



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Upper Marlboro, Maryland 20772  
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PGCPB No. 2023-38

File No. CDP-0601-02

## R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Comprehensive Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Legacy Comprehensive Design (LCD) Zone and the Military Installation Overlay (MIO) Zone; and

WHEREAS, the applicant, Stanley Martin Homes, LLC, submitted an application for approval of a comprehensive design plan; and

WHEREAS, pursuant to Section 27-1704(h) of the Zoning Ordinance, property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to the terms and conditions of the development approvals which it has received; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on March 30, 2023, regarding Comprehensive Design Plan CDP-0601-02 for Woodside Village-Westphalia Meadows, the Planning Board finds:

1. **Request:** This comprehensive design plan (CDP) amendment is to develop a 63.30-acre site with up to 285 residential dwelling units, including 200–257 single-family attached dwellings (townhouses) and 15–28 single-family detached dwellings.

2. **Development Data Summary:**

| <b>Zone(s)</b>                                                                                                                          | <b>LCD/MIO<br/>(Prior R-M/M-I-O)</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>Gross tract area</b>                                                                                                                 | 63.30 acres                          |
| 100-year floodplain                                                                                                                     | 0 acre                               |
| Net tract area                                                                                                                          | 63.30 acres                          |
| Density permitted                                                                                                                       | 3.6–5.8 du/ac                        |
| Base density* of the prior R-M-zoned property (3.6 du/ac x 63.30 acres less 50% of the floodplain) in terms of number of dwelling units | 228                                  |
| Maximum density (5.6 du/ac x 63.30 acres less 50% of the floodplain) in terms of number of dwelling units                               | 355                                  |
| Approved Density** (4.5 du/ac x 63.30 acres) in terms of dwelling units                                                                 | 285                                  |

**Notes:** \*Per Section 27-486(a) of the prior Prince George’s County Zoning Ordinance, residential density determinations in the Residential Medium Development (R-M) Zone shall be based on an average number of dwelling units per gross acre, minus 50 percent of the density attributed to any land located within a 100-year floodplain.

\*\*The approved density is governed by the previously approved basic plan, as stated in Zoning Change 6 of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, and subsequently revised as Basic Plan A-9973-01 (see discussion in Findings 7 and 8 below).

3. **Location:** This site is located on the south side of Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie Marlboro Road, in Upper Marlboro, Maryland, and within Planning Area 78 and Council District 6.
4. **Surrounding Uses:** All uses are based on the current zoning code adopted on April 1, 2022, unless stated otherwise. The site is bounded to the north by Westphalia Road, with properties in the Legacy Comprehensive Design (LCD) Zone beyond; to the east, by a residential use in the Residential Estate (RE) Zone; to the west by the remaining part of Woodside Village in the LCD Zone; and to the south by the Marlboro Ridge residential community in the Residential, Rural (RR) Zone.
5. **Previous Approvals:** The subject site is part of the larger 381.95-acre assemblage of properties, formerly known as Woodside Village consisting of Parcel 5 (Yergat Property), Parcel 14 (A. Bean Property), Parcel 19 (Case Property), Parcel 42 (Suit Property), and Parcels 48 and 13 (Wholey Property), as shown on Tax Map 82 that was originally approved by Zoning Map Amendment (Basic Plan) A-9973 in 2007, which rezoned the entire property from the Residential-Agricultural (R-A) Zone to the Residential Medium Development (R-M) Zone,

subject to five conditions. This ZMA application was included in the Prince George's County District Council's approval of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA) as Zoning Change 6: Woodside Village, including all five conditions (pages 124–128).

Woodside Village subsequently went through the approval of CDP-0601 by the Prince George's County Planning Board on July 31, 2008 (PGCPB Resolution No. 08-121), for the entire 381.95-acre property. CDP-0601 was approved for 1,422 to 1,496 residential units, including approximately 1,276 single-family dwelling units (attached and detached) and 220 multifamily units, in the R-M Zone. The District Council affirmed the Planning Board's approval, with conditions, on February 9, 2009. However, no subsequent applications were ever submitted or approved.

On April 11, 2022, the District Council approved A-9973-01, to separate the original basic plan and approve up to 354 dwelling units, with six conditions that supersedes the prior basic plan for this parcel.

6. **Design Features:** This 63.30-acre CDP site contains three master plan rights-of-way, as designated in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), including MC-631, P-617, and C-626. MC-631, Suitland Parkway Extended, which is categorized as a major collector roadway, was approved through the northwest corner of the site, and intersecting with Westphalia Road to the north. Primary Road P-617, runs from the western side of the site and connects to an improved road in the Marlboro Ridge community to the south. Collector Road C-626 is the existing Westphalia Road, which may require frontage improvements with subsequent applications.

Two distinct pods are located on the site. The northern pod is designed in a modified grid pattern, whereas the southern pod is more curvilinear. An open space area separates the two pods, with woodland preservation, reforestation, and natural regeneration surrounding a stream that flows from the site to the southwest.

The phasing plan consists of three phases of development. In each stage, a specific number of residential units and types has been identified, along with the proposed amenities and recreational facilities. The phasing and the facilities are preliminary in nature and will be fine-tuned with the progression of the development, as follows:

| Phase | SFA Lot | SFD Lot | Total Lot | Recreational Facilities             |
|-------|---------|---------|-----------|-------------------------------------|
| 1     | 50–75   | -       | 50–75     |                                     |
| 2     | 70–100  | 15–100  | 85–200    | Active recreation and sitting areas |
| 3     | 125–150 | -       | 125–150   | Playground and open play field      |

The Planning Board had design concerns about the future location of the playground located near Westphalia Road. This concern was raised at the Subdivision Development Review Committee (SDRC) meeting held on February 3, 2023. The applicant responded that the playground will be

located 9 to 10 feet below the pavement elevation of Westphalia Road and that this will provide sufficient separation. The Planning Board found that, even with this separation of elevation, hazards from road debris, littering, and road noise are not ideal for a playground. A condition has been included herein requiring the applicant to explore a more ideal location for the playground in this community, at the time of specific design plan (SDP).

