed within HOA or M-NCPPC land. No trails shall be proposed on private lots. This map shall show the location of the proposed trails within either M-NCPPC or HOA lands and shall show all trails and trail connections in relation to proposed lots. This plan shall be revised in accordance with the recommendations of the trails coordinator and be utilized in the review of each SDP that contains trails.**

The Comprehensive Trail Map is included in the Planning Board back-up information for the hearing on this application. The analysis has been completed in accordance with the PPS.

- 21. The plant materials located within the reforestation areas within the 100-year floodplain, within the central park (M-NCPPC), shall be mutually agreed upon by the DRD and DPR.**

This condition was initially addressed with the development of the SDP and TCPII for Phase 1 of the Central Park, and will be further addressed with TCPIIs for the remaining areas of the park.

- 30. The following note shall be placed on the Final Plat:**

“Properties within this subdivision have been identified as possibly having noise levels that exceed 70 dBA Ldn due to military aircraft over flights. This level of noise is above the Maryland-designated acceptable noise level for residential uses.”

This note will be addressed with final plat reviews.

- 31. The applicant shall dedicate to M-NCPPC 148± acres of parkland as shown on attached Exhibit A (dated June 7, 2006), or as adjusted by DPR and as authorized by the approving authority prior to final plat. The applicant shall dedicate that portion of part of Parcel 15 (DPR Exhibit A), Parcel S, and the central park**

individually at the time of approval of the final plat of any right-of-way (public or private) on which the parkland fronts. The remaining parkland shall be conveyed in accordance with the sequential platting plan.

The applicant dedicated a majority of the parkland, a total of 139 acres. The remaining parkland will be conveyed in accordance with the sequential platting plan.

- 39. Prior to the approval of final plat(s) of subdivision for development, which includes portions of the Melwood Road right-of-way, the applicant shall obtain approval of the road closure process as determined appropriate by DPW&T, in accordance with Subtitle 23 and/or vacated in accordance with Subtitle 24.**

The subject SDP is for infrastructure only for Section 6, and as such will not be required to have final plat approval prior to issuance of the grading permit. However, the applicant should provide evidence from DPW&T that the necessary road closure, abandonment and/or quit claim of existing Melwood Road has been completed.

Section 5 provides detailed information for the development of 159 lots, the road layout, sidewalk and driveways, landscaping and recreational facilities for the development. It is anticipated that the final grading permit for Section 5 of the development will follow the final plat process for both Section 5 and future Woodyard Road (which encroaches upon the existing Melwood Road alignment).

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

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

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

Road DD, Block SS, is a part of Section 6. However, the submitted plan is for infrastructure only. Only rough grading is proposed in Section 6 and no streets are being proposed at this time.

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

a. MC-631/Presidential Parkway intersection: The applicant shall submit, at the time of the initial Specific Design Plan proposing development, an acceptable traffic signal warrant study to DPW&T. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by DPW&T. Installation of the signal, or any other traffic control device deemed to be appropriate by DPW&T, shall include any needed physical improvement needed to ensure adequate and safe operations.

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

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

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

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

d. At the intersection of MC-631 and MC-632/P-616, signalization shall be studied and a signal shall be installed if deemed warranted. Such study shall be required prior to specific design plan approval for the L-A-C portion of the development.

- e. **At the intersection of MC-632 and P-615, in accordance with the master plan recommendation for a four-lane major collector, the intended one-lane roundabout shall be designed for a two-lane roundabout in order that sufficient right-of-way for the ultimate facility is obtained. Affirmative approval of DPW&T shall be received for the conceptual design of the roundabout prior to the approval of the initial specific design plan that includes any portion of this intersection. DPW&T shall determine whether a one-lane or a two-lane roundabout will be implemented at this location by the applicant; however, such determination shall, if a one-lane roundabout is chosen, also indicate the ultimate responsibility for upgrading the roundabout.**

The applicant chooses to defer comment on this condition until the future Specific Design Plan SDP-1702 phase. The Planning Board found it to be acceptable.

- g. **All intersections along the major collector (MC) facilities shall include exclusive left-turn lanes where appropriate. Unless the intersection will be a roundabout, plans must show left-turn lanes unless specifically waived by DPW&T. Such configurations shall be verified at the time of specific design plan review for the appropriate sections of roadway.**

None of the intersections along MC-637 and MC-632 have been shown on the plans to include left turns. It is anticipated that an SDP for the roadways will be submitted in the future, in which the submission should demonstrate conformance to the above condition, prior to platting of Section 5 of the townhouse lots, and the SDP and the final plat for the roadways serving the lots are required.

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

According to the Transportation Planning Section, this condition is not relevant to this section of the development.

- i. **All proposed transit facilities, as shown on the plan “Transit Plan—Smith Farm,” shall be reflected on the appropriate specific design plans and verified by transportation staff. Installation of such facilities must have specific approval of DPW&T prior to approval of the appropriate specific design plan.**

According to the Transportation Planning Section, this condition is not relevant to this section of the development.

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

Given the amount of development being proposed, as well as development previously built, the original trip cap in Condition 50 has not and will not be exceeded by this proposal and the development to date. However, the Planning Board decided that any future SDP application for the subject property must include a cumulative total of all previously approved SDP applications so the trip accumulation of the overall property can be evaluated.

Subsequent to the approval of the original Smith Home Farm development, the Prince George's County Council approved a sector plan that includes the totality of the subject property. Pursuant to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, two new roads were recommended that will bifurcate Section 6 of the proposed development. The two roads are C-636, a roughly north-south collector that will be located toward the southern section of Section 6. This road will become P-619 towards the northern side of Section 6. Because the Westphalia Sector Plan was approved after the approval of the PPS for the subject property, no rights-of-way were dedicated for either C-636 or P-619. However, if no other PPS is filed for the subject property, then the applicant must propose a site layout that preserves these future rights-of-way. No building permits can be issued for building within a master plan right-of-way. Notwithstanding, it shall be noted that the rough grading proposed within Section 6 does not constitute the grandfathering of roadway beds for the alignment of either C-636 or P-619.

