



The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Development Review Division  
301-952-3530

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# Comprehensive Design Plan Case Yergat (Woodside Village)

**CDP-0601-01**

REQUEST	STAFF RECOMMENDATION
Up to 661 residential dwelling units, including 110-130 single-family attached dwellings (townhouses) and 516-531 single-family detached dwellings.	APPROVAL with conditions

**Location:** Located on the southern side of Westphalia Road, approximately 2000 feet west of its intersection with Ritchie Marlboro Road.



Gross Acreage:	158.28
Zone:	LCD/MIO
Dwelling Units:	661
Gross Floor Area:	N/A
Planning Area:	78
Council District:	06
Election District:	15
Municipality:	N/A
200-Scale Base Map:	205SE09

Planning Board Date:	04/28/2022
Planning Board Action Limit:	05/03/2022
Staff Report Date:	04/13/2022
Date Accepted:	02/22/2022
Informational Mailing:	08/26/2021
Acceptance Mailing:	02/10/2022
Sign Posting Deadline:	03/29/2022

**Applicant/Address:**  
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The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Comprehensive Design Plan CDP-0601-01  
Type 1 Tree Conservation Plan TCP1-006-2022  
Case Yergat (Woodside Village)

The Urban Design Section has completed its review of the subject application and agency referral comments concerning the plan and recommends APPROVAL, as stated in the Recommendation section of this report.

**EVALUATION CRITERIA**

- a. The requirements of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*-Approved Zoning Change 6 of the Sectional Map Amendment/Sector Plan Development: Woodside Village;
- b. The requirements of Zoning Map Amendment A-9973-01 (Basic Plan)
- c. The requirements of Comprehensive Design Plan CDP-0601
- d. The requirements of the Prince George's County Zoning Ordinance governing development in the Residential Medium Development (R-M) Zone, and the Military Installation Overlay (M-I-O) Zone
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Prince George's County Tree Canopy Coverage Ordinance, and
- f. Referral comments.

**FINDINGS**

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** This comprehensive design plan (CDP) amendment proposes to develop a 158.28-acre site with up to 661 residential dwelling units, including 110–130 single-family attached dwellings (townhouses) and 516–531 single-family detached dwellings.

2. **Development Data Summary:**

Zoning	LCD/MIO (Prior R-M)
<b>Gross tract area</b>	158.28 acres
Of which Case Property (Parcel 19)	79.37 acres
Yergat Property (Parcel 5)	78.91 acres
100-year floodplain	2.07 acres
Net tract area	156.21 acres
Density permitted	3.6–5.7 du/ac
Base density* of the R-M-zoned property (3.6 du/ac x 156.21 acres plus half floodplain) in terms of number of dwelling units	566
Maximum density (5.7 du/ac x 156.21 acres plus half floodplain) in terms of number of dwelling units	896
Proposed density ** (4.205 du/ac) in terms of dwelling units	661

**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 proposed 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-9973-02 (see discussion in Finding 7 below).

3. **Location:** The subject 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. The site is also located in Planning Area 78 and Council District 6.
4. **Surrounding Uses: All uses are based on the current zoning code adopted April 1, 2022, unless stated otherwise.** The site is bounded to the north by the right-of-way of Westphalia Road, with properties in the Agricultural-Residential and Residential Estate Zones beyond; to the west by the existing single-family detached homes in the Residential, Rural Zone and a large development known as Parkside in the Legacy Comprehensive Design (LCD) Zone, which is under construction; and to the south and east by the remaining part of Woodside Village and Parkside in the LCD Zone. The site is also covered by the Military Installation Overlay Zone, as it is located in the vicinity of Joint Base Andrews.
5. **Previous Approvals:** The subject site is part of the larger 381.95-acre property, formerly known as Woodside Village, consisting of Parcel 5 (Yergat property), Parcel 14 (A. Bean property), Parcel 19 (Case property), and Parcel 42 (Suit property), as shown on Tax Map 82 that was originally approved by Zoning Map Amendment (ZMA) A-9973 in 2006, which rezoned the entire property from the Residential-Agricultural (R-A) 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 November 15, 2021, the District Council approved A-9973-02, to separate the basic plan and approve up to 661 dwelling units on only two parcels, including Parcel 5 (Yergat property) and Parcel 19 (Case property), with 15 conditions that supersedes the prior basic plan for these two parcels.

6. **Design Features:** The subject 158.28-acre CDP site is encumbered with three master plan rights-of-way, including MC-631, P-616, and P-617, and a Y-shape regulated environmental feature that divides the site into eastern and western pods. MC-631, Suitland Parkway Extended, which is categorized as a major collector roadway, is proposed as going through the southeast corner of the site and intersecting with Westphalia Road to the east. Primary Road P-616, Westphalia Boulevard, is running north-south along the western area of the site and intersects with Westphalia Road, providing one of the three access points to the site. Primary Road P-167, which runs east-west and intersects in a T-intersection with P-616 in the western area of the site, becomes the major roadway connecting the eastern and western development envelopes. Another access to the development from Westphalia Road intersects with a secondary, northern east-west roadway in front of a village green, surrounded by the only pod of townhouses.

The three distinct pods are located on both sides and to the north of the regulated environmental features in the middle of the site. The western pod is designed in a curvilinear pattern around P-616 and P-617 with an open space in the southeast quadrant of their intersection. The eastern pod is designed in a grid pattern on both sides of P-617, which continues eastward on the adjacent property to intersect with MC-631. An open space is shown in the southeast corner of the eastern pod. The townhouse pod, as previously mentioned, is in the northern middle portion of the site.

The phasing plan consists of six stages 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:

Stage	SFA Lot	SFD Lot	Total Lot	Recreational Facilities
1	-	150	150	
2	130		280	Clubhouse with pool
3	-	160	440	Trail north of P-617
4	-	100	540	Open Play Area #1
5	-	121	661	Open Play Area #2 and Trail south of P-617
6	-	-		Infrastructure (remaining)

Staff has design concerns about the roadway alignment and future location of on-site recreational facilities in the proposed illustrative layout of the development. Specifically, the main entrance to the subject site off Westphalia Road should be aligned with the existing Matapeake Drive to form a four-way intersection. The proposed MC-631 should also be aligned with its northern section that is located on the Parkland site across Westphalia Road to create a four-way intersection. In addition, the proposed open space in the eastern section of the development should be moved to a central location, instead of in the southernmost portion of the site. The roadway alignments and ideal locations of the on-site recreational facilities will be further evaluated at time of preliminary plan of subdivision (PPS).

Parking has been an issue in compact townhouse developments throughout the County. This project has only one development pod of compact townhouses that will be constructed during the proposed second stage. Additional parking that is 10 percent more than the requirement in Part 11 of the Zoning Ordinance should be provided at the time of specific design plan (SDP). In addition, the street network should be designed to allow emergency vehicles to navigate without any difficulties. A condition has been included in the Recommendation section requiring the applicant to provide a fire engine turning radius exhibit at time of SDP review.

**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, architecture, as well as the 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	4,000 SF	20 feet	4 feet	20 feet	50 feet	80%*	40 feet
Townhouse	1,200 SF	10 feet	0 feet	15 feet	50 feet	85%*	N/A

**Note:** \*The lot coverages are appropriate, as these lots and units are not typical in style, design, and size. The units are designed to be a large dwelling unit on a smaller lot to align with modern market preferences. For example, one of the smallest single family lot sizes proposed is 4,050 square feet or 45 feet wide by 90 feet deep. The side yard setback is 4 feet on each side and 20 feet in the front and rear. These dimensions push the lot to a higher lot coverage. This type of design allows for the maximum house footprint, a modest yard, and enough room to provide house options to match current market trends.

\*\*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.)

The proposed 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. Staff notes that certain standards such as those related to the yard area of the single-family attached units, should be consistent with the previously approved standards governing similar development projects in the close vicinity of this development in the R-M Zone. The adjusted standards have been included in the Recommendation section of this report.

### **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 should 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 will be employed in the development. A condition has been included in the Recommendation section of this report, requiring the applicant to provide detailed sustainable site and green building techniques at the site, and building and appliance levels that will be used in this development with the submittal of the SDP.

## **COMPLIANCE WITH EVALUATION CRITERIA**

7. **Zoning Map Amendment A-9973 (Basic Plan)-Approved Zoning Change 6 of the Sectional Map Amendment/Sector Plan Development Concept 3 for Woodside Village in the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment:** 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-9973-02 supersedes the previous approval and conditions.
8. **Zoning Map Amendment A-9973-02:** The District Council approved this amendment (Zoning Ordinance No. 8-2021) on November 15, 2021, with 15 conditions. Most of the conditions are related to the subsequent approvals, including PPS, SDP, and grading or building permits that will be enforced at time of those applications. 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>158.28 acres</b>
<b>Land in the 100-year floodplain*</b>	<b>2.07 acres</b>
<b>Adjusted gross area: (152.28 acres less than half in the floodplain)</b>	<b>157.25 acres</b>
<b>Density permitted under the R-M (Residential Medium) Zone</b>	<b>3.6-5.7 dwelling units/acre</b>
<b>Base residential density (3.6 dus/ac)</b>	<b>566 dwelling units</b>
<b>Maximum residential density (5.7 dus/ac)</b>	<b>896 dwelling units</b>
<b>Proposed Land Use Types and Quantities</b>	
<b>Residential: 157.25 gross acres @3.98-4.205 dus/ac</b>	<b>626-661 dwelling units</b>
<b>Number of the units above the base density</b>	<b>60-95 dwelling units</b>
<b>Density proposed in the R-M (Residential Medium) Zone</b>	<b>3.98-4.205 dwelling units/acre</b>
<b>Permanent open space: (23 percent of original site area, includes environmental, recreational and HOA areas)</b>	<b>37 acres</b>

The land use types, quantities, and densities of the subject CDP are within the ranges of the approved basic plan.

13. **The following shall be required as part of the comprehensive design plan submittal package:**
- a. **The Transportation Planning staff shall review the list of significant 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 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.**
  - b. **Provide a description of the general type, amount, and 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 applicant has provided an exhibit showing all internal access points and intersections of the master plan roadways, including P-616 and P-617. Those intersections will be further reviewed and evaluated at time of PPS.

A list of on-site recreational facilities has been provided and shown on the illustrative plan, including one clubhouse with swimming pool, trails on both sides of P-617 and two open play areas to serve future residents in this subdivision. As stated, those facilities and their locations are preliminary in nature and will be further evaluated at time of PPS and SDP.