### Development Standards

This CDP also includes development guidelines governing the development of this project, including parking, loading and circulation, views, green area, site and streetscape amenities, signage, grading, landscape and recreation design standards, public spaces, and architecture, as well as bulk standards for the single-family detached units and single-family attached (townhouse) units, as follows:

| Lot Type               | Min. Lot Size | Front Setback* | Side Setback* | Rear Setback* | Max Height | Max Lot Coverage | Min Width At R/W |
|------------------------|---------------|----------------|---------------|---------------|------------|------------------|------------------|
| Single-Family Detached | 6,000 SF      | 20 feet        | 5 feet        | 20 feet       | 50 feet    | 50%*             | 50 feet          |
| Townhouse**            | 1,200 SF      | 6 feet         | N/A           | N/A           | 45 feet    | N/A              | 16 feet***       |
|                        | 1,400 SF      | 6 feet         | N/A           | N/A           | 45 feet    | N/A              | 20 feet          |
|                        | 2,000 SF      | 6 feet         | N/A           | N/A           | 45 feet    | N/A              | 28 feet          |

**Notes:** \*Encroachments into setbacks are permitted for bay windows (3 feet), decks (10 feet), porches (10 feet), chimneys (2 feet), stoops (4 feet), foundations (4 feet), cantilevers (6 feet), and sheds (allowed within full rear yard setback). This footnote is not provided on the CDP. A condition has been included herein requiring that the footnote be provided on the CDP.

\*\*A variation to the bulk regulations can be granted by the Prince George's County Planning Board and/or the District Council on a case-by-case basis, with the approval of a preliminary plan of subdivision or specific design plan.

\*\*\*The table provided on the CDP does not contain standards for the townhouse minimum width at the front building restriction line and street line, the minimum gross living space, and the minimum yard area, other than for the 16-foot-wide units. A condition has been included herein requiring that the table break out the townhouse criteria by unit width.

### Other Design Standards

A minimum 60 percent of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco.

For all alley-loaded townhouses, a cantilevered deck, a minimum of four feet in depth, shall be a standard feature. A deck or patio can encroach into the rear yard by 10 feet.

Highly visible end units for dwellings will provide additional design and finish treatments, to be determined at the time of SDP approval.

The development standards that will govern this development are generally acceptable because they are consistent with the sector plan recommendations for this property. Specifically, the Westphalia Sector Plan and SMA envisions townhomes and small-lot single-family homes to add diversity to neighborhoods or as a transition between higher density units and lower density single-family neighborhoods.

#### **Green Building Techniques**

A development project of this large scale, with multiple phases, has numerous opportunities to apply green building and sustainable site development techniques to achieve green building certification and environmental excellency. The applicant shall apply those techniques, as practical, at the time of SDP. For this application, the package includes a brief description of the possible green building techniques, including stormwater management (SWM), efficient appliances, HVAC systems, insulation, and building materials that will be employed in the development. A condition has been included herein, requiring the applicant to provide detailed sustainable site and green building techniques at the site, along with building and appliance levels that will be used in this development, with the submittal of the SDP.

### **COMPLIANCE WITH EVALUATION CRITERIA**

7. **2007 Approved Westphalia Sector Plan and Sectional Map Amendment and Approved Zoning Change 6: Woodside Village:** The larger property of approximately 381.95 acres was rezoned to the R-M Zone from the R-A Zone by the Westphalia Sector Plan and SMA, as stated in Appendix 5, including five conditions. A-9973-01 supersedes the previous approval and conditions.
8. **Zoning Map Amendment (Basic Plan) A-9973-01:** The District Council approved this amendment (Zoning Ordinance No. 5-2022) on April 11, 2022, with six conditions. The conditions that are relevant to the review of this CDP are provided, as follows:

1. **The following development data and conditions of approval serve as limitations on the land use types, densities, and intensities, and shall become a part of the approved Basic Plan:**

|                                                                                                                           |                                    |
|---------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <b>Total Area</b>                                                                                                         | <b>63.30 acres</b>                 |
| <b>Land in the 100-year floodplain*</b>                                                                                   | <b>0.00 acres</b>                  |
| <b>Adjusted gross area: (63.30 acres less half the floodplain)</b>                                                        | <b>63.30 acres</b>                 |
| <b>Density permitted under the Residential Medium Zone</b>                                                                | <b>3.6-5.8 dwelling units/acre</b> |
| <b>Base residential density (3.6 du/ac)</b>                                                                               | <b>228 dwelling units</b>          |
| <b>Maximum residential density (5.7 du/ac)</b>                                                                            | <b>367 dwelling units</b>          |
|                                                                                                                           |                                    |
| <b>Approved Land Use Types and Quantities</b>                                                                             |                                    |
| <b>Residential: 63.30 gross acres 3.6-5.6 du/ac</b>                                                                       | <b>228-354 dwelling units</b>      |
| <b>Number of the units above the base density</b>                                                                         | <b>126 dwelling units</b>          |
| <b>Density proposed in the Residential Medium Zone</b>                                                                    | <b>5.6 dwelling units/acre</b>     |
| <b>Permanent open space: (33 percent of original site area)<br/>(Includes environmental, recreational, and HOA areas)</b> | <b>20.52 acres</b>                 |

The land use types, quantities, and densities of the subject CDP are within the ranges of the approved basic plan. The maximum density is 305 dwelling units, which is lower than the 354 dwelling units permitted. In addition, the CDP depicts 32.98 acres (52 percent) of the total area allocated to open space, greater than the 33 percent or 20.52 acres required.

3. **Internal streets and shared-use paths are to follow the 2009 Approved Countywide Master Plan of Transportation Complete Streets Policies and Principles and provide multimodal transportation.**

The planned right-of-way (ROW) for these facilities will facilitate the design and construction of shared-use paths, as recommended by the MPOT, unless modified by the Prince George's County Department of Permitting, Inspection and Enforcement (DPIE) with written correspondence. The applicant shall provide a network of pedestrian and bikeway facilities internal to the site, to facilitate adequate connection for pedestrian and bicycle travel, in accordance with MPOT policies and goals. The exact location and design of said facilities shall be evaluated with future applications.

4. **The following shall be required as part of the Comprehensive Design Plan (CDP) submittal package:**
  - a. **Provide a description of the type, amount and general location of any recreational facilities on the site, including provision of private open space and recreational facilities to serve development on all portions of the Subject Property.**

The CDP submitted with this application reflects the location of potential trails, sitting areas, open play area, active recreation, and playgrounds. These amenities will be evaluated further with preliminary plan of subdivision (PPS) and SDP applications.

- b. The Transportation Planning staff shall review the list of internal access points as proposed by the Applicant along master plan roadways, including intersections of those roadways within the site. This list of intersections shall receive a detailed adequacy study at the time of Preliminary Plan of Subdivision. The adequacy study shall consider appropriate traffic control, as well as the need for exclusive turn lanes at each location.**

The Planning Board evaluated the proposed roadway network, including the intersections with master plan roadways, and found that the CDP adequately addresses the roadway configuration, at this level of review. Further evaluation of the layout will be made at the time of PPS review.