Sheet 9 of 21 shows the proposed intersection of Rock Spring Drive and "Road 5D." The design appears to be in the form of a cul-de-sac. According to the recommendation of the Westphalia Sector Plan, Rock Spring Drive is recommended to be extended westward to its intersection with MC-631. Since this proposed intersection is supposed to be the first phase of an ultimate three-legged ("T") intersection, the Planning Board believed that the "T" intersection should be built with a stub end on the western end of the "T. There should also be a sign indicating that the stubbed end is intended to be expanded westward. If the intersection is built as proposed, the homeowners that are closest to the intersection will very shortly assume that the cul-de-sac will remain in perpetuity. When the time comes for the eventual expansion of Rock Spring Drive, there may be resistance from said citizens.

- 56. 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 SDPs 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 identify areas of stream restoration that are not associated with future road crossings, stormwater management and utility crossings that have an installation cost of no less than \$1,476,600 which reflects the density increment granted in the M-R-D portion of the project (see Finding No. 8, 15 of CDP-0504).**

A limited SDP for stream restoration, Specific Design Plan SDP-1002, was approved by the Planning Board on January 26, 2012, subject to conditions contained in PGCPB Resolution No. 12-07. Section 5, which is currently under review, includes stream restoration for Stream Reach 3-4. Section 6 contains no required stream restoration sites.

The stream relocation and stabilization technical plans for Reach 3-4 of Parkside (formerly Smith Home Farms) were approved by DPIE on July 28, 2017 (Plan 22860-2017-00).

- 58. The SDPs and Type II Tree Conservation Plans shall show the 1.5 safety factor line and a 25-foot building restriction line for Marlboro clay in relation to all proposed structures. The final plat shall show all 1.5 safety factor lines and a 25-foot building restriction line from the 1.5 safety factor line for any affected lots. The location of the 1.5 safety factor lines shall be reviewed and approved by M-NCPPC, at the time**

of SDP by the Environmental Planning Section and the Prince George's County Department of Environmental Resources. The final plat shall contain the following note:

“No part of a principal structure may be permitted to encroach beyond the 25-foot building restriction line established adjacent to the 1.5 safety factor lines. Accessory structures may be positioned beyond the BRL, subject to prior written approval of the Planning Director, M-NCPPC and DER.”

It is anticipated that the current and future SDPs and TCPII application beyond infrastructure for Section 6 will need to address this condition. Marlboro clay is anticipated to be exposed in Section 6 for the grading of Pond 6B and Bioretention 6C, and will be reviewed by DPIE for slope stability. If needed, this note will be included at the time of final plat, as applicable.

- 61. Prior to the 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.**

This condition will be addressed prior to issuance of grading permits which require federal or state wetland permits.

A condition has been included in this resolution requiring that, 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.

- 62. Prior to the approval of any residential building permits within the 65 or 70 dBA Ldn noise contours, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building plans stating that building shells of structures have been designed to reduce interior noise level to 45 dBA or less.**

This issue will be addressed on the future SDP that includes architecture.

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

The plans are consistent with the phasing plan.

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

The subject application does not include trails other than the Melwood Heritage trail proposed to be located within the right-of-way of the future Woodyard Road, and therefore, the requirement above does not apply. The trail design is subject to the approval of DPW&T.

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

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

11. **Specific Design Plan SDP-0506 and its amendments:** The Planning Board approved Specific Design Plan **SDP-0506** for infrastructure with three conditions as follows:

1. Prior to certificate approval of this SDP, the applicant shall

c. The applicant shall demonstrate the following trail/sidewalk improvements on the plans:

- (1) Provide designated bike lanes with appropriate signage and pavement markings along both sides of C-635 and P-615, unless modified by DPW&T.**
- (2) Provide standard sidewalks along both sides of C-635 and P-615, unless modified by DPW&T.**

A standard sidewalk is recommended along the south side of MC-635 (Rock Springs Drive), which runs along the northern edge of Section 5.

d. Revise the layout of the entrance road to be in conformance with all previous approvals and revise the limits of disturbance to be limited to only that area of construction proposed.

e. Revise the TCPII/57/06 to show the followings:

- (1) A phased worksheet.**
- (2) The noise contours associated with Andrews Air Force Base as depicted on the latest Air Installation Compatibility Use Zone study.**
- (3) All woodland clearing areas within the limits of disturbance.**

- f. **Remove the following note from the TCPII/57/06:**

“All reforestation requirements will be provided offsite. The location of the off-site property has yet to be determined.”

- g. **Revise the SDP to show the same limits of disturbance. The limits of disturbance shall accurately reflect the proposed area of disturbance. For those areas outside the limits of disturbance, the proposed grading shall be removed from the plans.**

These conditions were addressed prior to signature approval of the TCPII and SDP.

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

The limited SDP for stream restoration shall:

- a. **Be coordinated with the Department of Parks and Recreation for land to be dedicated to DPR, other agencies who have jurisdiction over any other land to be dedicated to that agency and the review agency that has authority over stormwater management;**
- b. **Consider the stormwater management facilities proposed;**
- c. **Include all land necessary to accommodate the proposed grading for stream restoration;**
- d. **Address all of the stream systems on the site as shown on the submitted Stream Corridor Assessment and provide a detailed phasing schedule that is coordinated with the phases of development of the site;**
- e. **Be developed using engineering methods that ensure that the stream restoration measures anticipate future development of the site and the addition of large expanses of impervious surfaces;**

- f. **Identify what areas of stream restoration will be associated with future road crossings, stormwater management and utility crossings; and**
- g. **Identify areas of stream restoration that are not associated with future road crossings, stormwater management and utility crossings that have an installation cost of no less than \$1,476,600 which reflects the density increment granted in the M-R-D portion of the project (see Finding No. 8, 15 of CDP-0504).**

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

- 3. **Prior to issuance of a grading permit, the applicant shall redesign the stormwater management pond and road grading for the segment along the park's frontage, if necessary, in accordance with the approved central park concept plan for review and approval by the Department of Parks and Recreation.**

This condition is not applicable within the limits of the current application, because it applies to SDP-0506. Section 5 has shared frontage and adjacency with the Central Park.