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 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 Zoning Ordinance, the proposed residential uses consisting of both single-family detached and single-family attached (townhouse) units, are permitted in the R-M Zone, pursuant to the approved A-9973-02.
  - 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 the density, subject to the development caps established in the basic plan. In the R-M Zone, in accordance with Section 27-509, Regulations, of the 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 proposed 661 dwelling units in the R-M Zone are at a density of 4.205 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 applicant has proposed the 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 is requesting a density increment using this factor with this CDP amendment. Specifically, the applicant is proposing a total of 661 dwelling units, and in order to qualify for this increment a minimum of 23.14 acres must be provided, (661 dwelling units ÷ 100 = 6.61; 6.61 x 3.5 = 23.14). The applicant is proposing to provide 37 acres of permanent open space, which includes environmental, recreational, and homeowners association (HOA) areas. A total of 141 additional dwelling units will be 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 is pursuing this density increment as it is providing trail connections in various portions of the site that will be separated from the roadways. A total of 28 additional dwelling units will be achieved by using this density increment factor.

- (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 is pursuing this density increment. Master plan trail facilities will be provided along Westphalia Road (C-626) and Primary Roads P-616 and P-617. Further, an extensive trail network, landscaping, and playground equipment will be provided in open space areas on land to be dedicated to the HOA. A total of 57 additional dwelling units will be achieved by using this density increment factor.

- (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 has not requested 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 has not requested 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 the above three density increment criteria. As a result, the applicant has earned the density increments, subject to certain conditions, as follows:

Factor Number	Density Increment (%)	Density Increment (# of units)
1	25	141
3	5	28
4	10	57
	<b>40</b>	<b>226</b>

The applicant requests only a density increment of 16.8 percent, an equivalent of 95 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 Urban Design staff have reviewed the proposed development standards, as discussed in Finding 6 above, and recommended revisions that have been included in the Recommendation section of this report.
- 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 Finding 7 above, the subject site, as part of a larger property, known as Woodside Village, was rezoned from the R-A to the R-M Zone by 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 proposed CDP is in conformance with the governing Basic Plan A-9973-02, which was approved by the District Council on November 15, 2021, for the 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 the comprehensive design zones, such as the R-M Zone in this application, will allow the applicant to produce a much better environment than in regular Euclidean zones and to achieve high standards for the development. This CDP will create a better environment when compared to the existing development in the Westphalia area. The proposed CDP will have approximately 37 acres, which are about 23 percent

of the property preserved in green open space, including those regulated environmental features, by using a compact urban development pattern, especially for the townhouse section. 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 design elements and a land use vision that are consistent with the approved basic plan. The CDP does include the bulk standards for the proposed single-family detached units, and single-family attached dwelling units, as well as design guidelines for architecture, streetscape, signage, landscaping, etc., as discussed in above Finding 6. As noted above, staff recommends adjustments to the standards, such as minimum yard area for single-family attached lots. Staff supports the approval of the CDP because it includes various housing types, multiple locations of recreational facilities, and amenities that are consistent with the approved basic plan, subject to conditions included in the Recommendation section of this report.

**(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. Even though the applicant obtained an amendment to the original basic plan, the development on the two parcels 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 proposed development is to implement this land use vision. In addition, the proposed 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;**
- (B) Building setbacks from streets and abutting land uses; and**
- (C) Circulation access points;**

Even though the two parcels are separated from the original approval, the application is in general conformance with the layout, development types, and unit distribution, as shown on the original basic plan via Zoning Change 6 when the two properties were in the larger Woodside Village. In terms of the amount of building coverage and open space, relationship with

abutting land uses, circulation, and access points, the CDP has been reviewed for consistency in terms of development standards with the approved A-9973-02 and is acceptable, given their preliminary nature. The proposed internal street network, and the design guidelines set forth in this application will allow for the forthcoming residential uses in Woodside Village to be completely compatible with one another in both scale and appearance. 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 six stages to fully construct the proposed development. The applicant proposes to start the development from the north, including both the single-family detached and attached units in the first two stages, and gradually progress into the southern sections that are away from Westphalia Road. The actual staging will be determined by market demand and is subject to change at the time of future applications.

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

According to the Transportation Planning Section (Burton to Zhang, March 28, 2022), the proposed development will not be an unreasonable burden on available transportation facilities.

The Special Projects Section (Thompson to Zhang, March 21, 2022) provided comments on water and sewer category, fire and rescue, police facilities, and public schools. The development proposed in this application will not be an unreasonable burden on the available public facilities. Further adequate public facility tests will be carried out at the time of approval of a PPS.

- (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 distinguishing 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 subject property includes the Dunblane Site and Cemetery (Historic Resource 78-010), which has not been evaluated by the Historic Preservation Commission for potential designation as an historic site, according to the criteria found in the Historic Preservation Ordinance (Subtitle 29 of the County Code). The proposed CDP does not propose an adaptive reuse of a 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); and**

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 Environmental Planning Section has reviewed the CDP's conformance with Type 1 Tree Conservation Plan TCP1-006-2022. In a memorandum dated March 31, 2022, the Environmental Planning Section concluded that the CDP is in conformance with TCP1-006-2022, which is recommended for approval, subject to three conditions that have been included in the Recommendation section of this report.

- (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);**

As stated previously, the Environmental Planning Section has reviewed the proposed TCP1-006-2022 included with this CDP and concluded that all regulated environmental features on the subject site have been preserved and/or restored, to the fullest extent possible, and recommended approval of this CDP with conditions that have been included in the Recommendation section of this report.

- (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, which is pursuant to Section 27-226(f)(4), and serves as the basic plan for a larger property including the subject site. However, the applicant has filed an amendment to the original basic plan that has been approved by the District Council on November 15, 2021. Section 2 of Zoning Ordinance No. 8-2021 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 should 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.**

The development standards for townhouse development of the site have been provided and staff suggests revisions to provide for units that are in keeping with the regulations of the 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. Staff believes this is appropriate in this location because the proposed development is not within the town center of Westphalia. As such, an additional 10 percent 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 application is located within the M-I-O Zone for Height only. Pursuant to Section 27-548.54 of the prior Zoning

Ordinance, Requirements for Height, 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 M-I-O Zone will be reviewed at time of SDP that shows specific uses and buildings.

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

- a. **Woodland and Wildlife Habitat Conservation Ordinance:** The application has a Natural Resources Inventory Plan (NRI-158-05-03), approved on September 16, 2021. The CDP shows the required NRI information and is in general conformance with the NRI plan for the overall site. No modifications to the CDP are required for conformance with the NRI.

A revised TCP1-006-2022 has been submitted with the current application, which shows the overall 158.28-acre site with a net tract area of 156.21 acres. The site has 31.52 acres of existing woodland in the net tract area, and 2.07 acres of existing woodlands in the floodplain. The woodland conservation threshold is 31.24 acres (20 percent of the site’s overall net tract area). The woodland conservation worksheet shows the removal of 15.15 acres of woodland on the net tract area, 0.41 acre of woodlands in the floodplain, resulting in a woodland conservation requirement of 61.47 acres. This requirement is proposed to be met with 16.37 acres of woodland preservation, 7.66 acres of afforestation, and 37.44 acres of off-site credits.

A stream assessment, dated January 1, 2022, was submitted with the revised materials. The report indicates that the majority of the stream is significantly impaired. Stream restoration, or other SWM techniques, as approved by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE), shall be investigated to retain the connectivity of the woodland area and promote stream health.

In the response to the Subdivision and Development Review Committee submission dated March 17, 2022, the applicant provided a revised CDP and TCP1, which shows a modified layout, which retains portions of this key area. Staff is in general support with this revised layout, but the TCP1 will be further analyzed at the time of PPS.

The NRI shall be revised to account for the discrepancy within the site statistic table, and minor revisions to the TCP1 are required and discussed below. Revisions in response to other staff referrals may result in minor revisions to the TCP1, prior to certification.

- b. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that require a grading permit for more than 5,000 square feet of disturbance or gross floor area. Properties that are zoned R-M are required to provide a minimum of 15 percent. During the future review of SDPs, the applicant



must demonstrate conformance with the relevant requirements of the Tree Canopy Coverage Ordinance.

**12. Referral Comments:** The subject application was referred to the following agencies and divisions. The referral comments are summarized, and incorporated herein by reference, as follows:

- a. **Community Planning**—In a memorandum dated March 31, 2022 (Rowe to Zhang), the Community Planning Division staff finds 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 Westphalia Sector Plan and SMA 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**—In a memorandum dated March 25, 2022 (Conner to Zhang), the Subdivision Section stated that a PPS and final plat will be required. Additional comments on the alignment of the master plan roadways, including P-616, P-617, and MC-631, as well as the alignment of the main entrance to this subdivision from Westphalia Road with Matapeake Drive, located to the north of this development, have been discussed in this report.
- c. **Environmental Planning**—In a memorandum dated March 31, 2022 (Kirchhof to Zhang), the Environmental Planning Section provided a review of this CDP application. Relevant findings have been included in this staff report or are summarized, as follows:

**Preservation of Regulated Environmental Features/Primary Management**

**Area:** The site contains streams, wetlands, and wetland buffers within the delineated primary management area (PMA), which shall be protected by conservation easements to the fullest extent possible as determined at the time of PPS and SDP reviews. The CDP application includes a statement of justification (SOJ) for 10 proposed impacts to the PMA, which are shown on the CDP and TCP1. PMA impacts will be reviewed for conformance at the time of PPS. A discussion of the impacts was provided, but no impacts were evaluated with CDP-0601-01.

**Specimen Trees:** TCPs are required to meet all the requirements of Subtitle 25, Division 2, which includes the preservation of specimen trees, Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place,

considering the different species' ability to withstand construction disturbance. (Refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances.)

If, after careful consideration has been given to the preservation of the specimen trees, there remains a need to remove any of the specimen trees, then a variance from Section 25-122(b)(1)(G) of the WCO is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the Woodland and Wildlife Habitat Conservation Ordinance, or WCO), provided all the required findings in Section 25-119(d) of the WCO can be met. An application for a variance must be accompanied by an SOJ stating the reasons for the request, and how the request meets each of the required findings.

The submitted TCP1 indicates that in the south-central portion of the site, multiple specimen trees are proposed for removal for the installation of a submerged gravel wetland. In a meeting with the applicant's engineering team on March 9, 2022, a statement was made that a stream assessment was performed on the property, which indicated that the on-site system was in poor health. In order to promote the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master* and meet the environmental requirements set forth in the Westphalia Sector Plan and SMA, these specimen trees shall be retained and placed within on-site preservation. A revised TCP1 was submitted, which modified the proposed stormwater facility and retains additional specimen trees, in addition to existing woodland. This revision preserves the connected nature of the woodland system, which currently exists on-site, and provides additional buffering for the impaired stream system.

The revised CDP submitted on March 17, 2022, shows a modified layout in which a greater portion of this key area is retained. The Environmental Planning Section is in general support of this layout change. No specimen trees are approved for removal with this application. Removal of specimen trees will be further analyzed at time of PPS.

**Special Roadways:** 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 R-M-zoned site, should be maintained on future development applications.