- c. The applicant, and the applicant's heirs, successors and/or assignees shall agree to make a monetary contribution or provide in-kind services for the development, operation, and maintenance of the central park. The recreational facilities packages shall be reviewed and approved by the Prince George's County Department of Parks and Recreation (DPR) prior to CDP approval. The total value of the monetary contribution (or in-kind services) for development, operation, and maintenance of the central park shall be \$3,500 per dwelling unit in 2006 dollars. 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. Monetary contributions may be used for the design, construction, operation, and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia study area. The Park Club shall be established and administered by DPR.**

The Planning Board has evaluated this application and approved the conditions, as included herein.

- d. Submit a signed Natural Resources Inventory (NRI) with the CDP. All subsequent Plan submittals shall clearly show the Patuxent River Primary Management Area, as defined in Section 24-101(b)(10) of the Prince George's County Subdivision Regulations, and as shown on the signed NRI.**

NRI-158-05-04 was approved on November 2, 2022, and submitted with this application.

- e. Demonstrate that the Primary Management Area (PMA) has been preserved to the fullest extent possible. Impacts to the PMA shall be minimized by making all necessary road crossings perpendicular to the streams and by using existing road crossings to the extent possible.**

The regulated environmental features (REF) on the subject property were preserved to the fullest extent possible, based on the limits of disturbance shown on the Type 1 tree conservation plan (TCP1). No impacts are approved with this application.

**f. Submit a required Type I Tree Conservation Plan (TCPI). The TCPI shall:**

- (1) Focus on the creation and/or conservation/preservation of contiguous woodland.**
- (2) Mitigate woodland cleared within the Primary Management Area's preservation area on-site at a ratio of 1:1, with the exception of impacts caused by Master Plan roads, which shall be mitigated 1:25. This Note shall also be placed on all TCPs.**
- (3) Focus afforestation in currently open areas within the Primary Management Area and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.**
- (4) Prohibit woodland conservation on all residential lots.**

Type 1 Tree Conservation Plan TCP1-002-2023 was evaluated by the Planning Board and found to be acceptable. Conditions have been included herein, requiring technical corrections. A contiguous tract of preservation is shown surrounding the on-site stream. The site does contain primary management areas (PMA) and no conservation is located on any residential lots.

**g. Submit an exhibit showing areas where Marlboro Clay occurs on-site.**

The NRI and TCP1 submitted with this application demonstrate that unsafe soils containing Marlboro clay or Christiana clay do not occur on this property.

**5. The following Comprehensive Design Plan (CDP) considerations shall be addressed and incorporated into the CDP guidelines:**

- a. Traffic calming measures are to be provided within the internal roadway network, including but not limited to, curb extension, mini traffic circles, chicanes, neckdowns and narrow traffic lanes, speed tables, elevated pedestrian crossings, and roadway striping and markings;**
- b. Shared-use paths, consistent with the 2012 AASHTO Guide for the Development of Bicycle Facilities (or later edition), provided to extend beyond the termini of internal culs-de-sac;**



**c. Shared-lane roadway markings (sharrows) provided along internal streets to create a neighborhood bicycle boulevard**

These guidelines are recommended for incorporation into the CDP, as provided herein with conditions.

9. **Comprehensive Design Plan CDP-0601:** The District Council affirmed the Planning Board's approval (PGCPB Resolution No. 08-121) on February 9, 2009, with 21 conditions. Since the approval of CDP-0601 covers the entire 381.96-acre property and was based on the original Basic Plan A-9973, those conditions attached to the approval of CDP-0601 are not relevant to the review of this amendment, which is governed by a different Basic Plan (A-9973-02), for only two parcels.
10. **Prince George's County Zoning Ordinance:** This application has been reviewed for conformance with the requirements of the prior Zoning Ordinance governing development in the R-M and M-I-O Zones, as follows:
  - a. In accordance with Section 27-515(b) of the prior Zoning Ordinance, the residential uses consisting of both single-family detached and single-family attached (townhouse) units are permitted in the R-M Zone, pursuant to approved A-9973-01.
  - b. **Density Increments**—The subject site is in the LCD Zone, and previously in the R-M Zone which has specific density requirements and factors that can be utilized to increase density, subject to development caps established in the basic plan. In the R-M Zone, in accordance with Section 27-509, Regulations, of the prior Zoning Ordinance, for the Residential Medium 3.6 development, the base density is 3.6 dwelling units per acre and the maximum density is 5.7 dwelling units per acre. The 285 dwelling units in the prior R-M Zone are at a density of 4.5 dwelling units per acre, which is above the base density, but still within the maximum allowed density of 5.7 dwellings per acre.

In order to achieve a density that is above the base density of 3.6 dwelling units per acre, the application has included public benefit features and density increment factors, as stipulated in Section 27-509(b), as follows:

- (1) **For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of 1 acre), an increment factor may be granted, not to exceed 25% in dwelling units. (This open space land should include any irreplaceable natural features, historic buildings, or natural drainage swales located on the property.)**

The applicant requested a density increment using this factor with this CDP amendment. Specifically, the applicant provided a maximum of 285 dwelling units and, in order to qualify for this increment, a minimum of 9.975 acres must be provided ( $285 \text{ dwelling units} / 100 = 2.85$ ;  $2.85 \times 3.5 = 9.975$ ). The applicant

provided 17.32 acres of permanent open space, which includes environmentally sensitive areas, as well as recreational and homeowners association areas. A total of 57 additional dwelling units is achieved by using this density increment factor.

- (2) **For enhancing existing physical features (such as break-front treatment of waterways, sodding of slopes susceptible to erosion action, thinning and grubbing of growth, and the like), an increment factor may be granted, not to exceed 2.5% in dwelling units.**

The applicant did not request a density increment using this factor.

- (3) **For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed 5% in dwelling units.**

The applicant did not seek this density increment, although shared-use paths are provided along Westphalia Road, MC-631, and P-617.

- (4) **For recreational development of open space (including minimum improvements of heavy grading, seeding, mulching, utilities, off-street parking, walkways, landscaping, and playground equipment), an increment factor may be granted, not to exceed 10% in dwelling units.**

The applicant did not seek this density increment, although recreational facilities are included, in addition to the contribution to the Westphalia Central Park.

- (5) **For public facilities (except streets and open space areas) an increment may be granted, not to exceed 30 percent in dwelling units.**

The applicant did not request a density increment using this factor.

- (6) **For creating activity centers with space provided for quasi-public services (such as churches, day care center for children, community meeting rooms, and the like), a density increment factor may be granted, not to exceed 10 percent in dwelling units.**

The applicant did not request a density increment using this factor.

- (7) **For incorporating solar access or active/passive solar energy in design, an increment factor may be granted, not to exceed 5 percent in dwelling units.**

The applicant did not request a density increment using this factor.