Specific Design Plan **SDP-0506-02** was approved by the Planning Board (Resolution No. 12-14) on March 29, 2012, with conditions relating to certification, issues required to be fulfilled prior to a grading permit and final plat. None of the conditions are applicable to the review of this SDP.

Specific Design Plan **SDP-0506-03** was approved by the Planning Board on July 17, 2014. Prince George's County Planning Board Resolution No. 14-70 was adopted by the Planning Board on July 31, 2014, formalizing that approval. No conditions of these approvals are relevant to the review of Specific Design Plan SDP-1302-02.

- 12. **Specific Design Plan SDP-1302:** Specific Design Plan SDP-1302 was approved by the Planning Director on November 8, 2013, with no conditions, for the purpose of showing the locations of afforestation areas within Sections 5 and 6.

Specific Design Plan SDP-1302-01: Specific Design Plan SDP-1302-01 was approved by the Planning Director on December 1, 2016, with conditions, which are relevant to the subject application as follows:

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

The condition is in full force and effect.

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

This condition is addressed with the current application.

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

This condition is addressed with the current application and will be enforced at grading permit.

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

This condition is addressed with the current application.

7. **At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area and all adjacent areas of preservation and afforestation/ reforestation, except for areas of approved impacts, and protect the limits of stream restoration projects after implementation. The easement shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning

Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed. Access into the conservation easement shall not be denied for the performance of necessary maintenance requirements to maintain technical and functional performance.”

This condition will be addressed at final plat.

13. **2010 Prince George’s County Landscape Manual:** Per Section 27-528(a)(1) of the Zoning Ordinance, an SDP must conform to the applicable standards of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). The proposed development of residential infrastructure is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development From Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual as follows:

- a. **Section 4.1, Residential Requirements**—Section 4.1 requires a minimum number of trees be provided per townhouse lot, which can be provided on lots or in common open space. The correct schedule is provided on the SDP showing this requirement being met through the provision of 239 shade trees, 54 ornamental trees and 116 evergreen trees.
- b. **Section 4.6, Buffering Development from Streets**—Section 4.6 requires buffering where rear yards of townhouses are oriented to streets, such as along the sides of Lots 19 and 40 where they are visible from Capital Court. No plantings are provided at this time, but they may be required on future SDPs that include the architecture and placement of building on the site.
- c. **Section 4.7, Buffering Incompatible Uses**—Since this portion of the development does not extend to the perimeter of the property, Section 4.7 is not required at this time. At the time of a full-scale SDP, this information will be required to be provided.
- d. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires certain percentages of native plants be provided on-site, along with no invasive plants and no plants being planted on slopes steeper than three-to-one. The submitted landscape plan provides the required schedule and notes showing the requirements of this section being met.

This section also offers guidance on diversity of plant species in order to enhance the environmental benefits. The submitted plan only offers one species of evergreen tree. The Planning Board required that additional species be proposed for each plant type in order to diversify the environment. Therefore, a condition has been included in this resolution requiring additional species.

- e. **Section 4.10, Street Trees Along Private Streets**—Section 4.10 provides specifics for the planting of street trees along private streets that apply to the subject development. The submitted landscape plan provides the required schedule, and shows trees located between the sidewalk and curb. Therefore, the landscape plans fulfill this requirement.
14. **Prince George’s County Woodland Conservation and Tree Preservation Ordinance:** This site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland, and a Type I Tree Conservation Plan, TCPI-38-05-01, was approved for the site.

There have been minor changes to the proposed layout of Sections 5 and 6 since approval of the PPS, with minor affects to regulated features of the site. The TCPII submitted with the current application is in general conformance with the previously approved TCPI with regards to the limit of disturbance (LOD), except for additional clearing required for the restoration of Reach 3-4, because of the limited scope of the application.

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

The overall worksheet allows for the cumulative tracking of overall woodland conservation on the entire development confirms that the overall woodland conservation requirement for the site is being met, as well as the requirements of the Final Decision of the District Council in Zoning Map Amendments A-9965-C and A-9966-C, that the woodland conservation threshold be met on-site. Based on the overall net site area of 648.28 acres, the woodland conservation requirement of 24.53 percent results in a woodland conservation threshold of 159.04 acres that must be met on-site. The overall woodland conservation worksheet submitted with the current application provides 168.90 acres of woodland conservation on-site, which exceeds the on-site requirement.

The total woodland conservation requirement for the overall development proposed with the current application, based on a net tract area of 648.28 acres and replacement ratio related to clearing of 103.94 acres of net tract woodlands, 5.00 acres of woodland floodplain, 3.39 acres of wooded primary management area (PMA) and 3.28 acres of off-site woodland clearing results in a total woodland conservation requirement of 252.94 acres, which is distributed over various sections.

With the approval of Specific Design Plan SDP-1003, and the associated TCPIIs for Sections 1A, 1B, 2 and 3, all sections were evaluated for the provision of on-site woodland conservation, and the significant off-site requirement which could not be satisfied on-site was proportionally

distributed among all sections of the project, so the woodland conservation requirements would be provided on and off-site in sequence with development, and not be front-end loaded with the early sections, or deferred until the end of development. With the most recent reviews of the overall worksheet, with Section 2 (TCPII-010-02), Westphalia Park (TCPII-021-2015), and Section 4 (TCP2-014-2016), the amount of total woodland conservation to be provided with each section was reviewed for consistency with the agreed schedule for woodland conservation fulfillment previously approved. The quantity of total woodland conservation provided in Sections 5 and 6 has also been adjusted to be in conformance with the overall implementation schedule which indicates a minimum of 35.55 acres and 43.48 acres of woodland conservation provided respectively.