The Environmental Planning Section recommends approval of CDP-0601-01, with conditions that have been included in the Recommendation section of this report.

- d. **Historic Preservation**—In a memorandum dated March 16, 2022 (Stabler and Smith to Zhang), it was noted that the Historic Preservation Commission provided a comprehensive review of the subject application and voted 6-0-1 (the Vice-Chair voted "present") at its March 15, 2022 meeting to forward findings, conclusions, and recommendations to the Planning Board, with conclusions listed, as follows:

- At the time of the submission of the associated PPS, the Historic Preservation Commission should evaluate the Dunblane Site and Cemetery (Historic Resource 78-010) to determine if it meets any of the historic site

criteria in Subtitle 29 (the Prince George's County Historic Preservation Ordinance). Any associated environmental setting for the historic site should include adequate buffering from nearby features of the proposed development such as roadways, sidewalks, lighting, or SWM facilities.

- Based on the historic significance of the Dunblane property, and its association with the Magruder family, the Magruder/McGregor family cemetery should be protected and maintained throughout the development process. A plan for the long-term maintenance and preservation of the site should be developed for the cemetery by the applicant.
- Should the Magruder/McGregor Family Cemetery and/or an archeological feature within the developing property be designated as an historic site, the buffering provisions of the 2010 *Prince George's County Landscape Manual* would apply, and careful consideration should be given to the character of fencing, lighting, and landscape features to be introduced.

### **Archeology**

- Phase II archeology investigations conducted on Sites 18PR900 and 18PR901 on the Case property indicated that there was a high degree of disturbance to both sites, due to agricultural activities and recent grading and dumping on the southern portion of the property. Historic Preservation staff concurs with the findings and conclusions of the Phase II archeological investigations for the Case Property that no further work is necessary on either site. Three hard copies and three digital copies of the final Phase II report for the Case property should be submitted, prior to approval of the associated PPS.
- A Phase II archeological investigation was previously recommended on portions of Site 18PR898 on the Yergat property. However, after a site visit to the subject property on March 15, 2022, it was determined that the site represented manuring activities on the agricultural fields and that no further work was necessary on Site 18PR898. Phase II archeological investigations are not recommended on Site 18PR898.
- During the site visit on the Case and Yergat Properties on March 15, 2022, Historic Preservation staff identified two areas on the property that could possibly be the location of a burial ground for the enslaved people who were held by the Magruder family on the subject property. The applicant's consultant archaeologist recommended the use of cadaver dogs to explore the areas of the property noted during the site visit as the possible location of a burial ground for the enslaved laborers. This work should be completed prior to approval of the associated PPS for this proposed development.
- The artifacts recovered from Phase I and Phase II investigations conducted on the Case Property and Phase I investigations on the Yergat property by Greenhorne and O'Mara (now Stantec) archeologists under the previous owner, were never curated with the Maryland Archaeological Conservation (MAC) Lab in Calvert County. The applicant should contact Stantec

archaeologists about curating the artifacts recovered from the previous investigations on the Case and Yergat properties at the MAC Lab.

The Historic Preservation Commission recommends approval of CDP-0601-01 with six conditions all of which were included in the approval of A-9973-02 and will be applicable as conditioned therein.

- e. **Transportation Planning**—In a memorandum dated March 28, 2022 (Burton to Zhang), the Transportation Planning Section provided a comprehensive review of the application’s conformance with the requirements of the previous approvals, the Zoning Ordinance, Westphalia Sector Plan and SMA, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the traffic impact study (TIS), dated September 2021, summarized as follows:

The subject site will be served by major roads along the northern and eastern end of the property. The planned right-of-way for these facilities will facilitate the design and construction of shared-use paths as recommended by the Master Plan, unless modified by 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 the master plan’s policies and goals. The exact location and design of said facilities shall be evaluated with future applications.

Staff reviewed a TIS dated November 2021, in conjunction with the subject CDP amendment. This TIS is necessary because the proposed development is 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 (TSA) 2, as defined in the 2014 *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 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 prior Prince George’s County Subdivision Regulations, is permitted at signalized intersections within any TSA subject to meeting the geographical criteria in the “2012 Transportation Review Guidelines - Part 1” (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 conducted by staff of the Transportation Planning Section, consistent with the 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 (LOS/CLV) delay	PM (LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	B/1107	B/1002
Ritchie Marlboro Road and White House Road	B/1034	B/1003
Westphalia Road and MD 4	C/1174	D/1312
Westphalia Road and D’Arcy Road*	21.4 seconds	24.2 seconds
Ritchie Marlboro Road and Westphalia Road-Orion Lane*	21.9 seconds	39.4 seconds
MD 4 and Suitland Parkway-Presidential Parkway	E/1563	F/1644
D’Arcy Road and Sansbury Road*	12.6 seconds	12.6 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 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 traffic study identified 20 background developments whose impact would affect some or all of the study intersections. Based on average daily traffic ADT 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 0.2 percent has been realized. Applying a conservative growth of 0.5 percent over a 6-year period, plus the traffic for those background developments, the analyses were predicated on the following two intersections being upgraded to interchanges:

- Westphalia Road and MD 4 (Prince George’s County Council Resolution CR-66-2010 PFFIP Funding)
- MD 4 and Suitland Parkway-Presidential Parkway (CTP Funding)

Given all the background-related assumptions, the following represents the level of service under background conditions.

BACKGROUND CONDITIONS		
Intersections	AM (LOS/CLV) delay	PM (LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	B/1044	D/1322
Ritchie Marlboro Road and White House Road	C/1177	C/1212
Westphalia Road and MD 4 MD 4 SB Ramps and Old Marlboro Pike MD 4 NB Ramp and Westphalia Road	- A/597 A/534	A/728 A/697
Westphalia Road and D'Arcy Road* Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	53.3 seconds >100 vehicles A/753	>200.0 seconds >100 vehicles A/864
Ritchie Marlboro Road and Westphalia Road-Orion Lane* Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	106.8 seconds >100 vehicles B/1106	148.8 seconds >100 vehicles C/1248
MD 4 and Suitland Parkway-Presidential Parkway MD 4 SB Ramps and Suitland Parkway MD 4 NB Ramp and Presidential Parkway	- A/685 A/578	- A/558 A/504
D'Arcy Road and Sansbury Road*	33.0 seconds	42.8 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 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:

Table 1 - Trip Generation							
Land Use	Density-Units	AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Single Family	531	80	318	398	311	167	478
Townhouse	130	18	73	91	68	36	104
<b>Total new trips</b>		98	391	<b>489</b>	379	203	<b>582</b>

The table above indicates that the development as proposed, will be adding 489 AM and 582 PM net new peak trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersections	AM (LOS/CLV) delay	PM (LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	B/1103	D/1388
Ritchie Marlboro Road and White House Road	C/1186	C/1236
<b>Westphalia Road and MD 4</b>	-	-
MD 4 SB Ramps and Old Marlboro Pike	A/597	A/842
MD 4 NB Ramp and Westphalia Road	A/534	A/697
<b>Westphalia Road and D'Arcy Road*</b>		
Tier 1: HCS Delay test	161.9 seconds	>200.0 seconds
Tier 2: Minor Street Volume	>100 vehicles	>100 vehicles
Tier 3: CLV	A/929	B/1080
Westphalia Road and West Site Access*	13.5 seconds	14.6 seconds
Westphalia Road and East Site Access*	12.0 seconds	12.4 seconds
Westphalia Road and Main Site Access*	12.8 seconds	13.4 seconds
<b>Ritchie Marlboro Road and Westphalia Road-Orion Ln*</b>		
Tier 1: HCS Delay test	>200.0 seconds	>200.0 seconds
Tier 2: Minor Street Volume	>100 vehicles	>100 vehicles
Tier 3: CLV	B/1126	<b>C/1273</b>
<b>MD 4 and Suitland Parkway-Presidential Parkway</b>	-	-
MD 4 SB Ramps and Suitland Parkway	A/728	A/598
MD 4 NB Ramp and Presidential Parkway	A/585	A/527
<b>D'Arcy Road and Sansbury Road*</b>		
Tier 1: HCS Delay test	74.7 seconds	143.3 seconds
Tier 2: Minor Street Volume	>100 vehicles	>100 vehicles
Tier 3: CLV	A/798	A/964
*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 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, has failed the three-step test required for unsignalized intersections. Consequently, the TIS is recommending that the applicant provides a signal warrant analysis for the intersection. If the intersection is deemed to be warranted, the applicant will be required to install said signal(s) if such installation is approved by the permitting agency. Regarding the intersection of MD 4 at Westphalia Road-Old Marlboro Pike, the adequate levels of service projected for this intersection are based on an interchange being built. Pursuant to the provisions of Prince George's County Council approved CR-66-2010, the applicant will be required to 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, staff is in general agreement with its overall conclusions and recommendations. The traffic study was referred out to the Maryland State Highway Administration (SHA) as well as DPIE. As of this writing, staff has not

received any comments from either agency. Regarding the street layout on the proposed site, there is a design issue that is not supported by staff.

The western half of the property fronts along a section of Westphalia Road where the horizontal radii fall below the minimum American Association of State Highway and Transportation Officials (and County) standards for collector roads. The current MPOT recommends that section of Westphalia Road be realigned to meet the minimum geometric standard. Approximately 200 feet to the east of the proposed main entrance, is the existing “T” intersection of Westphalia Road and Matapeake Drive. If the main entrance to the site is built in the proposed location, there will be two “T” intersections within 200 feet apart. The close proximity of these intersections could pose an operational challenge for vehicles along Westphalia Road. Staff therefore recommends the realigning of Westphalia Road, prior to the release of any building permits for any phase of this development. Staff further recommends the relocation of the main entrance to the east, such that it becomes coincident with the centerline of Matapeake Drive. It is important to underscore the importance of the timing of the realignment of Westphalia Road along the property frontage, and how it will affect the progress of the development. Under no circumstance should any access be granted for the main entrance until the realignment of Westphalia Road is complete and open to traffic.

The Transportation Planning Section concludes that the CDP meets the finding of Section 27-521 if the application is approved with conditions that have been included in the Recommendation section of this report.

- f. **Special Projects**—In a memorandum dated March 21, 2022 (Thompson to Zhang), the Special Projects Section 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 proposed development will be carried out at the time of PPS review.

The Special Projects Section also discussed the school surcharges, in accordance with the general location of the project, that will be paid to DPIE at the time of issuance of each building permit.

- g. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated March 28, 2022 (Yu to Zhang), included herein by reference, DPR provided discussion as follows:

Mandatory dedication of parkland, pursuant to Section 24-134(a) of the prior Subdivision Regulations provides for the dedication of land, the payment of a fee-in-lieu, or on-site recreational facilities.