In summary, the applicant has provided additional improvements and amenities that are above and beyond what is normally required to satisfy density increment Criterion (1) above. As a result, the applicant has earned density increments, subject to certain conditions included herein, as follows:

| Factor Number | Density Increment (%) | Density Increment (# of units) |
|---------------|-----------------------|--------------------------------|
| 1             | 25                    | 57                             |

The applicant requested a density increment of 25 percent, an equivalent of 57 dwelling units, which is within the allowable limits of density increments, in accordance with the above analysis.

- c. **Development Standards**—A comprehensive set of development standards for residential uses, including single-family detached and attached dwelling units, have been provided with this CDP. The Planning Board has reviewed the development standards, as discussed in Finding 6 above, and requires revisions that have been conditioned in this resolution.

Westphalia Road, which borders the site on the north, is designated as an historic roadway. Appropriate buffering for special roadways, consistent with the requirements originally established for the prior R-M-zoned site, shall be maintained with future development applications.

- d. In accordance with Section 27-521(a) of the Zoning Ordinance, prior to approving a CDP, the Planning Board must make the following required findings:

- (1) **The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

As discussed in Findings 7 and 8 above, the subject site, as part of a larger property known as Woodside Village, was rezoned from the R-A Zone to the R-M Zone by Basic Plan A-9973, which was included in the Westphalia Sector Plan and SMA. The exhibit attached to the sector plan, along with Approved Zoning Change 6, serves as the basic plan for the larger property. However, the applicant obtained an amendment that superseded the basic plan for the larger property. The approved CDP is in conformance with the governing Basic Plan A-9973-01, which was approved by the District Council on April 11, 2022, for development types, quantities, and general spatial relationship among different types of dwellings.

**(2) The proposed plan would result in a development with a better environment than could be achieved under other regulations;**

The flexibility inherent in comprehensive design zones, such as the prior R-M Zone, allows the applicant to produce a much better environment and achieve high standards for the development, than in regular Euclidean zones. This CDP will create a better environment when compared to the existing development in the Westphalia area. The approved CDP will have approximately 33 acres (approximately 52 percent) of the property preserved in green open space, including REF, by using a compact urban development pattern. This fusion of urban- and suburban-style development cannot be achieved under normal regulations designed solely for suburban settings.

**(3) Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**

Approval is warranted because the CDP includes a land use vision and design elements that are consistent with the approved basic plan. The CDP does include bulk standards for the approved single-family detached units and single-family attached dwelling units, as well as design guidelines for architecture, streetscape, signage, landscaping, etc., as discussed above in Finding 6. In addition, the design features included in this CDP are the preservation of environmental features and accessibility to recreational areas, such as the Westphalia Central Park. Further evaluation of the urban design elements will be evaluated at the time of SDP. The Planning Board approved the CDP because it includes various housing types, multiple locations for recreational facilities, and amenities that are consistent with the approved basic plan, subject to conditions included herein.

**(4) The proposed development will be compatible with existing land uses, zoning, and facilities in the immediate surroundings;**

The subject site is part of a larger property which was rezoned originally to the R-M Zone by A-9973, that was included in the Westphalia Sector Plan and SMA as a planned community that is compatible with the existing land use, zoning, and facilities in the immediate surroundings. The subject property is compatible with neighboring properties, as it is located across Westphalia Road from the proposed Parkland and Rock Creek development (CDP-2101), which proposes single-family attached homes. This CDP does approve connections to the existing Marlboro Ridge Subdivision, which includes a mix of both single-family attached and detached homes.

Even though the applicant obtained an amendment to the original basic plan, development in this CDP remains generally the same as was previously

approved. The basic plan envisions a community with low to medium residential development on the property. The approved development is to implement this land use vision. In addition, the approved design standards, as revised, are appropriate for this location.

**(5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

**(A) Amounts of building coverage and open space;**

Building coverage is minimal and within the maximum allowable density. The exact percentages will be determined at the time of SDP.

**(B) Building setbacks from streets and abutting land uses; and**

The setbacks approved are equivalent to the standards already found in the prior Zoning Ordinance for townhouses and single-family detached dwellings and, where applicable, the approved development will conform to the requirements of the Landscape Manual to ensure compatibility with abutting properties.

**(C) Circulation access points;**

MC-631, Suitland Parkway Extended, will extend south from Westphalia Road and eventually connect to the Westphalia Central Park through land already owned by M-NCPPC. MC-631 is the property's sole access to Westphalia Road. From MC-631, two internal streets will provide access to the subject property. In addition, P-617 will extend south to connect into the Marlboro Ridge development, as depicted on the master plan.

Additional evaluation, analysis, and review of these elements will be carried out at the time of PPS and SDP reviews.

**(6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;**

The CDP includes a phasing plan that consists of three stages to fully construct the approved development. The applicant will start the development from the northwest section of the property, with single-family attached units. The second stage progresses south and west on the property, with the development of single-family attached and detached units. The third stage will occur on the northeastern portion of the property, with single-family attached units. As compact residential neighborhoods, each of these sections can exist as a unit, capable of sustaining an environment of continuing quality and stability.

- (7) **The staging of development will not be an unreasonable burden on available public facilities;**

The approved development will be subject to a PPS, at which time adequacy of public facilities will be tested; however, at this time, the Planning Board found that the approved development will not create an unreasonable burden on available public facilities.

- (8) **Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**

- (A) **The proposed adaptive use will not adversely affect indistinguishing exterior architectural features or important historic landscape features in the established environmental setting;**
- (B) **Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**
- (C) **The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**

The approved CDP does not include an adaptive re-use of an historic site.

- (9) **The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d);**

This section is overridden by Finding 12 below, pursuant to Section 27-226(f)(4) of the Zoning Ordinance.

- (10) **The Plan is in conformance with an approved Type 1 Tree Conservation Plan;**

The Planning Board has reviewed this application and found that the CDP is in conformance with TCP1-002-2023, which is approved, subject to conditions contained herein.

- (11) **The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130-(b)(5).**

The REF on the subject property were preserved, to the fullest extent possible, based on the limits of disturbance shown on the TCP1. No impacts are approved with this application.