Other changes in the quantities of preservation and afforestation/reforestation may result from other revisions to the TCPIIs, with a resultant effect on the amount of total woodland conservation provided, but the total amount of woodland conservation required to be provided with Sections 5 and 6, either on-site or off-site, should be no less than the required minimum. This quantity was previously agreed to as a fair distribution of the total requirements, and further deferral does not support the intent of the Woodland Conservation Ordinance (WCO) to provided woodland conservation and replacement concurrent with development.

Woodland and Primary Management Area (PMA) Impacts for Stream Restoration Project

While Type II Tree Conservation Plan TCPII-020-13-02 for Section 6 has remained consistent with the TCPI, the addition of a stream restoration project for Reach 3-4 has had impacts to TCPII-020-13-0 for Section 5, which was not included on the approved TCPI, and is reviewed for the first time with the current application.

The LOD of the stream restoration project was previously shown as woodlands preserved and woodlands retained. With the current revision, the entire LOD which includes PMA and 100-year floodplain is proposed to be cleared, and then reforested, for a total of 1.14 acres. We do not have final technical plans, but we are concerned whether this level of afforestation is compatible with the rip-rap features being proposed, and the performance expectations of DPIE. DPIE has its own standards for landscaping related to stormwater management design and function, and approval from DPIE for landscaping that also meets WCO standards would have to be confirmed. Woodland plantings would seem incompatible with imbricated rip-rap walls, constructed pool and riffle areas, and Class III rip-rap revetment. The width of the afforestation area available between the imbricated rip-rap wall and the adjacent sanitary sewer is too narrow to be credited for woodland conservation under WCO design guidelines. Revisions to the area of reforestation, and coordination of landscaping with afforestation are indicated in conditions of approval of this application.

In addition, the stream restoration project should be labeled with features and materials to more clearly demonstrate the functionality of the design.

Type II Tree Conservation Plan TCPII-020-13-02, requires technical revisions to the plan to be in accordance with the applicable Woodland Conservation Ordinance (WCO) and the Environmental Technical Manual. The necessary revisions are recommended as conditions of approval prior to the certification of the SDP.

TCPII-019-13-02 (Section 6) and TCPII-020-13-02 (Section 5) can be found to be in general conformance with TCPI-038-05-01 if revised in accordance with the conditions of approval.

15. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties that are zoned R-M are required to provide a minimum of 15 percent of the gross tract area in tree canopy coverage. The Section 5 is 147.79 acres in size, resulting in a tree canopy coverage requirement of 21.16 acres, or 65,650 square feet. The TCC schedule provided on the SDP indicated the wrong gross tract area; however, the schedule shows the requirement will be met on-site through a combination of woodland preservation, reforestation and proposed landscaping. Additionally, the schedule indicates that public street trees are being counted towards the requirement, which is acceptable per Section 25-129(a). A condition has been included in this resolution requiring adjustments to reflect the correct acreage.
16. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—The Planning Board found that this application is to show a portion of the Section 5 proposed layout of the Parkside (formerly Smith Home Farm) development, consisting of approximately 156 single-family attached units with associated roads and infrastructure. The remainder of Section 5 and all of Section 6 show rough grading only. The subject property is in the R-M Zone. The subject application includes part of the Blythewood Historic Site (78-013) environmental setting.

The subject application shows proposed rough grading and the location of sediment control devices within Sections 5 and 6 of the Parkside (formerly Smith Home Farm) development. Approval of this plan will allow the applicant to obtain a rough-grading permit to install stormwater management features. The northern part of proposed Pond 6A within Section 6 of the Parkside development partially extends into the environmental setting of the Blythewood Historic Site, as shown on Sheets 14 and 16 of the SDP. Sheets 11 and 13 of the SDP show grading in the western portion of the Blythewood Historic Site environmental setting for Woodyard Road (MC-632).

Built circa 1830, with later additions, Blythewood is a multi-section frame farmhouse, and the principal feature of a large farm complex. The two-story, side-gabled main block of the house was built circa 1830; a shed-roof kitchen wing was added circa 1860 at one end, and a one-story enclosed porch was built at the other end in the 1920s. The principal west

façade of the main block is fronted by a two-story portico, also added in the 1920s. The house and domestic outbuildings stand on high ground overlooking a complex of agricultural outbuildings. Originally developed for William F. Berry, the Blythewood complex is an excellent example of a complete nineteenth and twentieth-century farm establishment.

The applicant submitted Historic Area Work Permit 2016-55 to construct two stormwater management ponds, Ponds F and 6A, within the Blythewood environmental setting. The Historic Area Work Permit (HAWP) application also included proposed grading for the construction of Woodyard Road (MC-632) along the western portion of the Blythewood environmental setting. The application was accepted as complete on November 3, 2016 and was approved as part of the November 15, 2016 Historic Preservation Commission agenda. Pond F is not included in the subject application.

Stormwater Management Pond 6A is proposed along the southern edge of the Blythewood environmental setting. Although most of the pond will be located outside of the environmental setting, approximately 0.56 acre of the northern embankment will extend inside the setting. The embankment will range in elevation from 146 feet to 158 feet above sea level. The permanent pool, forebay, and outfall will all be located outside of the environmental setting. Approximately 220 feet of the fence along the existing driveway will be removed to accommodate the grading for the pond.

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

Conclusions

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

HAWP 2016-55 for construction of two stormwater management ponds, Ponds F and 6A, within the Blythewood environmental setting, as well as grading necessary to construct Woodyard Road (MC-632), was reviewed by the Historic Preservation Commission at its

November 15, 2016 meeting. Pond 6A is included in the subject application. The Historic Preservation Commission approved the construction of a portion of Pond 6A within the Blythewood environmental setting and the grading for Woodyard Road (MC-632) as meeting Subtitle 29-111.b.1 and b.2 and the Secretary of the Interior's *Standards for Rehabilitation* No. 1 and 8. Therefore, the Planning Board approved SDP-1302-02 with no conditions.