In the applicant’s SOJ, the applicant provided narrative about the design framework of the on-site recreational facilities at various locations in the community. Please see summary below:

- The central focus will be the northernmost open space indicated on the CDP. This open space area can contain such elements such as a clubhouse, pool, outdoor play area, and adequate parking.



- A secondary open space will be located at the intersection of P-617 and P-616. This area could be used for open play activities, potential play equipment, and seating areas.
- The third location in the southeast corner can be used for a smaller, quieter, more hidden open space area where a seating area or gazebo can be proposed. This area can be used as a picnic grove or outdoor gathering place.

These three areas are connected by a recreation trail that runs north and south in the center of the site and by a large pedestrian sidewalk system. These locations have been shown on the CDP. The exact location, details, and quantity will be determined at the time of SDP.

This CDP shows the fulfillment of on-site recreation. The details of these amenities and the cost estimates will be provided with the subsequent PPS and SDP applications.

Since the subject property is within close proximity 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. The Maryland-National Capital Park and Planning Commission 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 the central park and/or the other parks that will serve the Westphalia Sector Plan area.

DPR recommends approval of CDP-0601-01 with conditions that were included in the approval of A-9973-02 or will be addressed at the time of PPS.

h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**— In a memorandum dated March 7, 2022 (Giles to Zhang), DPIE 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 right-of-way width, requiring an 80-foot right-of-way width, as per its master plan road classification C-626. The applicant shall provide right-of-way 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 issuance of a fine grading permit.
- **Master Plan Road P-616** is located within the subject site and is currently unimproved, requiring a 60-foot right-of-way width, as per its master plan road classification P-616. The applicant shall adjust the alignment of this roadway to be a continuous through road, as per the master plan. The

applicant shall provide right-of-way dedication and construct this road improvement, as required in accordance with the DPW&T Urban Primary Residential Road standard (Standard 100.06). This work shall be permitted prior to or concurrent with 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 right-of-way width, as per its master plan road classification P-616. The applicant shall dedicate right-of-way and construct this road, as required in accordance with the DPW&T Urban Primary Residential Road standard (Standard 100.06). This work shall be permitted prior to or concurrent with issuance of a fine grading permit.

In addition, DPIE also stated that the site development concept application filed under DPIE Case No. 38822-2021-0 has not been approved yet, but will be required with future applications. The rest of the DPIE's comments will be enforced through their separate permitting process.

- i. **Prince George's County Police Department**—At the time of the preparation of this technical staff report, the Police Department did not offer comments on the subject application.
- j. **Prince George's County Health Department**—In a memorandum dated March 3, 2022 (Adepoju to Zhang), the Health Department provided several comments, as follows:
  - Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community.
  - CDPs should include pet friendly amenities for pets and their owners. Pet refuse disposal stations and water sources are strongly recommended at strategic locations.
  - During the construction phases of this project, noise should 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 should 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.

These comments have been transmitted to the applicant. The comments on pedestrian, recreational facilities, and pet friendly amenities are consistent with site design guidelines of the comprehensive design zone that will be further implemented at PPS and SDP stages. A condition has been included in the Recommendation section, requiring the applicant to put the last two comments as site plan notes on the CDP.

- k. **Westphalia Sector Development Review Committee (WSDRC)**—At the time of the preparation of this technical staff report, WSDRC did not offer comments on the subject application.

**RECOMMENDATION**

Based upon the preceding evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE Comprehensive Design Plan CDP-0601-01, and Type 1 Tree Conservation Plan, TCP1-006-2022, for Case Yergat (Woodside Village), subject to the following conditions:

1. Prior to certificate approval of the comprehensive design plan, the following revisions shall be made, or information shall be provided:
  - a. Include the approved bulk regulations for both the single-family detached and attached units in the comprehensive design guides.
  - b. Revise the Type 1 tree conservation plan to identify wetlands areas using the standard symbology in the Environmental Technical Manual and update the legend to ensure all symbols present are identifiable.
  - c. Revise the natural resources inventory (NRI) to address the discrepancies between the Type 1 tree conservation plan worksheet and the NRI site statistics table.
2. Total development within the subject property shall be limited to uses which generate no more than 489 AM peak-hour trips and 582 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	4,000 square feet
Minimum Front Yard Setback	20 feet
Minimum Rear Yard Setback	20 feet**
Minimum Side Yard Setback	
(one side/combined)	4 feet/8 feet
Minimum Lot Width at Street Line	40 feet
Minimum Lot Width at Front BRL	40 feet
Minimum Lot Width at Street (cul-de-sac)	25 feet
Maximum Height	50 feet
Maximum Lot Coverage	80 percent
Minimum Rear Yard Area	900 square feet

## Single-Family Attached (Townhouse) Units

### STANDARDS\*

Minimum Net Lot Area	
16-foot-wide	1,200 square feet
20-foot-wide	1,400 square feet
22-foot-wide	1,600 square feet
24-foot-wide	1,800 square feet
Minimum Front Yard Setback	10 feet
Minimum Lot Width at Street Line	16 feet***
Minimum Lot Width at Front BRL	16 feet ***
Minimum Distance Between Buildings	15 feet
Minimum Gross Living Space	1,250 square feet
Maximum Height	50 feet
Minimum Rear Yard Area	300 square feet

### 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 four feet in depth, shall be a standard feature.

Highly visible end units for dwelling units require additional design and finish treatments, that will be decided 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 three feet, porches 10 feet, chimneys two feet, stoops four feet, foundations four feet, cantilevers six feet into the setbacks, and sheds are allowed anywhere in the rear yard.

\*\*\*The minimum width is 16 feet for interior units and 22 feet or larger for end units. At least 80 percent of the single-family attached lots shall be a combination of 20, 22, and 24 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 review of the specific design plans.

4. Prior to the approval of preliminary plan of subdivision, the applicant shall:
  - a. Label the dedication of all rights-of-way for MC-631, P-617, and P-616 as identified by the Prince George’s County Planning Department.

- b. Work with the Prince George’s County Planning Department on contribution to the Public Facilities Financing and Implementation Program. The exact amount will be determined based on the density approved with the PPS.
  - c. Provide a network of pedestrian and bikeway facilities internal to site. The exact location and design of said facilities shall be evaluated with future specific design plan applications.
  - d. Provide a revised primary management area (PMA) impact statement and exhibits to address the following:
    - (1) Provide additional justification for the proposed PMA impact crossing south of the Dunblane Cemetery site to preserve this area to the greatest extent practicable.
    - (2) Separate out the proposed trail system PMA impacts from the other utility impacts.
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 for visitors in the townhouse development.
  - f. Provide a fire engine turning radius exhibit for the townhouse development.
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:

a. 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 the Prince George's County Department of Permitting, Inspections and Enforcement.

b. Westphalia Road – Frontage Improvements per the 2009 Approved Countywide Master Plan of Transportation (MPOT)

Realign Westphalia Road along the property frontage per the requirements of the MPOT and Prince George's County Department of Permitting, Inspections and Enforcement.

# CASE YERGAT (WOODSIDE VILLAGE)

Comprehensive Design Plan

A-9973-02

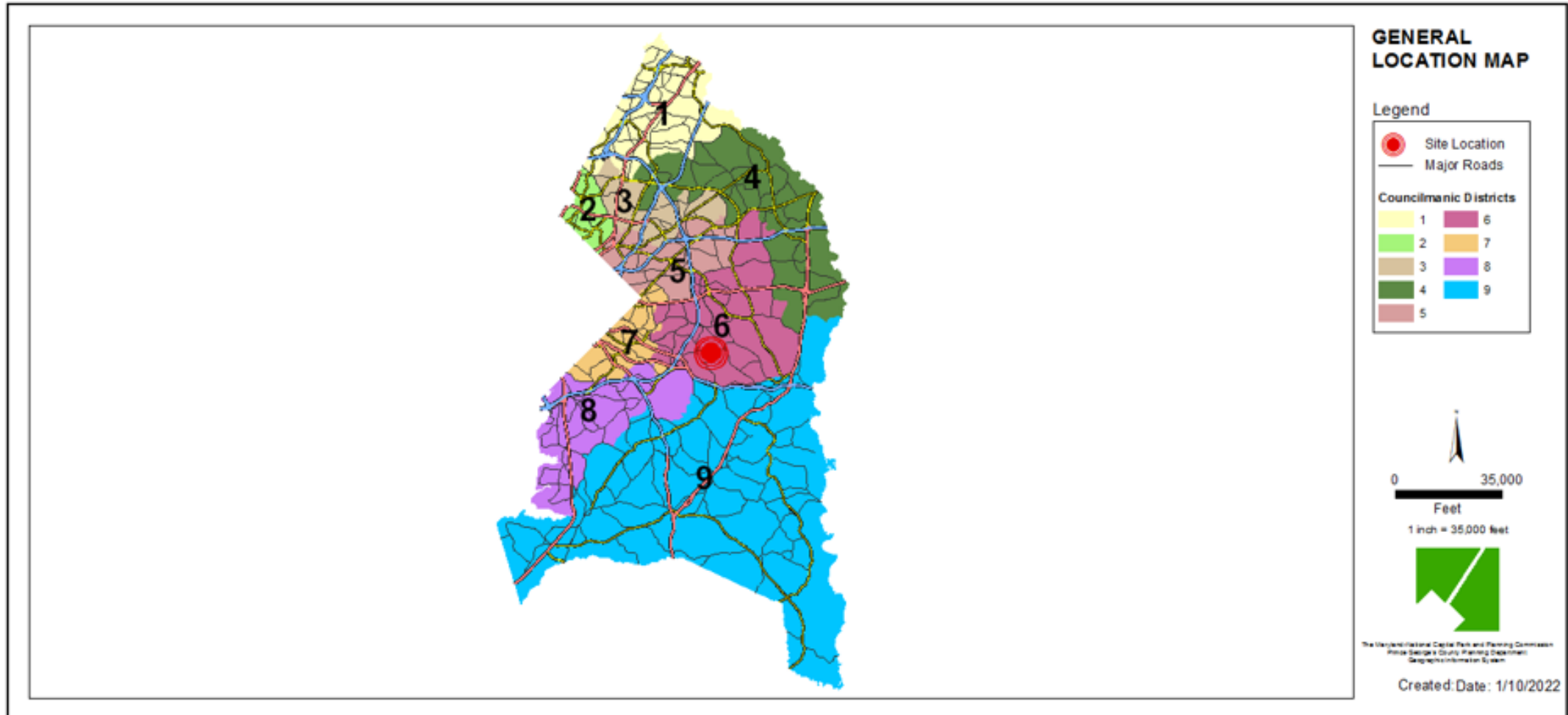
**Staff Recommendation: APPROVAL** with conditions