- (12) Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

The subject property was rezoned to R-M through A-9973, included in the Westphalia Sector Plan and SMA, pursuant to Section 27-226(f)(4), and serves as the basic plan for a larger property including the subject site. However, the applicant filed an amendment to the original basic plan that was approved by the District Council on April 11, 2022. Section 2 of Zoning Ordinance No. 5-2022 specifically states that use of the subject property shall be subject to all requirements in the applicable zones and to the requirements in the conditions herein. Since there are no specific guidelines included in the Zoning Ordinance, the guidelines governing this development shall be prepared, in accordance with Section 27-480(g) of the Zoning Ordinance, which states the following:

**(g) When property is placed in a Comprehensive Design Zone through a Sectional Map Amendment or through a Zoning Map Amendment intended to implement land use recommendations for mixed-use development recommended by a Master Plan or Sector Plan that is approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation:**

- (1) The design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change, and a referenced exhibit of record for the property should establish and provide guidance for the development regulations to be incorporated in the Specific Design Plan.**
- (2) The limitations on the maximum percentages of townhouse and multifamily dwelling units contained in Section 27-515(b)(7), footnote 29, the lot area requirement in Subsection (b) above, and the lot width requirements in Subsection (e) above shall not apply. However, the Planning Board or District Council may impose similar restrictions where**

**appropriate, only to implement the recommendations of the Master Plan or Sector Plan.**

Development standards for the townhouse development of the site have been provided and are in keeping with the regulations of comprehensive design zones, as contained in Section 27-480, which are comparable with the standards for developments in the vicinity of the site and most other townhouse communities in the County. The Planning Board believes this is appropriate in this location because the approved development is not within the town center of Westphalia. As such, an additional 10 percent of parking, above the requirements in Part 11 of the Zoning Ordinance, is also recommended for the townhouse section.

- (13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This provision is not applicable to the subject application because this development is not a regional urban community.

- e. **Military Installation Overlay Zone**—This site is partially located within the prior M-I-O Zone for height only. Pursuant to Section 27-548.54, Requirements for Height, of the prior Zoning Ordinance, the applicant must meet the applicable requirements for properties located in Right Runway Area Label: E Conical Surface (20:1). Conformance with the applicable requirements of the prior M-I-O Zone will be reviewed at the time of SDP that shows specific uses and buildings.

- 11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Prince George's County Tree Canopy Coverage Ordinance:** This CDP has been reviewed for conformance with the Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Tree Canopy Coverage Ordinance, as follows:

- a. **Woodland Conservation Ordinance**—The site is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. In addition, this application is subject to the Environmental Technical Manual (ETM). TCP1-002-2023 was submitted with this application and requires minor revisions, to be found in conformance with the WCO.

The site contains a total of 15.91 acres of woodlands and no wooded floodplain. The site has a woodland conservation threshold of 20 percent, or 12.67 acres. The TCP1 proposes to clear 6.36 acres of woodland and 0.24 acre of off-site woodland, resulting in a total woodland conservation requirement of 16.84 acres. The woodland conservation requirement will be met with 9.07 acres of on-site preservation, 6.15 acres of reforestation, 1.62 acres of natural regeneration, and no off-site credits.



The TCP1 proposes natural regeneration within the central wetland area. In response to SDRC comments dated February 16, 2023, the applicant indicated that natural regeneration is already occurring within this area. The Planning Board does not support natural regeneration in this area. Natural regeneration in a wetland would involve additional tree plantings and soil amendments that could impact the natural conditions and function of existing wetlands; it would also involve physically impacting the area to install the plantings. The applicant's intent is to meet the entire woodland conservation requirement on-site. Because this area of natural regeneration is not supported, the applicant shall seek other on-site options. The TCP1 shall be revised to remove natural regeneration from the existing wetland.

A recreational pedestrian trail is shown on the CDP, which is in close proximity to PMA. As this development moves through the entitlement processes, the applicant shall make every effort to avoid impacting the PMA for implementation of this trail network. The location of this trail shall be adjusted to avoid impacts to the PMA. Active recreation areas shall be placed outside the PMA.

Technical revisions are required to the TCP1, prior to certification of the CDP, to be in conformance with the WCO through conditions provided herein.

- b. **Tree Canopy Coverage Ordinance**—Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit for more than 5,000 square feet of disturbance or gross floor area. Properties in the prior R-M Zone are required to provide a minimum of 15 percent of the gross tract area in TCC. At the time of SDP review, the applicant must demonstrate conformance with the relevant requirements of the Tree Canopy Coverage Ordinance.

**12. Referral Comments:** This application was referred to the following agencies and divisions. The referral comments are summarized, as follows:

- a. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated February 15, 2023 (Rowe to Burke), incorporated herein by reference, which found that, pursuant to Section 27-521(a)(1), this application conforms to the design guidelines or standards intended to implement the development concept recommended by the Westphalia Sector Plan and SMA.

The sector plan recommends residential low land uses for the subject property, as well as the following recommendations:

- **Build townhomes and small lot single-family homes to add diversity to neighborhoods or as a transition between higher density units and lower density single-family neighborhoods.**

- **Develop neighborhoods to reflect the character of their location within Westphalia, with areas closer to the town center being more compact and more urban, and outlying areas more rural.**
  - **Design an efficient, safe, and interconnected residential street system.**
- b. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated February 21, 2023 (Gupta to Burke), incorporated herein by reference, which provided an evaluation and concluded that a PPS and final plat will be required.
- c. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated March 2, 2022 (Kirchhof to Burke), incorporated herein by reference, which provided a review of this CDP application and is summarized herein.

#### **Specimen Trees**

The approved Natural Resources Inventory (NRI-158-05-04) identified 41 specimen trees on-site; no specimen trees are removed with this CDP.

#### **Soils**

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include the Adelphi-Holmdel complex, Croom-Marr complex, Fallsington Sandy Loam, Marr-Dodon complex, Woodstown Sandy Loam, and Widewater and Issue Soils. According to available mapping information, unsafe soils containing Marlboro clay or Christiana clay do not occur on this property. This information was provided for the applicant's benefit.

#### **Stormwater Management**

No SWM concept plan or letter was submitted with the CDP application, but will be required for subsequent development review applications. No further information pertaining to SWM was required.

- d. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated February 8, 2023 (Stabler, Smith, and Chisholm to Burke), incorporated herein by reference, in which an evaluation of historic and cultural resources determined that the probability of archeological sites within the subject property was high. An archeology survey was completed on the property in 2006 and one archeological site was identified (18PR891). The site consisted of a prehistoric lithic scatter and a late 19th to early 20th century domestic artifact scatter, and no further work was recommended. The subject property does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources.
- e. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated March 7, 2023 (Burton to Burke), incorporated herein by reference, which provided a comprehensive review of the application's conformance with the requirements of the previous approvals, the Zoning Ordinance, the Westphalia Sector

Plan and SMA, the MPOT, and the traffic impact study (TIS) dated September 2021, summarized as follows:

A TIS dated August 2022 was provided, in conjunction with this CDP amendment. This TIS was necessary because the approved development was projected to generate more than 50 vehicular trips in either peak hour.