- b. **Subdivision Review**—The Planning Board found that the subject property is located within the area of the Approved Westphalia Sector Plan and Sectional Map Amendment and is located on Tax Maps 90 in Grids E-3 and F-3, and 91 in Grids A-3 and B-3. The property is zoned R-M (Residential Medium Development) which is a Comprehensive Design Zone. The Westphalia Sector Plan identifies this property on the Regional Center Concept Map as Low-Density Residential, and this specific project is mentioned in the master plan.

Specific Design Plan SDP-1302-02 includes a total of 147.79 acres, consisting of 66.37 acres in Section 5 and 81.42 acres in Section 6. The property was the subject of Preliminary Plan of Subdivision 4-05080 and PGCPB Resolution No. 06-64(A/2)(C), which is valid through June 14, 2018. The applicant must have record plats accepted prior to the expiration of the PPS. The PPS was approved for 759 acres, for a total of 1,506 lots, 355 parcels, and a total of 3,648 dwelling units, (consisting of 285 detached, 1,577 attached and 1,786 multifamily dwelling units).

This SDP proposes infrastructure for 159 single-family attached lots in a portion of Section 5 and rough grading for the remainder of Section 5 and all of Section 6. Prior to final plat of the lots proposed, an SDP and final plat demonstrating adequate access is required. The boundaries of Sections 5 and 6 as shown on the submitted SDP are in substantial conformance with the PPS.

Plan Comments

Preliminary Plan 4-08050, approved prior to the adoption of the 2007 *Westphalia Approved Sector Plan and Sectional Map Amendment*, provided a 60-foot-wide ultimate right-of-way width for Dower House Road (MC-637). The abutting Moore Property to the south, (PPS 4-08018), approved after the adoption of the 2007 *Westphalia Approved Sector Plan and Sectional Map Amendment*, provided a 96-foot-wide right-of-way width for Dower House Road. The submitted SDP proposes to adjust the right-of-way width of Dower House Road through the subject property from 60 feet wide to 96 feet wide, consistent with the right-of-way width shown on the abutting Moore Property (PPS 4-08018). The Planning Board is in agreement with the modifications to the lotting pattern that would be required in Section 5 to accommodate the ultimate right-of-way width of the master plan roadway and finds the proposed plan to be in general conformance with the PPS as was previously approved.

All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected.

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

Grandfathering

The subject application is grandfathered from the requirements in Subtitles 24 and 27 that came into effect on September 1, 2010, because the project has a previously approved PPS. The project is also grandfathered from the requirements of Subtitle 25, Division 2, effective September 2010, because there is a previously approved tree conservation plan.

Proposed Activity

The current application is an amendment to Specific Design Plan, SDP-1302-02, for Sections 5 and 6, and revisions to associated TCPs, TCPII-019-13-02 and TCPII-020-13-02, for infrastructure and for the inclusion of the technical plans for stream relocation and bank stabilization for Reach 3-4 in Phase 5, which is subject to final approval by DPIE.

Site Description

The current application is part of an overall 760.93-acre development and is located 4,000 feet northeast of the intersection of Pennsylvania Avenue (MD 4) and Presidential Parkway, and just south of Westphalia Road, in Upper Marlboro, MD. The site is zoned R-M, and includes a Mixed-Retirement-Development (M-R-D). The property is subject to the Woodland Conservation Ordinance because it is larger than 40,000 square feet in total area and contains more than 10,000 square feet of woodland. A Type I Tree Conservation Plan, TCPI-038-05, and a revision, TCPI-038-05-01, were previously approved for the site.

According to the *Prince George’s County Soils Survey* (1967), the principal soils on this site are in the Adelphia, Bibb, Collington, Mixed Alluvial, Sandy land steep, Sassafras and Westphalia soil series. According to available information Marlboro clay occurs on this property in and around the floodplain for Cabin Branch, a tributary of Western Branch, and may be found in exposed locations in Section 6. Streams, wetlands, and floodplain associated with the Cabin Branch and Western Branch watersheds of the Patuxent River basin occur on the property.

The specific site of the current application is located south of the central park and of master planned roadway P-615, and located on the east and west sides of Melwood Road. Sections 5 and 6 have a gross tract area of 147.79 acres, 13.83 acres of 100-year floodplain, and a net tract area of 133.96 acres. The site includes regulated streams, wetlands and 100-year floodplain. Although there are no nearby traffic-generated noise sources, most of this property is located within the 65 dBA Ldn noise contour associated

with aircraft flying into and out of Andrews Air Force Base (AAFB). Melwood Road is a designated scenic and historic road that bisects this property. Westphalia Road is a designated historic road, but is not adjacent to Sections 5 or 6. There are no rare, threatened or endangered species located near this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program. The site is in the Environmental Strategy Area 2 (ESA), formerly known as the Developing Tier, according to *Plan Prince George's 2035 Approved General Plan*, the most current comprehensive (general) plan. According to the Countywide Green Infrastructure Plan of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*, Sections 5 and 6 contain Regulated Areas and Evaluation Areas and Network Gaps within the designated network of the plan.

Environmental review

Natural Resources Inventory

During the review of Zoning Map Amendments A-9965 and A-9966, the Environmental Planning Section recommended that an approved natural resources inventory (NRI) be submitted as part of the CDP. Natural Resources Inventory NRI-006-05 was submitted with Comprehensive Design Plan CDP-0501 and approved on August 29, 2005. The NRI was resubmitted for a '01' revision to revise the area of existing woodland on the site, which was signed by staff on November 11, 2006. A further revision, NRI-006-05-02 was approved by staff on July 25, 2012, to revise the extent of wetlands on the site.