# GENERAL LOCATION MAP

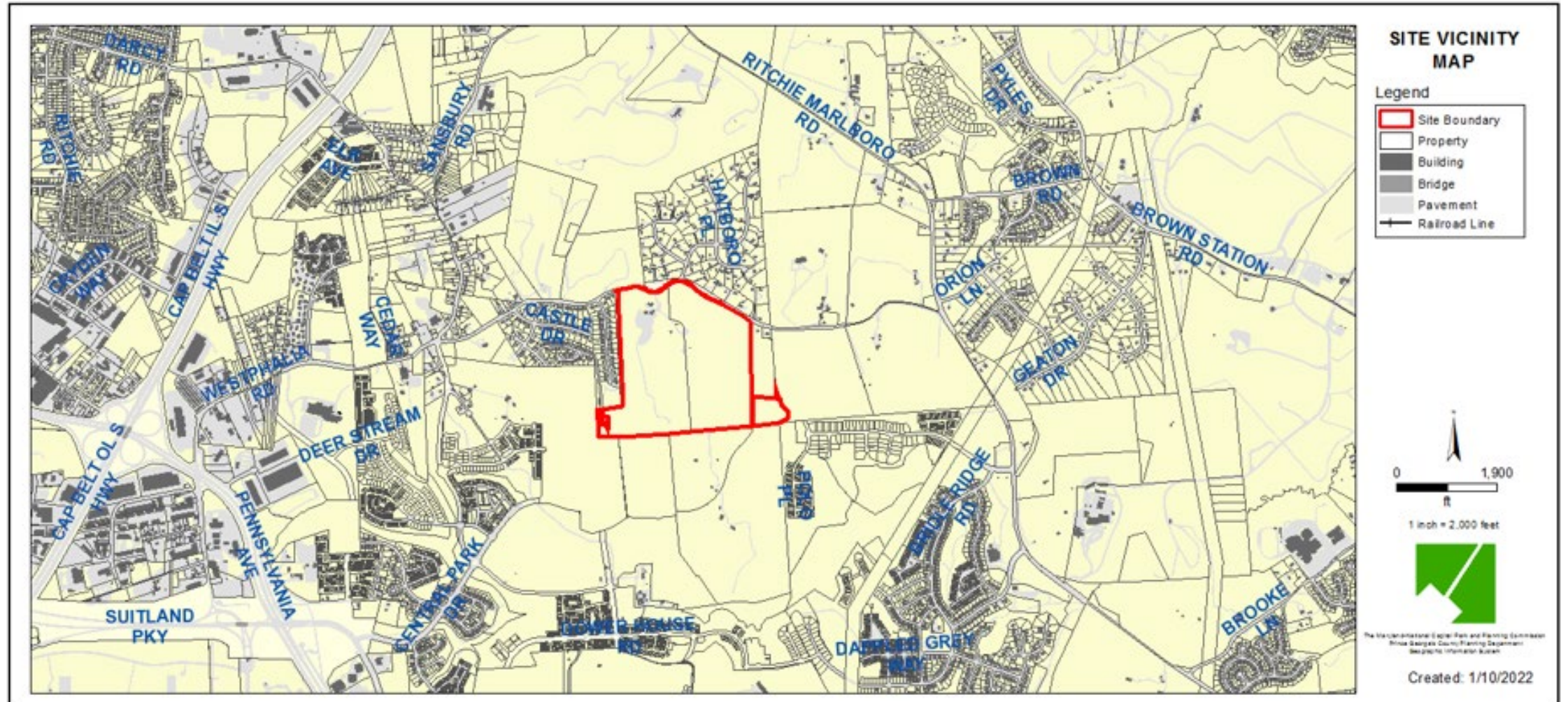
Council District: 04

Planning Area: 74A



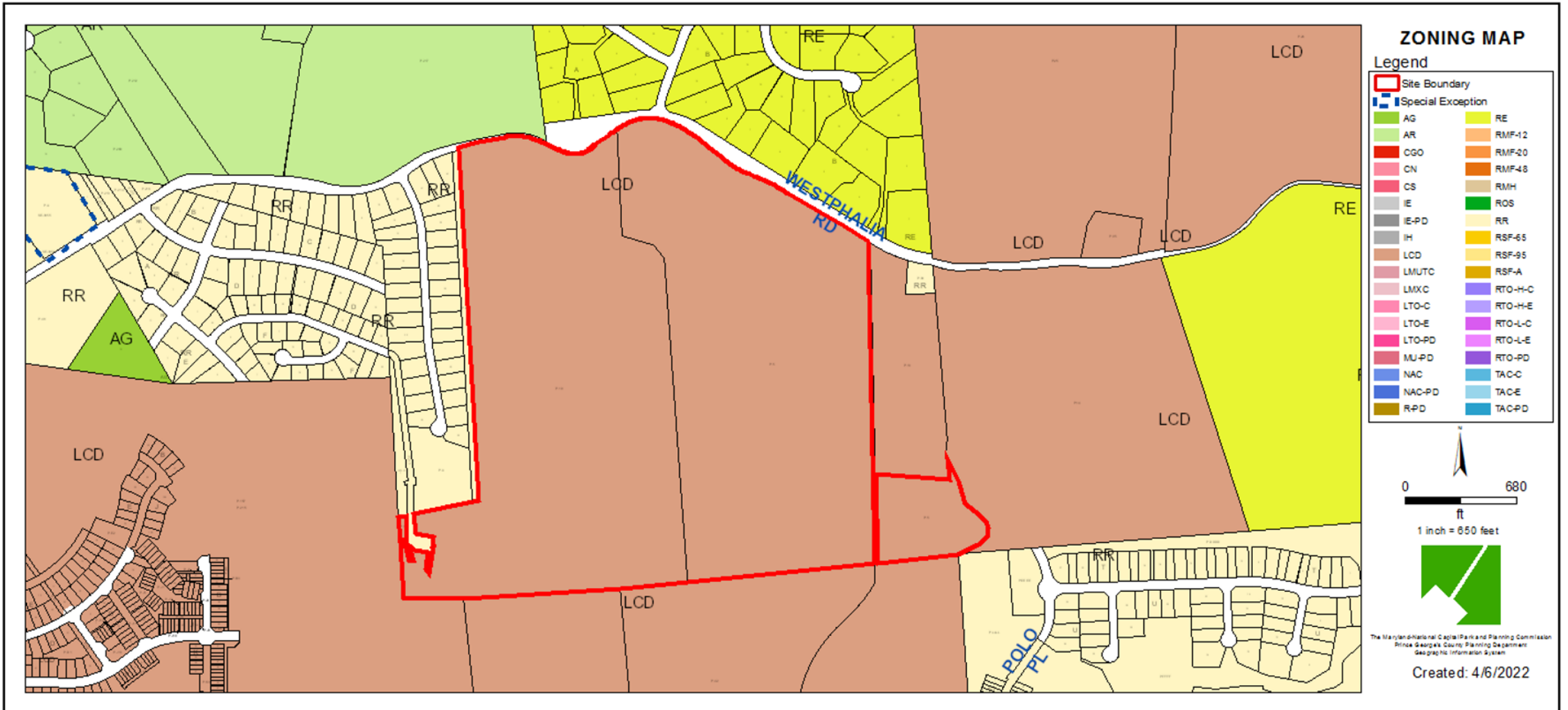


# SITE VICINITY MAP



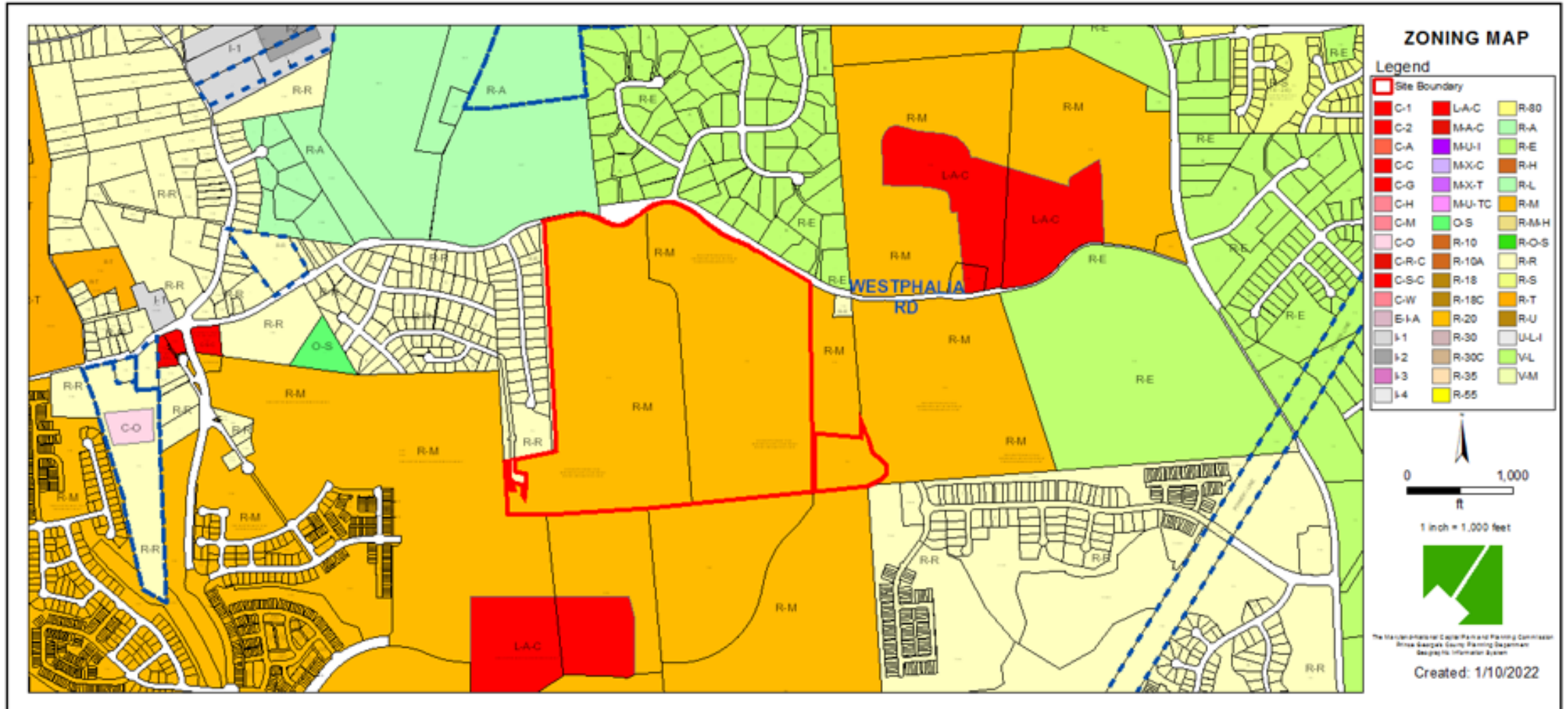
# NEW ZONING MAP

Property Zone: LCD

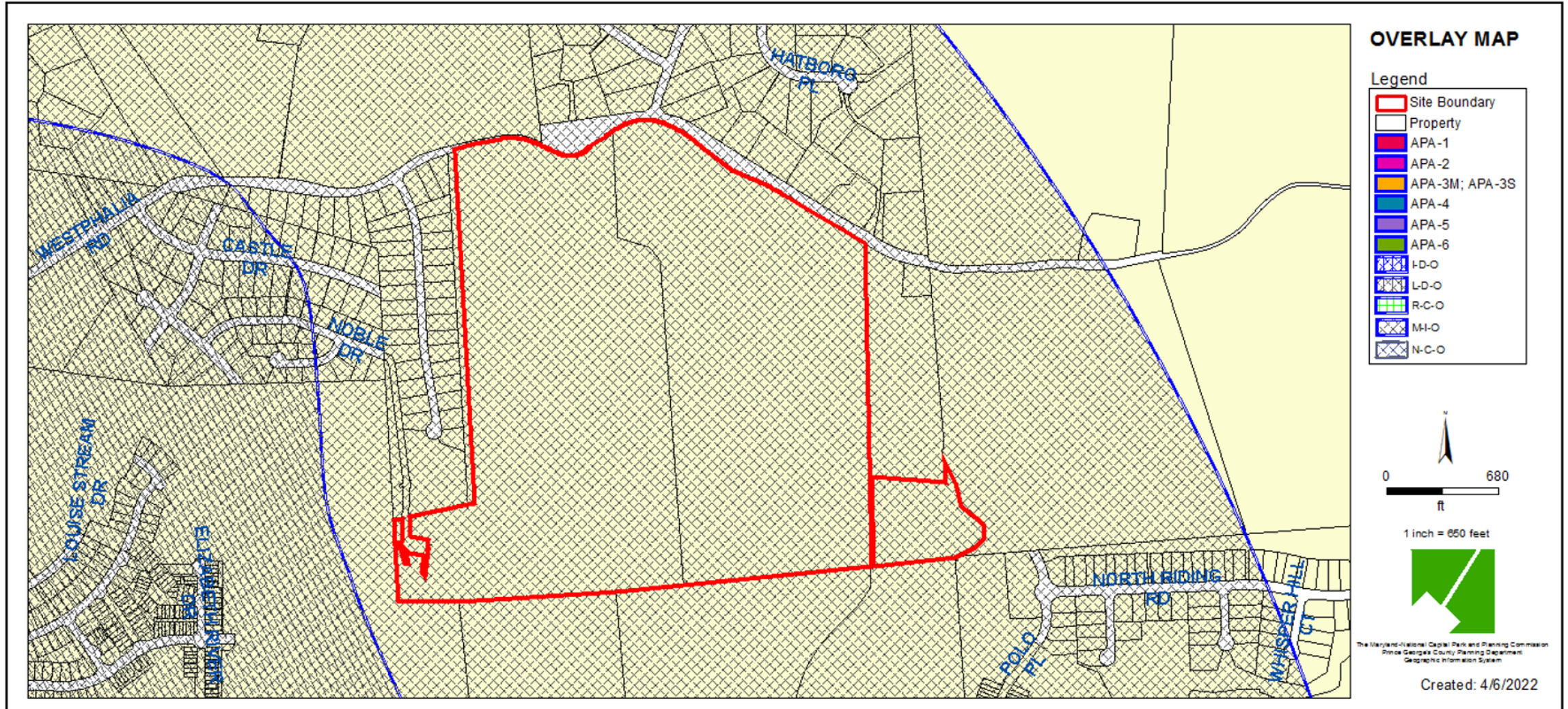


# PRIOR ZONING MAP

Property Zone: R-M



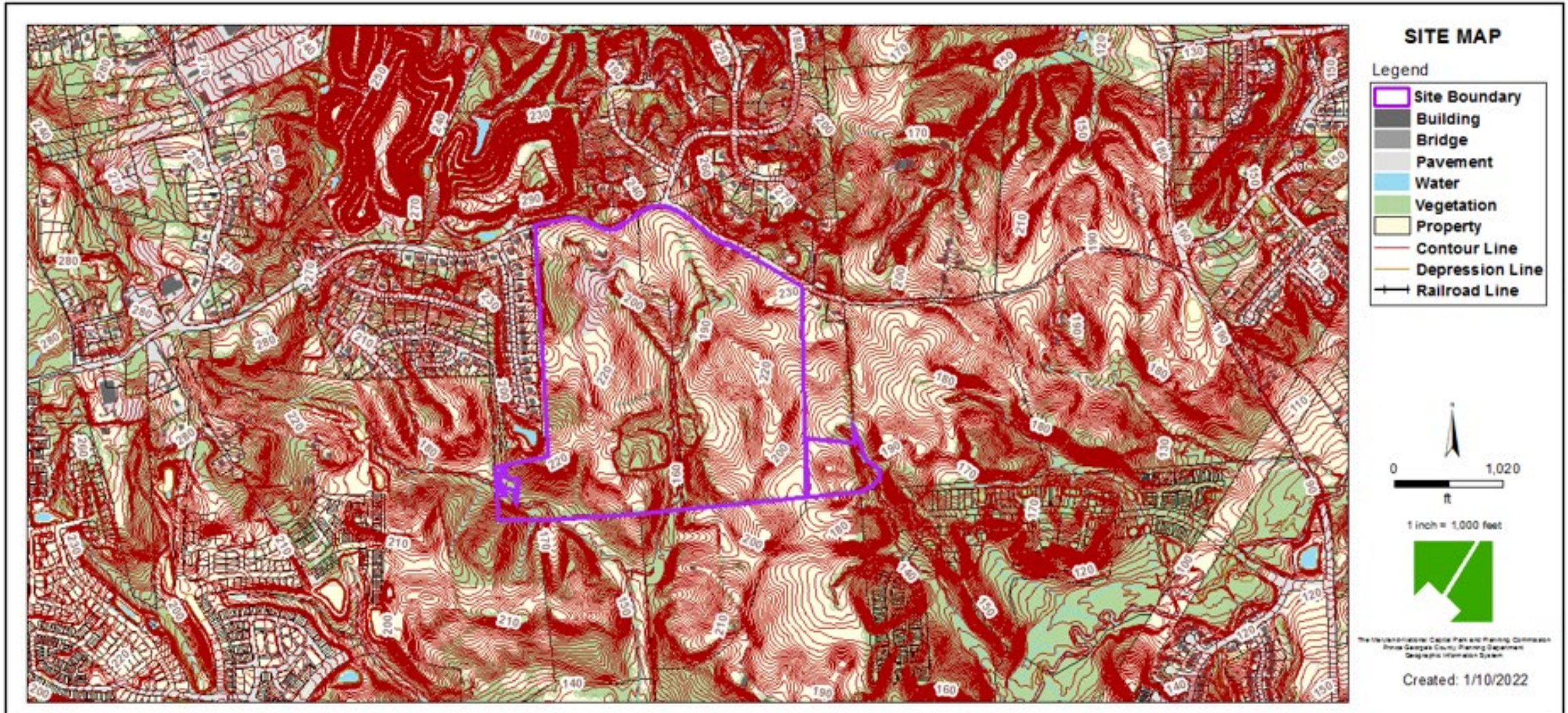
# OVERLAY MAP



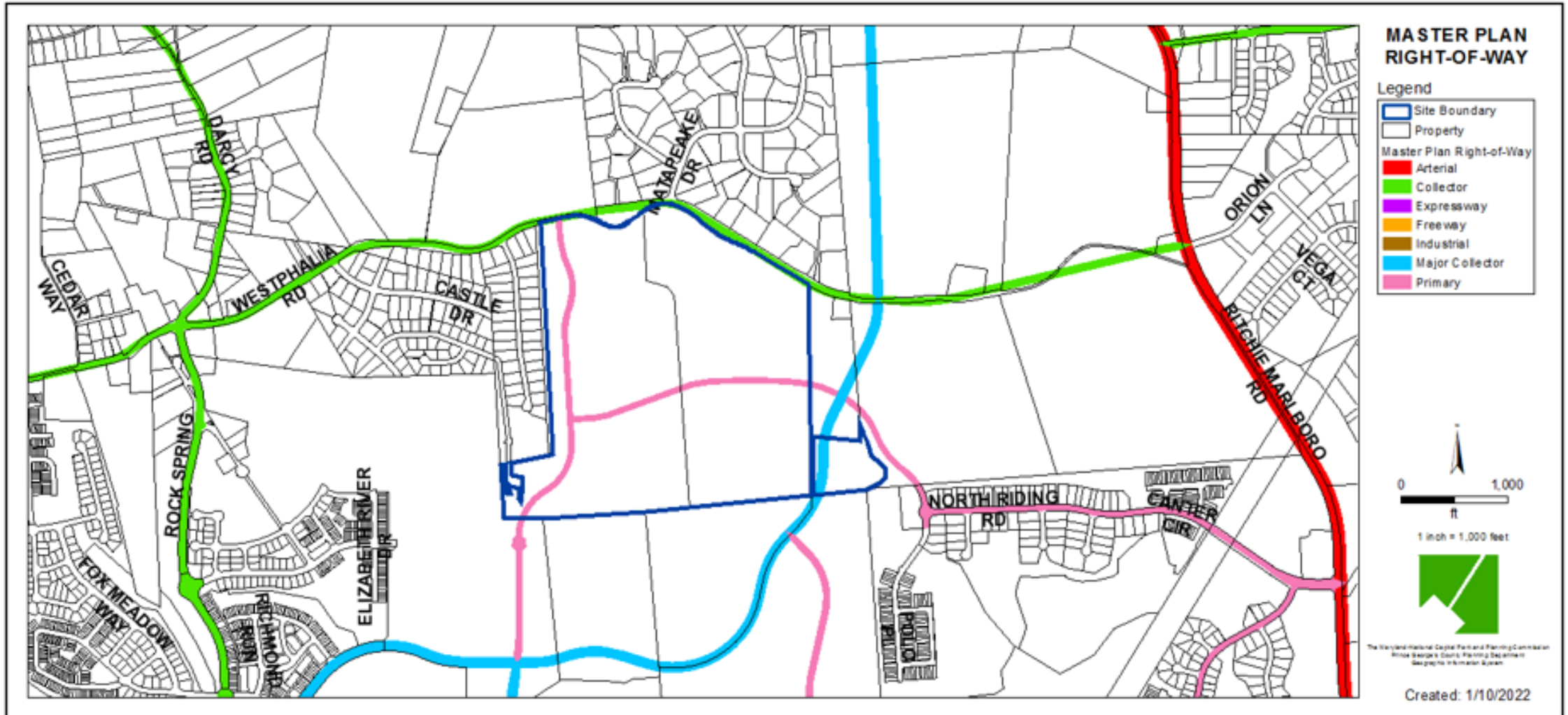
# AERIAL MAP



# SITE MAP



# MASTER PLAN RIGHT-OF-WAY MAP

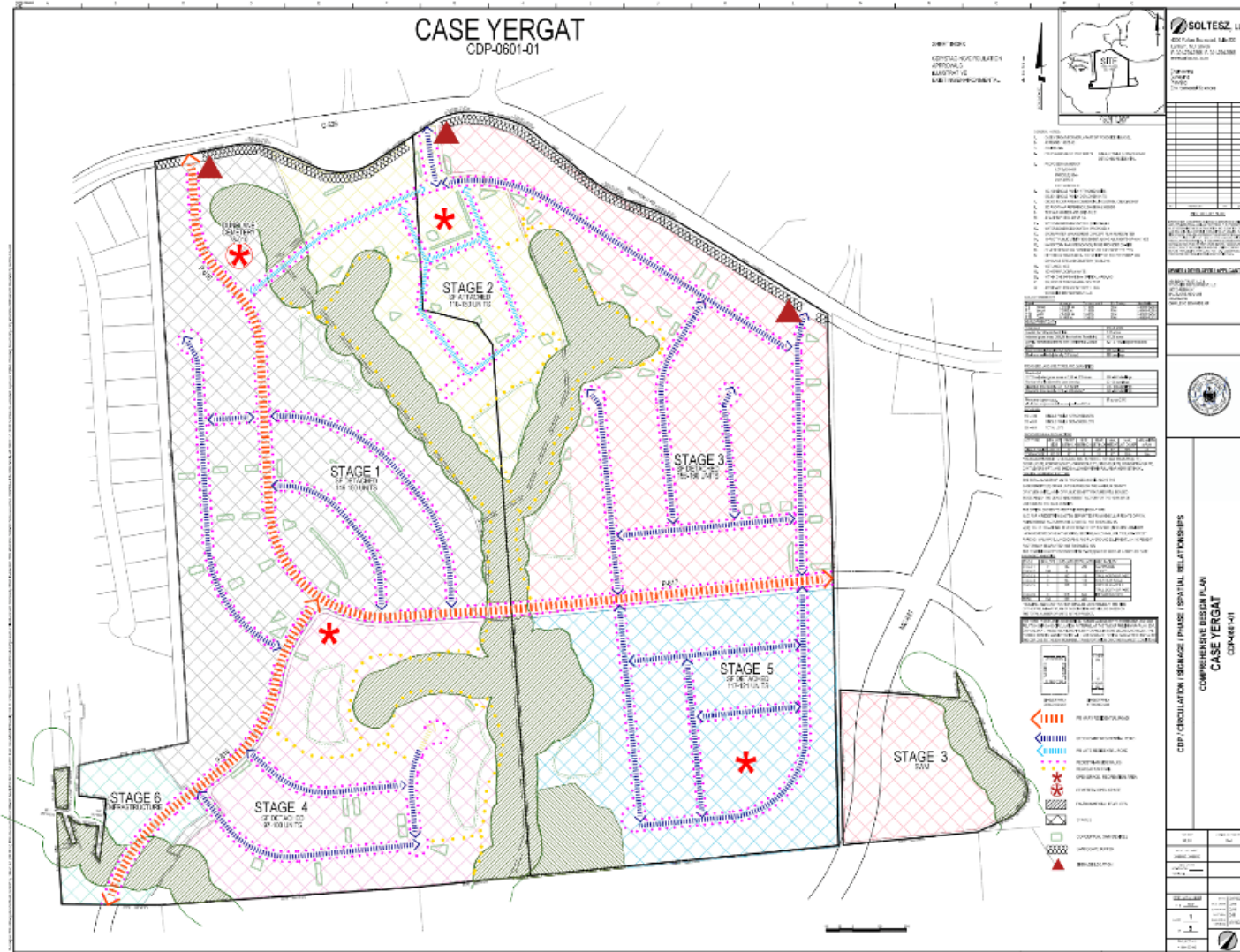


# BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED





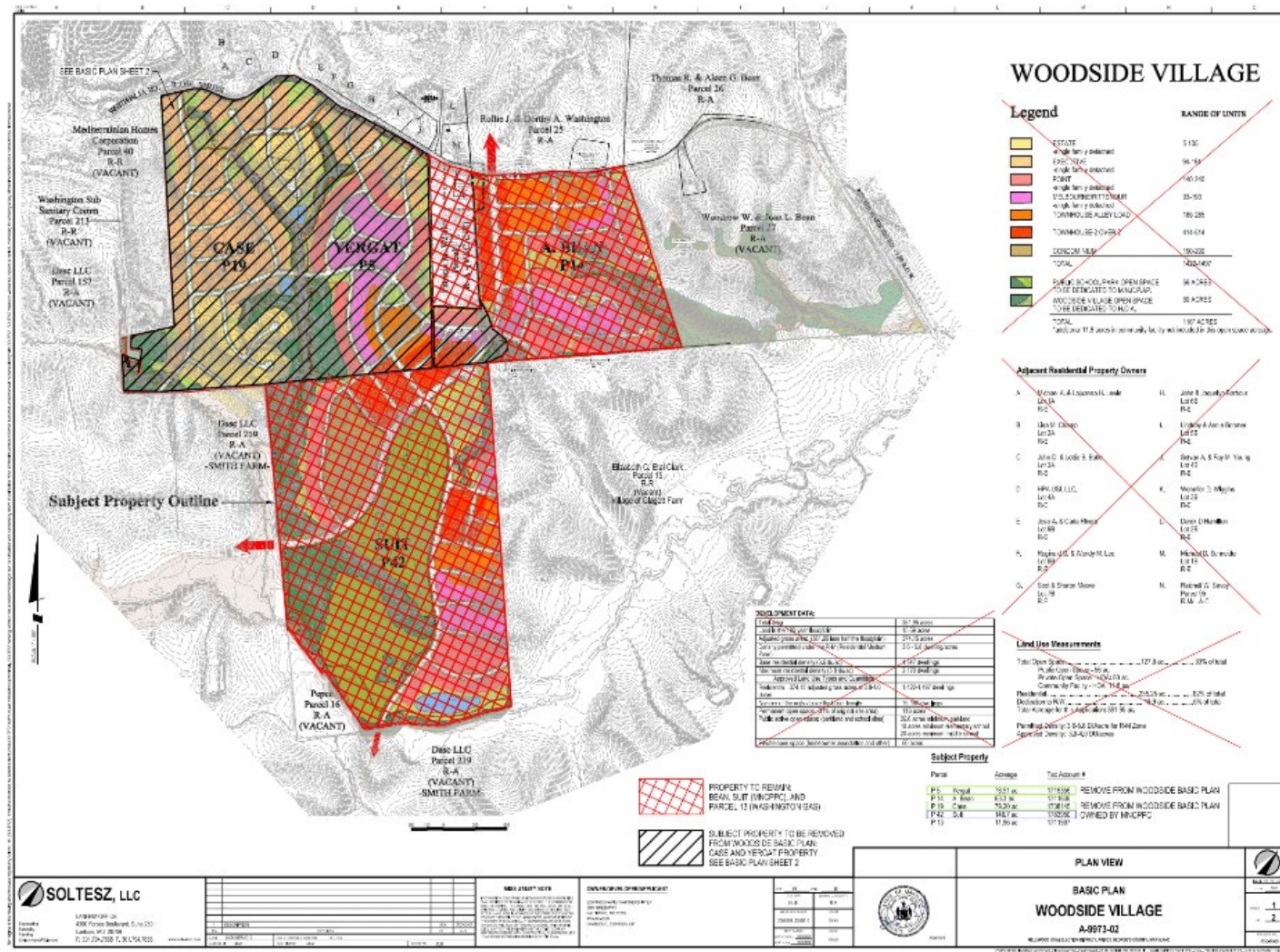
# COMPREHENSIVE DESIGN PLAN



# ILLUSTRATIVE PLAN



# BASIC SITE PLAN A-9973-02



# BASIC SITE PLAN ILLUSTRATIVE



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# STAFF RECOMMENDATION

**APPROVAL** with 6 conditions

**Issues:**

- None

**Applicant Community Engagement:**

- September 2021- Sun Valley HOA



Prince George's County Planning Department  
Community Planning Division

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.pgplanning.org

301-952-3972

March 31, 2022

## **MEMORANDUM**

**TO:** Henry Zhang, AICP, Planner IV, Urban Design Section, Development Review Division

**VIA:** David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division

**FROM:** Scott Rowe, AICP, CNU-A, Planner IV, Master Plans and Studies Section, Community Planning Division

**SUBJECT: CDP-0601-01 Yergat (Woodside Village)**

## **FINDINGS**