### **Analysis of Traffic Impacts**

The subject property is currently unimproved and is located within Transportation Service Area 2 (TSA 2), as defined in the *Plan Prince George's 2035 Approved General Plan*. As such, the subject property is evaluated according to the following standards:

**Links and Signalized Intersections:** Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, per Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any TSA subject to meeting the geographical criteria in the "Guidelines."

**Unsignalized Intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections a three-part process is employed: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed.

For all-way stop-controlled intersections a two-part process is employed: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

The findings and recommendations outlined below are based upon a review of these materials and analyses, consistent with the "Transportation Review Guidelines, Part 1" (Guidelines). The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions.

| EXISTING CONDITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                         |                 |                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------|
| Intersections                                                                                                                                                                                                                                                                                                                                                                                                                                               | AM              | PM              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                             | (LOS/CLV) delay | (LOS/CLV) delay |
| Ritchie Marlboro Road and Sansbury Road                                                                                                                                                                                                                                                                                                                                                                                                                     | A/992           | A/927           |
| Ritchie Marlboro Road and White House Road                                                                                                                                                                                                                                                                                                                                                                                                                  | A/913           | A/750           |
| Westphalia Road and MD 4                                                                                                                                                                                                                                                                                                                                                                                                                                    | C/1211          | C/1174          |
| Westphalia Road and D'Arcy Road *                                                                                                                                                                                                                                                                                                                                                                                                                           | 22.4 seconds    | 27.0 seconds    |
| Ritchie Marlboro Road and Westphalia Road-Orion Lane *                                                                                                                                                                                                                                                                                                                                                                                                      | 16.8 seconds    | 26.6 seconds    |
| * Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study. |                 |                 |

The TIS identified 24 background developments whose impact would affect some or all of the study intersections. Based on average daily traffic data representing the last 10 years of daily traffic along regional routes, such as MD 4 (Pennsylvania Avenue), it was determined that an average annual growth of one percent has been realized. Applying a growth of one percent over a six-year period, plus traffic for those background developments, the following represents the level of service under background conditions:

| BACKGROUND CONDITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                       |                 |                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------|
| Intersections                                                                                                                                                                                                                                                                                                                                                                                                                                               | AM              | PM              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                             | (LOS/CLV) delay | (LOS/CLV) delay |
| Ritchie Marlboro Road and Sansbury Road                                                                                                                                                                                                                                                                                                                                                                                                                     | B/1047          | D/1342          |
| Ritchie Marlboro Road and White House Road                                                                                                                                                                                                                                                                                                                                                                                                                  | C/1175          | B/1075          |
| Westphalia Road and MD 4                                                                                                                                                                                                                                                                                                                                                                                                                                    | F/1937          | F/2021          |
| Westphalia Road and D'Arcy Road *                                                                                                                                                                                                                                                                                                                                                                                                                           |                 |                 |
| Tier 1: HCS Delay test                                                                                                                                                                                                                                                                                                                                                                                                                                      | >500 seconds    | >500 seconds    |
| Tier 2: Minor Street Volume                                                                                                                                                                                                                                                                                                                                                                                                                                 | > 100 vehicles  | > 100 vehicles  |
| Tier 3: CLV                                                                                                                                                                                                                                                                                                                                                                                                                                                 | C/1242          | C/1170          |
| Ritchie Marlboro Road and Westphalia Road-Orion Lane *                                                                                                                                                                                                                                                                                                                                                                                                      |                 |                 |
| Tier 1: HCS Delay test                                                                                                                                                                                                                                                                                                                                                                                                                                      | >500 seconds    | >500 seconds    |
| Tier 2: Minor Street Volume                                                                                                                                                                                                                                                                                                                                                                                                                                 | > 100 vehicles  | > 100 vehicles  |
| Tier 3: CLV                                                                                                                                                                                                                                                                                                                                                                                                                                                 | B/1009          | D/1362          |
| * Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study. |                 |                 |

Using the trip rates from the Guidelines, the study has indicated that the subject application represents the following trip generation:

| <b>Table 1 - Trip Generation</b> |                |         |     |            |         |     |            |
|----------------------------------|----------------|---------|-----|------------|---------|-----|------------|
| Land Use                         | Density-Units  | AM Peak |     |            | PM Peak |     |            |
|                                  |                | In      | Out | Total      | In      | Out | Total      |
| Single Family                    | Max. 100 units | 15      | 60  | 75         | 59      | 31  | 90         |
| Townhouse                        | Max. 185 units | 26      | 104 | 130        | 96      | 52  | 148        |
| <b>Total new trips</b>           |                | 41      | 164 | <b>205</b> | 155     | 83  | <b>238</b> |

The table above indicates that the development, as approved, is adding 205 AM and 238 PM net new peak trips. A third analysis depicting total traffic conditions was done, yielding the following results:

| TOTAL CONDITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                            |                 |                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------|
| Intersections                                                                                                                                                                                                                                                                                                                                                                                                                                               | AM              | PM              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                             | (LOS/CLV) delay | (LOS/CLV) delay |
| Ritchie Marlboro Road and Sansbury Road                                                                                                                                                                                                                                                                                                                                                                                                                     | B/1077          | D/1371          |
| Ritchie Marlboro Road and White House Road                                                                                                                                                                                                                                                                                                                                                                                                                  | C/1223          | B/1123          |
| Westphalia Road and MD 4                                                                                                                                                                                                                                                                                                                                                                                                                                    | F/1944          | F/2047          |
| Westphalia Road and D'Arcy Road *                                                                                                                                                                                                                                                                                                                                                                                                                           |                 |                 |
| Tier 1: HCS Delay test                                                                                                                                                                                                                                                                                                                                                                                                                                      | >500 seconds    | >500 seconds    |
| Tier 2: Minor Street Volume                                                                                                                                                                                                                                                                                                                                                                                                                                 | > 100 vehicles  | > 100 vehicles  |
| Tier 3: CLV                                                                                                                                                                                                                                                                                                                                                                                                                                                 | C/1275          | C/1186          |
| Ritchie Marlboro Road and Westphalia Road-Orion Lane *                                                                                                                                                                                                                                                                                                                                                                                                      |                 |                 |
| Tier 1: HCS Delay test                                                                                                                                                                                                                                                                                                                                                                                                                                      | >500 seconds    | >500 seconds    |
| Tier 2: Minor Street Volume                                                                                                                                                                                                                                                                                                                                                                                                                                 | > 100 vehicles  | > 100 vehicles  |
| Tier 3: CLV                                                                                                                                                                                                                                                                                                                                                                                                                                                 | B/1132          | D/1446          |
| Westphalia Road and Site Access *                                                                                                                                                                                                                                                                                                                                                                                                                           | 11.1 seconds    | 11.8 seconds    |
| * Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study. |                 |                 |

The results under total traffic conditions show that all intersections will operate within the policy threshold for transportation adequacy. The unsignalized intersections of Ritchie Marlboro Road and Westphalia Road-Orion Lane failed the three-step test required for unsignalized intersections. Consequently, the TIS recommended that the applicant provide a signal warrant analysis for the intersection. If the signal is deemed to be warranted, the applicant shall install said signal(s), if such installation is approved by the permitting agency. Regarding the intersection of MD 4 and Westphalia Road-Old Marlboro Pike, the inadequate levels of service projected for this intersection are based on the at-grade intersection remaining in place. However, pursuant to the provisions of County Council Resolution CR-66-2010, the applicant shall contribute to the Westphalia Public Facilities Financing and Implementation Program District. The amount of the contribution will be determined at the time of PPS.