The approved NRI-006-05-02 was submitted with the review package for the current application, and the information on the NRI is correctly shown on the SDP and the TCP2. No further information is required.

Stream Restoration

Detailed stream restoration plans for implementation concurrently with Sections 5 were not required with the two previous SDPs approvals because they were limited to afforestation/ reforestation and the development of stormwater management infrastructure. The current SDP application is required to provide copies of the approved technical plans for Reach 3-4. The stream relocation and stabilization technical plans for Reach 3-4 of Parkside (formerly Smith Home Farms) were approved by DPIE on July 28, 2017 (Stormwater Management Concept Plan 22860-2017-00) and submitted to the Development Review Division. Grading and implementation details for the final design of the stream relocation project shall be reflected on the SDP and TCPII prior to certification.

Prior to certification of the SDP and TCPII, the stream relocation and stabilization technical plans for Reach 3-4 of Parkside (formerly Smith Home Farms), approved by DPIE on July 28, 2017 (Stormwater Management Concept Plan 22860-2017-00), or as revised, shall be reflected as applicable on the SDP and TCPII.

Impacts to Regulated Environmental Features

At the time of Preliminary Plan of Subdivision 4-05080, a statement of justification was submitted for numerous PMA impacts resulting from road crossings and associated grading, stormwater management requirements, sanitary sewer line and utility connections, and trail crossings. Some were fully supported, some were approved subject to minimization and some were required to be removed under conditions of approval to be addressed prior to certification.

Prior to approving an SDP, the plan must demonstrate 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) of the Subdivision Regulations. The amended SDP and revised TCPII are in general conformance with the impacts approved at the time of PPS, except for stream restoration impacts. At the time of preliminary the PMA impacts related to yet unidentified stream restoration projects were anticipated, but not quantified or located.

Condition 56 of PGCPB Resolution No. 06-64(A/2)(C) resulted in an approved limited SDP for stream restoration, which identified priority sites for restoration on-site and anticipated their size and cost, and required that the stream restoration work be addressed with the SDP for development. SDP-1002 approved by the Planning Board on January 26, 2012, identified the location, design concept, and approximate cost, and implementation schedule for the selected restoration projects. The impacts to Reach 3-4 in Section 5 was estimated as 1,150 linear feet, with an estimated cost for \$70,000.

The current SDP application for Section 5 is the first SDP required to address a required stream restoration with review of an SDP and TCPII. A revised statement of justification for PMA impacts was not submitted with the current application because the location of the impacts and estimated areas were conceptually approved by the Planning Board with SDP-1002.

The stormwater management concept approval was issued by DPIE for the stream relocation and stabilization work, and the final technical plans for the project are also subject to approval by DPIE. The current engineer's estimate for the needed restoration, due to the severity of the project, has risen to \$331,095.

There are additional temporary impacts related to Section 5 as the scope of the project for Reach 3-4 was defined, but conversely there was a reduction of permanent PMA impacts in Section 5 to the same reach when a major road crossing for P-615, upstream from the restoration site was eliminated. The overall result was a net reduction in permanent PMA impacts.

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

Protection of Regulated Environmental Features

Condition 71 of Preliminary Plan 4-05080 requires that:

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

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

Because there are impacts proposed for the require stream restoration within the PMA, this condition might seem to indicate that the conservation easement should not include the area of the stream restoration project; however, the Planning Board decided that, if credited woodland conservation areas should include the areas of the stream restoration, maintenance requirements within the stream restoration areas should be provided.

At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area and all adjacent areas of preservation and afforestation/ reforestation except for areas of approved impacts, and protect the limits of stream restoration projects after implementation. The easement shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

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

Conformance with the CDP

Prior to approving an SDP for Infrastructure, the Planning Board must find that the plan conforms to the approved CDP. The current SDP is limited to infrastructure for Sections 5 and 6, and required stream restoration in Section 5. The current application as proposed is in general conformance with CDP-0501-01 for Sections 5 and 6.

The current SDP for infrastructure is consistent with the pattern of development approved with CDP-0501-01 and Preliminary Plan 4-05080.

- (1) The amended SDP and revised TCPIIs are in conformance with Zoning Map Amendments ZMA-9965-C and ZMA-9966-C if the TCPII plan is revised in accordance with recommended conditions.
- (2) The amended SDP and revised TCPIIs are in conformance with CDP-0501-01, and TCPI-038-05091 if the plan is revised in accordance with recommended conditions.
- (3) The amended SDP and TCPIIs are in general conformance with Preliminary Plan 4-05080 and TCPI-038-05-01 if revised in accordance with the recommended conditions.
- (4) The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, and impacts limited to those approved at the time of preliminary or required for stream restoration subject to permitting by MDE, if the SDP and TCPII are revised in accordance with the recommended conditions.

Conclusion

The Planning Board approved Specific Design Plan SDP-1302-02 and Type II Tree Conservation Plans, TCPII-019-13-02 and TCPII-020-13-02 subject to the above findings and conditions of approval contained in this resolution.

- d. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE reviewed the plans and provided comments, the most important of which relates to the coordination with the departments on the design and locations of proposed roadways and the associated dedication of those roadways. They also noted that the SDP is not in complete conformance with the previously approved stormwater management concept plans and that revisions to the plans may be required. Therefore, the Planning Board decided that, prior to approval of an SDP that includes construction of Roads P-619, C-636, and any portion of P-615, the applicant should amend the approved stormwater management plans accordingly.
- e. **Soil Conservation District**—The Soil Conservation District did not provide comments on the subject application.

- f. **Community Planning**—The Planning Board made the following findings:

General Plan

This application is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), for properties designated residential-medium located within the Westphalia Town Center (Local) and within the growth boundary. This property is located within the growth boundary in an area generally designated residential-medium (3.5 to 8 dwelling units per an acre). More specifically, Plan 2035 designates the southern portion of the property within the Westphalia Town Center (Local), which encourages concentrated residential development (10 to 60 dwelling units per an acre, including townhomes, and small single-family lots) with limited commercial activity to serve the local community (suggested FAR for new commercial development is 1 to 2.5).