Community Planning Division staff finds that pursuant to Section 27-521(a) (1), this application does conform to the design guidelines or standards intended to implement the development concept recommended by the 2007 *Westphalia Approved Sector Plan*.

## **BACKGROUND**

**Application Type:** Comprehensive Design Plan in the Westphalia Sector

**Location:** Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie-Marlboro Road

**Size:** 158.28 acres

**Existing Use:** Generally undeveloped

**Proposal:** 516-531 single-family detached dwelling units and 110-130 single-family attached units

## **GENERAL PLAN, MASTER PLAN, AND SMA**

**General Plan:** This application is in the Established Communities. The vision for the Established Communities is to create the most appropriate for context-sensitive infill and low-to medium density development (Pg. 20).

**Master Plan:** The 2006 *Approved Westphalia Sector Plan* recommends Residential Low land uses for the subject property. Page 31 of the sector plan also makes the following recommendations applicable to the subject property:

**CDP-0601-01 Yergat (Woodside Village)**

“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.”

**Planning Area:** 78

**Community:** Westphalia

**Aviation/MIOZ:** This application is located within Height Surface E of the Military Installation Overlay Zone. Structures on the subject property should not exceed 474.75 feet in height.

**SMA/Zoning:** The 2021 *Approved Countywide Map Amendment* placed the subject property in the Military Installation Overlay/Legacy Comprehensive Design (MIO/LCD) Zone. Relevant to this application, the 2006 *Approved Westphalia Sectional Map Amendment* originally placed the subject property in the Residential-Medium (R-M) Zone. The District Council approved A-9973-02 which allows the proposed uses and densities via Zoning Ordinance No 8-2021.

**MASTER PLAN CONFORMANCE ISSUES:**

None

**ADDITIONAL INFORMATION**

None

CC: Long Range Book

Kierre McCune, AICP, Planning Supervisor, Master Plans and Studies Section, Community Planning Division



# PRINCE GEORGE'S COUNTY HISTORIC PRESERVATION COMMISSION

County Administration Building • 14741 Governor Oden Bowie Drive, 4<sup>th</sup> Floor, Upper Marlboro, Maryland 20772  
pgplanning.org/HPC.htm • 301-952-3680

March 16, 2022

## MEMORANDUM

**TO:** Henry Zhang, Urban Design Section, Development Review Division

**VIA:** Howard Berger, Historic Preservation Section, Countywide Planning Division **HSB**  
Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**  
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

**FROM:** Historic Preservation Commission

**SUBJECT:** **CDP-0601-01 Case Yergat (Woodside Village)**

The Historic Preservation Commission reviewed the subject application at its March 15, 2022, meeting and voted 6-0-1 (the Vice-Chair voted "present") to forward the following findings, conclusions and conditions to the Planning Board for its review of the subject application.