Having reviewed the TIS, the Planning Board is in general agreement with its overall conclusions and recommendations. The TIS was referred to the Maryland State Highway Administration, as well as DPIE. The Planning Board did not receive any comments from either agency.

**Westphalia Road and Main Site Access**

The western half of the property fronts on two roads that are currently unbuilt: MC-631, a planned four-lane major collector to the north and west; and P-617, a planned two-lane primary residential road to the south and western section of the property. The release of building permits will be predicated on construction of both roads, prior to the release of said permits.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the memorandum dated February 23, 2023 (Thompson to Burke), included herein by reference, which provided discussion, as follows:

Mandatory dedication of parkland, pursuant to Section 24-134(a) of the Subdivision Regulations, provides for dedication of land, payment of a fee in-lieu, or on-site recreational facilities. This CDP shows the fulfillment of on-site recreation. The details of these amenities and cost estimates will be provided with subsequent PPS and SDP applications. However, the location of the playground, adjacent to Westphalia Road, shall be relocated to an interior area within the development.

Since the subject property is adjacent to Westphalia Central Park, the applicant shall make a monetary contribution into a park club. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars, as recommended by the Westphalia Sector Plan and SMA. M-NCPPC shall adjust the amount of the contribution using the Consumer Price Index for inflation, at the time of payment. Monetary contributions shall be used for construction, operation, and maintenance of the public recreational facilities in Westphalia Central Park and/or other parks that will serve the Westphalia Sector Plan area.

- g. **Special Projects**—The Planning Board has reviewed and adopts the memorandum dated March 13, 2023 (Ray to Burke), which found that the subject application will not be an unreasonable burden on available public facilities, including water and sewer, police, school, and fire and rescue. Further adequate public facilities tests for the approved development will be carried out at the time of PPS review.

School surcharges were also discussed, in accordance with the general location of the project that will be paid to DPIE, at the time of issuance of each building permit.

- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated March 7, 2023 (Giles to Burke), which provided comments on the major roadways included in this application, as follows:

- **Westphalia Road** is an existing County-maintained road to the north of the subject property, with variable ROW width, requiring an 80-foot ROW width, as per its master plan road classification C-626. The applicant shall provide ROW dedication, based on the master-planned alignment, and construct roadway/frontage improvements, as required in accordance with the Prince George's County Department of Public Works and Transportation (DPW&T) Urban 4-Lane Collector Road standard (Standard 100.03). This work shall be permitted, prior to or concurrent with the issuance of a fine grading permit.
  - **Master Plan Road P-617** is located within the subject site and is currently unimproved, requiring a 60-foot ROW width, as per its master plan road classification, P-616. The applicant shall dedicate ROW and construct this road, as required in accordance with DPW&T's Urban Primary Residential Road standard (Standard 100.06). This work shall be permitted, prior to or concurrent with the issuance of a fine grading permit.
- i. **Prince George's County Police Department**—At the time of the preparation of this resolution, the Police Department did not offer comments on this application.
- j. **Prince George's County Health Department**—The Planning Board has reviewed and adopts the memorandum dated February 3, 2023 (Adepoju to Burke), incorporated herein by reference, which provided several comments relating to availability of healthy foods, abandonment of old well and/or septic systems, the benefits of recreational amenities, and the following comments, which are conditioned herein to be included on the SDP:
- During the construction phases of this project, noise shall not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.
  - During the construction phases of this project, no dust shall be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- k. **Westphalia Sector Development Review Committee (WSDRC)**—At the time of the preparation of this resolution, WSDRC did not offer comments on the subject application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 1 Tree Conservation Plan TCP1-002-2023, and further APPROVED Comprehensive Design Plan CDP-0601-02 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the comprehensive design plan (CDP), the following revisions shall be made, or information shall be provided:
  - a. In the General Note 4, correct the code reference to Section 27-1704(b).
  - b. Revise the Standards table on the CDP to provide a column for each townhouse width type, with all associated criteria listed in that column.
  - c. Add the following footnote to the “\*\*” reference on the Standards table:

“\*\*The minimum width is 16 feet for interior units and 20 feet or larger for end units. At least 80 percent of the single-family attached units shall be a combination of 20 feet to 28 feet in width, to achieve the highest architectural quality and a variety of unit sizes. The Prince George’s County Planning Board and/or the Prince George’s County District Council may allow variations to these standards, in accordance with Section 27-480 of the Prince George’s County Zoning Ordinance, during review of the specific design plans.”
  - d. Provide the following footnote on the Standards table, associating the footnote with the setback criteria:

“Encroachments into setbacks are permitted for bay windows (3 feet), decks (10 feet), porches (10 feet), chimneys (2 feet), stoops (4 feet), foundations (4 feet), cantilevers (6 feet), and sheds (allowed within full rear yard setback).”
  - e. Revise General Note 7 to remove “14.” The parcel information on line two of the note shall remain as is.
  - f. Correct Development Data Note 4, Proposed Uses, to be consistent with the application, which provides a range of 200–257 single-family attached dwellings (townhouses) and 15–28 single family detached dwellings.
  - g. Add a note stating that the site acreage reflected is due to an updated survey conducted on the property and differs slightly from the acreage of 63.30 acres reflected on Zoning Map Amendment (Basic Plan) A-9973-01.
  - h. Incorporate the following considerations onto the CDP as guidelines:
    - “Traffic calming measures are to be provided within the internal roadway network including, but not limited to, curb extension, mini traffic circles, chicanes, neckdowns and narrow traffic lanes, speed tables, elevated pedestrian crossings, and roadway striping and markings, subject to approval of the operating agency;