Sector Plan

This application conforms with the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, for infrastructure and grading to accommodate medium- to high-density residential (a minimum of 8 units per acre) development. The 2007 *Approved Westphalia Sectional Map Amendment and Sectional Map Amendment* retained the property in the Residential-Medium (R-M) zone.

Military Installation Overlay (M-I-O) Zone

This application is within Height Surfaces D and E, and the 60 decible to 74 decible noise intensity contour. The mapped categories on the site should be depicted on the proposed SDP. The western and central portions of the property are located within the 60 decible to 74 decible Noise Intensity Contour of the M-I-O Zone. Section 27-548.55(b) of the Zoning Ordinance requires interiors of all new residential construction within the noise intensity contours, including additions, must be certified to 45 dBA Ldn or less by an acoustical engineer or qualified professional of competent expertise.

The western portion of the property is located within Height Zone 'D' and the eastern portion of the property is located within Height Zone 'E.' The approximate height limit range is 234 feet to 360 feet. The R-M zone has a maximum height of 40 feet for single-family attached dwellings and 35 feet for single-family detached dwellings.

Planning Issues

The Westphalia Sector Plan defines the subject area as public/private open space to the north, and Town Center Edge to the south. The sector plan envisions the Town Center Edge area will be developed with medium- to high-density residential (a minimum of 8 units per acre to a preferred 15–30 dwelling units per acre). The applicant should note the proposed density on the development application.

The Westphalia Sector Plan envisions medium-density, mixed-use commercial and office within the Town Center Edge. The sector plan envisions a mix of 40–80 percent residential, 5–20 percent retail and services, 5–20 percent office, and 10–20 percent public and quasi-public use. The current proposal is for the infrastructure and grading for single use, residential, and does not include commercial or office uses. However, the greater development plan as proposed in CDP-0501, includes approximately 200,000 square feet of commercial/retail space.

This property is within the Military Installation Overlay (M-I-O) Zone area. The mapped categories on the subject site do not preclude any of the proposed development but should be noted and graphically depicted on the SDP and any other future development plans.

- g. **Special Projects**—The Planning Board reviewed this SDP in accordance with Section 27-528(a)(2) of the Zoning Ordinance, which states the following:

The development will be adequately served within a reasonable period with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

Fire and Rescue

The Planning Board reviewed this SDP for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122(e)(1)(C) and (E) of the Subdivision Regulations. Section 24-122.01(e)(1)(E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response time for call for service during the preceding month.” The proposed project is served by Forestville Fire/EMS, Company 823, located at 8321 Old Marlboro Pike. See attached e-mail from Dennis Wood, Deputy Fire Chief, Prince George’s County Fire/EMS Department.

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed near the subject site.

Police Facilities

The Planning Board determined that this SDP is in District II, Bowie, Maryland. Police facilities have been determined to be adequate.

Schools:

Single-Family Attached

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 4	High School Cluster 4
Dwelling Units	159	159	159
Pupil Yield Factor	.145	.076	.108
Subdivision Enrollment	23	12	17
Actual Enrollment	11,626	4,454	8,008

- h. **Trails**—The Planning Board reviewed the SDP application referenced above for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and/or the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements.

The Planning Board reviewed the submitted SDP application referenced above for conformance with the MPOT and the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements. The subject property amends the SDP for infrastructure and primarily contains revisions for monumental features, entrance signage, and other urban design related features.

The submitted SDP is for the development of 159 townhouse units and grading for infrastructure. A variety of development approvals exist for the subject site and surrounding properties which impact the road network and trail facilities that will ultimately be needed for Sections 5 and 6. More specifically, these approvals determined the road cross sections for the master plan roads and the types of facilities that will be provided for bicyclists and pedestrians. Designated bike lanes and/or wide sidewalks were required along some master plan roads, consistent with the master plan. Appropriate conditions of approval are discussed above and the following relates to off-site improvements previously approved.

The adjacent Westphalia Center site plan (DSP-09015) included the following conditions of approval for the Cabin Branch Trail and the facilities recommended along MC-637. Both facilities extend onto the Parkside Development:

1. **Prior to certificate approval, the following revisions shall be made to the DSP, TCPII, and landscape plans:**
 - l. **Revise the master plan trail along the subject site's portion of Cabin Branch. The trail alignment shall follow the existing sewer easement to the extent practical. The plans shall be revised to remove the steps along the trail and any associated details.**
 - m. **Provide seven-foot-wide sidewalks and designated bike lanes along MC-637, as approved on the Street Sections for Conceptual Site Plan CSP-07004-01, unless modified by the Department of Public Works and Transportation (DPW&T). Pavement markings and signage for the designated bike lanes shall be consistent with the Guide for the Development of Bicycle Facilities, American Association of State Highway and Transportation Officials (AASHTO).**

The Planning Board found that five-foot-wide sidewalks and designated bike lanes should be used for the portion of MC-637 within the subject site, unless modified by DPIE. As noted earlier, Cabin Branch Trail does not impact the development currently under consideration for Phase 5 and will be evaluated as part of the review of appropriate future SDPs.

Conclusion

In conformance MPOT and the area master plan, prior to signature approval, the SDP should be revised to include the following improvements:

- (1) Five-foot-wide sidewalks and designated bike lanes along both sides of MC-637 (Dower House Road), unless modified by DPW&T/DPIE.
- (2) A standard sidewalk along the south side of MC-635 (Rock Spring Drive), unless modified by DPW&T/DPIE.

The above conditions are included in this resolution.

- i. **Prince George's County Health Department**—In a memorandum dated July 7, 2017, the following comments were provided:
 1. **Research shows that access to public transportation can have major health benefits as it contributes to good connectedness and walkability. Indicate on future plans related to this development project the proposed means of connecting to neighboring communities through public transportation.**

This information has been transmitted to the applicant.

2. **The specific design plans should include open spaces and “pet friendly” amenities for pets and their owners. Designated park areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and water sources are strongly recommended at strategic locations around Central Park and any future park locations.**

This information is provided for the applicant’s benefit.

3. **There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.**

The plans provide open space that could be used by the future homeowners association for community gardening.

4. **This property is located in an area of the county considered a “food desert” by the US Department of Agriculture, where affordable and healthy food is difficult to obtain. Health Department permit records indicate there are no carry-out/convenience store food facilities or markets/grocery stores within a ½ mile radius of this location. Future plans should include provisions to address the needs of the community to have access to healthy food choices.**

This information is provided for the applicant’s benefit.

- j. **Transportation Planning**—The Planning Board concluded that the subject development will be adequately served within a reasonable period of time, with the applicable conditions of approval.
- k. **Prince George’s County Police Department**—The Police Department did not provide comments on the subject project.
- l. **Westphalia Section Development Review Council (WSDRC)**—WSDRC did not provide comments on the subject project.
- m. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not provide comments on the subject project.
- n. **Verizon**—Verizon did not provide comments on the subject project.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plans (TCPII-020-13-02 and TCPII-019-13-03), and further APPROVED Specific Design Plan SDP-1302-02 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 shall be revised as follows:
 - (1) Provide a density chart for tracking purposes, to demonstrate conformance with the comprehensive design plan, preliminary plan of subdivision, and specific design plan approvals for the overall site, in accordance with Condition 12 of Comprehensive Design Plan CDP-0501.
 - (2) The stream relocation and stabilization technical plans for Reach 3-4 of Parkside (formerly Smith Home Farms), approved by the Prince George's County Department of Permitting, Inspections and Enforcement on July 28, 2017 (Stormwater Management Concept Plan 22860-2017-00), or as revised, shall be reflected as applicable on the SDP and Type II tree conservation plan.
 - (3) Revise the lighting and photometric plan to provide adequate lighting levels in all alleys that at a minimum, conform to the requirements of the International Building Code applicable in Prince George's County.
 - (4) Provide a standard sidewalk along the south side of MC-635 (Rock Spring Drive), unless modified by DPW&T/DPIE.
 - (5) Design the proposed cul-de-sac intersection of Rock Spring Drive and "Road 5D" with a stub end at the western end of the intersection, unless modified by DPW&T/DPIE. There shall be a sign indicating that this stub end will be extended westward at a future date. The location and final wording of the sign shall be determined by DPW&T or DPIE.
 - (6) Provide a tabulation of the cumulative peak-hour trips for the subject application and all previous SDP applications.
 - b. The landscape plan shall be revised as follows:
 - (1) Revise the Tree Canopy Coverage schedule to reflect the correct gross tract area from the calculation.
 - (2) Two additional evergreen tree species shall be provided to diversify the plantings.

- c. Type II Tree Conservation Plan TCPII-020-13-02 for Section 5 shall be revised as follows:
- (1) The Environmental Planning Section, in consultation with the Prince George's County Department of Permitting, Inspections and Enforcement shall determine the appropriate afforestation areas and plant materials to be located within the limits of disturbance of the stream restoration project. The Environmental Planning Section shall provide a final determination of the areas which can be credited as afforestation within the limits of disturbance of the stream restoration project.
 - (2) If credited woodland conservation areas overlap the limits of the stream restoration project, maintenance requirements within the stream restoration project area shall be identified and included in the TCPII notes and details, to confirm that treatments are compatible and consistent with the provision of perpetual woodlands.
 - (3) On all plan sheets, the TCPII approval block shall include under the '-02' revisions that stream restoration was added to the plan.
 - (4) On Sheet 3, the stream restoration project should be labeled with features and materials to more clearly demonstrate the functionality of the design.
 - (5) A note should be added to Sheet 3 of TCPII-020-13-02 as follows:

"See Final Plans for Reach 3-4 (Case No. _____), pages 1-4, approved by DPIE on _____, as attached to TCPII-020-13-02 (Section 5)."
 - (6) On Sheet 2, revise the overall and individual worksheets as necessary to reflect any resultant revisions to the stream restoration project area.
 - (7) On all plan sheets, include bearings and distance for property and parcel lines, and easements.
 - (8) After all revisions have been made, revise and reconcile calculations and tables as necessary.
 - (9) Have the plan signed by the qualified professional who prepared it.
2. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area and all adjacent areas of preservation and afforestation/reforestation, except for areas of approved impacts, and protect the limits of stream restoration projects after implementation. The easement shall be

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

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

3. 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.
4. Prior to approval of a specific design plan for architecture for Section 5, the plans shall be analyzed to determine if additional parking spaces shall be provided above the 12 spaces shown on the plans.
5. Prior to approval of a specific design plan that includes construction of MC-637(Dower House Road extended), five-foot-wide sidewalks, sufficient room for street tree planting and survival (a five- to six-foot-wide planting strip), and designated bike lanes along both sides of MC-637 shall be shown on the plan, unless modified by DPW&T/DPIE.
6. Prior to approval of a specific design plan that includes construction of master-planned Roads P-619, C-636, and any portion of P-615 that is not currently shown on Specific Design Plan SDP-1302-02, Stormwater Management Concept Plan 14846-2006-02 shall be revised to include the master-planned roads (P-615, P-619, and C-636).
7. Prior to approval of any future specific design plans for Sections 5 and 6, the plans shall be reviewed for the incorporation of on-site recreational facilities, in accordance with Zoning Map Amendment A-9965-C (Basic Plan) Condition 2(E).
8. Prior to final plat for lots within Section 5, the applicant shall obtain approval of a specific design plan and final plat for MC-632 (Woodyard Road extended).

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion, and with Washington absent at its regular meeting held on Thursday, September 14, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of September 2017.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:JK:rpg