- Shared-use paths, consistent with the 2012 AASHTO Guide for the Development of Bicycle Facilities (or later edition), provided to extend beyond the termini of internal culs-de-sac;
  - Shared-lane roadway markings (sharrows) provided along internal streets to create a neighborhood bicycle boulevard.”
- i. On the Type 1 tree conservation plan:
- (1) Correct General Note 7 to follow the language in the Environmental Technical Manual.
  - (2) At the time of the preliminary plan and specific design plan, an evaluation of all proposed active recreation areas and trails shall be conducted, to ensure that these facilities are located outside of both the primary management area and the woodland conservation area.
2. Total development within the subject property shall be limited to uses which generate no more than 205 AM peak-hour trips and 238 PM peak-hour trips, unless modified by the adequate public facilities test for transportation, at the time of preliminary plan of subdivision.
3. This development is governed by the following design standards:

### Single-Family Detached Units

#### STANDARDS\*

|                                          |                   |
|------------------------------------------|-------------------|
| Minimum Net Lot Area                     | 6,000 square feet |
| Minimum Front Yard Setback               | 20 feet **        |
| Minimum Rear Yard Setback                | 20 feet**         |
| Minimum Side Yard Setback                | 5 feet**          |
| (one side/combined)                      | 5 feet/10 feet ** |
| Minimum Lot Width at Street Line         | 50 feet           |
| Minimum Lot Width at Front BRL           | 47 feet           |
| Minimum Lot Width at Street (cul-de-sac) | 30 feet           |
| Maximum Height                           | 50 feet           |
| Maximum Lot Coverage                     | 50 percent        |
| Minimum Rear Yard Area                   | 1,350 square feet |

### Single-Family Attached (Townhouse) Units

#### STANDARDS\*

| Minimum Lot Area                   | Townhouse Type |         |         |         |         |
|------------------------------------|----------------|---------|---------|---------|---------|
| Width (in feet)                    | 16***          | 20      | 22      | 24      | 28      |
| Minimum Lot Area (in square feet)  | 1,200          | 1,400   | 1,600   | 1,800   | 2,000   |
| Minimum Front Yard Setback**       | 10 feet        | 10 feet | 10 feet | 10 feet | 10 feet |
| Minimum Lot Width at Street Line   | 16 feet        | 20 feet | 22 feet | 24 feet | 28 feet |
| Minimum Lot Width at Front BRL     | 16 feet        | 20 feet | 22 feet | 24 feet | 28 feet |
| Minimum Distance Between Buildings | 15 feet        | 15 feet | 15 feet | 15 feet | 15 feet |
| Minimum Gross Living Space (in     | 1,250          | 1,500   | 1,500   | 1,550   | 1,600   |
| Maximum Height                     | 50 feet        | 50 feet | 50 feet | 50 feet | 50 feet |
| Minimum Rear Yard Area (in square  | 300            | 300     | 300     | 300     | 300     |

#### Other Design Standards:

A minimum of 60 percent of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco.

For all alley-loaded townhouses, a cantilevered deck, a minimum of four feet in depth, shall be a standard feature. A deck or patio can encroach into the rear yard by 10 feet.

Highly visible end units for dwellings will provide additional design and finish treatments, to be determined at the time of specific design plan approval.

**Notes:** \*Modification of the standards can be granted by the Prince George's County Planning Board, on a case-by-case basis, with the approval of a specific design plan.

\*\*A deck or patio can encroach into the rear yard by 10 feet. In addition, bay windows can encroach 3 feet, porches 10 feet, chimneys 2 feet, stoops 4 feet, foundations 4 feet, and cantilevers 6 feet into the setbacks, and sheds are allowed anywhere in the rear yard.

\*\*\*The minimum width is 16 feet for interior units and 20 feet or larger for end units. At least 80 percent of the single-family attached units shall be a combination of 20 feet to 28 feet in width, to achieve the highest architectural quality and a variety of unit sizes. The Prince George's County Planning Board and/or the Prince George's County District Council may allow variations to these standards, in accordance with Section 27-480 of the prior Prince George's County Zoning Ordinance, during the review of specific design plans.

4. Prior to approval of the preliminary plan of subdivision (PPS), the applicant shall:
  - a. Work with the Prince George's County Planning Department on the contribution to the Westphalia Public Facilities Financing and Implementation Program. The exact amount will be determined, based on the density approved with the PPS.
  - b. Provide a network of pedestrian and bikeway facilities internal to the site. The exact location and design of said facilities shall be evaluated with future specific design plan applications.
5. At the time of specific design plan (SDP), the applicant shall:
  - a. Submit a list of sustainable site and green building techniques at the site, building, and appliance levels that will be used in this development.
  - b. Provide the following site plan notes on the SDP:

“The applicant shall conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.”

“The applicant shall conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
  - c. Provide tracking tables for both the percentage of those townhouses that have 100 percent brick front elevations and those townhouses that have frontage width larger than 16 feet.
  - d. Provide a highly visible unit exhibit and corresponding elevations of the proposed architecture models.

- e. Provide an additional 10 percent parking over the minimum requirement specified in Section 27-568 of the prior Prince George's County Zoning Ordinance for visitors in the townhouse development.
  - f. Provide a fire engine turning radius exhibit for the townhouse development.
  - g. The applicant shall explore relocation of the playground to a more ideal location.
6. Prior to approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (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:
- Ritchie Marlboro Road and Westphalia Road-Orion Lane
- Conduct a signal warrant study for this intersection and install signal, if it is deemed to be warranted and approved for construction by the Prince George's County Department of Permitting, Inspections and Enforcement.
7. Prior to issuance of each building permit for each dwelling unit, monetary contribution into the park club shall be payable by the applicant to the Maryland-National Capital Park and Planning Commission.
8. The applicant and the applicant's heirs, successors, and/or assignees shall provide on-site recreational facilities, in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines* and be reviewed by the Development Review Division of the Prince George's County Planning Department, at the time of preliminary plan of subdivision and specific design plan.
9. Prior to approval of the final plat, the applicant shall enter into an agreement with the Prince George's County Department of Parks and Recreation, establishing a mechanism for payment of fees into a park club account administered by the Maryland-National Capital Park and Planning Commission. If not previously determined, the agreement shall also establish a schedule of payments. The payment schedule shall include a formula for any needed adjustments, to account for inflation. The agreement shall be recorded in the Land Records of Prince George's County, Maryland by the applicant, prior to final plat approval.

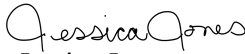
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, and Shapiro voting in favor of the motion, and with Commissioners Bailey and Doerner absent at its regular meeting held on Thursday, March 30, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of April 2023.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:DL:jah

  
Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel  
Dated 4/18/23