### Background

The subject property comprises 158.11-acres and is located on the south side of Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie Marlboro Road. The subject application proposes 120-130 single-family detached and 516-531 single-family attached units for a total of up to 661 dwelling units. The subject property is Zoned R-M (Residential-Medium).

### Findings

1. The Case and Yergat properties were part of the Dunblane land patent that was granted to Alexander Magruder on June 26, 1671. At his death in 1676, Dunblane was devised to his sons James and John Magruder. James Magruder eventually acquired title to the entire Dunblane land patent and later conveyed it to his brother, Samuel Magruder. Samuel Magruder served as High Justice and Captain of the Militia of Prince George's County and Justice of the County Court and served in the House of Assembly from 1704 to 1707. Samuel Magruder devised 250 acres of Dunblane to his son John at his death in 1711. John Magruder is believed to have constructed the house on Dunblane around 1723, which remained standing until being destroyed in a gas explosion in 1969. John Magruder devised Dunblane to his son, Nathaniel Magruder. Several enslaved people are mentioned in his will, including York, Hercules, David, and Margery. Nathaniel Magruder died in 1786 and his inventory listed 18 enslaved people on his plantation. Four men were described as smiths: Harry (45), Ben (32), Tom (25), and Will (22). The others listed were David (15), Charles (10), Bess (70), Moll (60), Clara (32, with a 3-month-old child), Rose (20), Poll (18), Molly (8), Sook (4), Cupid (4), Tom (3), Sam (3), Toby (2), and Adam (18 months). Dunblane was inherited by Francis Magruder and it is presumed that the enslaved people listed in Nathaniel Magruder's will continued to reside on the Dunblane plantation. By the time of the 1790 Census, Francis Magruder held nine enslaved people. In 1800, Francis Magruder held 26 enslaved people and in 1810, 27 enslaved people.



The 1798 Federal Direct Tax records described the Dunblane plantation as consisting of 249 acres with a dwelling house, a kitchen, storage related structures, such as a brick store house and meat house and a tenant house that included a kitchen, tobacco sheds, and a slave quarter. Francis Magruder died in 1819 and the 1821 inventory of his estate listed 33 enslaved people: James (70), Biney (50), Pegg (45), Polly (6), Inocence (3), Mary (26), Caroline (5), Barney (3), Henry (3 months), Esther (26), John (7), Richard (5), Davy (3), Judy (25), George (3), Charles (1), Clara (22), Bill (8 months), Alsgery (?) (16), Chrissy (3 months), Kitty (20), Matilda (15), Lavinia (10), Harry (40), John (28), London (25), Aaron (28), Gabriel (21), Thomas (21), Hanson (18), Ben (12), and Nancy (18). Francis Magruder devised Dunblane to his daughters, Louisa, Eleanor W. and Elizabeth Magruder.

Louisa Magruder (age 26-44) is listed in the 1820 Census, along with two other white females aged 16-25, who were presumably her sisters, Eleanor and Elizabeth Magruder. The number of enslaved people listed was 35, 13 of whom were engaged in agriculture and one in manufacture. Louisa Magruder died in 1828 and devised her portion of Dunblane to her sister, Eleanor. In the case of the death of Eleanor without children, her estate was to go to their nephew Francis Magruder Bowie. In her will, Louisa Magruder freed one of her enslaved laborers named Tom. She further willed that all male and female slaves over 20 were to be freed six years after her death, all slaves aged 12-19 to be freed after 12 years, and all slaves under 12 to be freed when they reached the age of 25.

The 1830 Census for Prince George's County is missing, but the 1840 Census enumerates Ellen W. Magruder, age 40-99, as the head of household, with one white male age 20-29 and one age 5-9, one other white female age 20-29, and 26 enslaved people. Eleanor W. Magruder died February 5, 1847 and is buried in the Magruder Family Cemetery. In her will, Eleanor W. Magruder devised to her cousin Eliza Hamilton, wife of Dr. C.B. Hamilton, "all that part of my landed estate which lies on the south side of the public road leading from the long old fields through my plantation to Upper Marlboro on which my dwelling house stands." Dr. C.B. and Eliza Hamilton were probably the people residing with Eleanor W. Magruder as listed in the 1840 Census. Eleanor W. Magruder also directed in her will that "a good and sufficient brick wall resting on a granite foundation should be built around the family burying ground." She bequeathed all her negro slaves, except one, to Dr. C.B. Hamilton, to serve him one year from the time of her decease and then to be free, with the expense of procuring their free papers to be paid out of her estate. Her negro slave called Henny, daughter of Jenny, she bequeathed to Florence Holcomb.

Eleanor W. Magruder's inventory enumerates 24 enslaved persons: Gabriel, Charles Lee, George Lee, Nace, Charles Gray, Moses, Bill, Tom, Mary, Silvey, Easter, Jane, Beck, Rachel, Lucy, Jeney, Milley, Henry, Hopey, Henny, Alfred, Susan, Nancy, and Bob. The Hamiltons likely continued to reside at Dunblane for a time after the death of Eleanor W. Magruder until they moved to Washington, DC. The Hamiltons sold the Dunblane plantation to a relative, George W. Watterston of Louisiana, on April 11, 1849. Although indicated as the owners of the property on the 1861 Martenet Map, the Watterstons do not appear to have resided on the property and likely operated the plantation with tenants. William T. Bealll acquired the property in 1904 and farmed the land until he sold the land in 1930 to Charles Raphael and Margaret Ellen Carrick. The land remained in the Carrick family until it was sold to David Carroll Case and Horace G. Baldwin in 1998.

2. The subject property includes the Dunblane Site & Cemetery (Historic Resource 78-010). Located on the Dunblane property is the Magruder/McGregor Family Cemetery with interments and tombstones dating from 1810 to 1857. The original eighteenth century Dunblane House was destroyed in 1969.

Dunblane was a one-and-one-half story, multi-part stucco-covered dwelling that was one of Prince George's County's most venerable landmarks because of its association with the earliest generations of the Magruder family. Dunblane was built in 1723 by John Magruder, grandson of Alexander Magruder, a Scottish immigrant. Three walls were constructed of bricks, the fourth was of log construction. The house stood until a gas explosion in 1969. At its destruction, Dunblane was the oldest Magruder dwelling in Maryland. The property had been documented with photographs and plan sketches by the Historic American Buildings Survey in the 1930s.

3. Historic Resource 78-010 Dunblane Site & Cemetery has not been evaluated by the Historic Preservation Commission for potential designation as a Historic Site according to the criteria found in the Historic Preservation Ordinance (Subtitle 29 of the County Code). A ground penetrating radar survey was conducted in and around the Magruder Family Cemetery in June 2006. A total of 25 burials was identified and all cemetery elements were documented and photographed, including headstones, partial fencing, and vegetation. The results of the geophysical survey were included with the Phase I archeology report. It is possible that with the completion of archeological investigations, the Magruder/McGregor Family Cemetery and/or the Dunblane House site could be found to meet Historic Site designation criterion A.

## Archeology

4. A Phase I archeological survey was conducted on the five parcels comprising the Woodside Village property (Wholey, Suit, Yergat, A. Bean, and Case) from February to April 2005 and January to May 2007. Twelve archeological sites were identified on the overall property. Six archeological sites, 18PR898, 18PR899, 18PR900, 18PR901, 18PR902, and 18PR903 were recorded on the Yergat and Case properties. Site 18PR898 is located on the Yergat Property and is a mid-nineteenth to twentieth century artifact scatter that may represent the remains of two tenant houses. Site 18PR899 is located on the Yergat Property and is a refuse disposal area dating from the late nineteenth to twentieth centuries. Site 18PR900 is located on the Case Property and is an eighteenth-to-twentieth-century artifact scatter associated with the former Dunblane House (Historic Resource 78-010). Site 18PR901 is located on the Case Property and consists of a late-nineteenth to early-twentieth century artifact scatter. Site 18PR902 is located on the Case Property and is a late-nineteenth to early-twentieth century refuse dump associated with house site 18PR900. Site 18PR903 is located on the Case Property and is another late-nineteenth to early-twentieth century refuse dump associated with house site 18PR900.
5. Historic Preservation staff concurred with the Phase I report's findings that no further work is necessary on sites 18PR899, 18PR902 and 18PR903. In addition, staff concurred that Phase II investigations were necessary on sites 18PR898, 18PR900, and 18PR901. The previous applicant submitted four copies of the final reports for the Case and Yergat properties. The reports were accepted by Historic Preservation staff on March 28 and April 8, 2008.

6. Phase II archeological investigations were completed on the Case property by the previous applicant's archeological consultant. However, the draft Phase II report was never submitted to Historic Preservation Staff. The applicant retained another consultant to perform additional Phase II investigations on sites 18PR900 and 18PR901 to determine if intact deposits or features in each site were present. No Phase II investigations were conducted on site 18 PR898 on the Yergat property.

### **Case Property**

7. Phase II investigation of sites 18PR900 and 18PR901 on the Case property were completed in October 2021. A metal detector survey was conducted at both sites with the intent of identifying construction hardware, such as nails, that might indicate the presence of buildings and intact archeological features. A diffuse scatter of metal artifacts was identified on the east end of site 18PR900 where the eighteenth century Dunblane house was located before being destroyed in a gas explosion in 1969. An area west of a small drainage on the western side of site 18PR900 yielded artifacts dating from the eighteenth through twentieth centuries. These artifacts included a number of handwrought nails, metal buttons and spoons dating to the nineteenth century, as well as a post-1938 Plymouth silver plate. Two early nineteenth century US Navy buttons, as well as a lead wax seal, were also recovered.

Nine 3 ft by 3 ft test units were placed in the western portion of the site where a cluster of historic artifacts was encountered. Seven of the units exhibited three or more strata. Ten aboriginal lithics were recovered, but there was no evidence of a significant long-term prehistoric occupation of the site. This portion of the site likely represents occasional visits to a nearby spring by aboriginal people, but no long-term occupation during the prehistoric period. Most of the historic artifacts were identified in mixed contexts and possibly represents erosion from a historic period site located outside of the boundaries of the subject property. The bulk of the material recovered in the western portion of the site dates from the late eighteenth through the first half of the nineteenth centuries.

Metal detecting was also conducted at site 18PR901 in the southern portion of the Case property. A large portion of the area within the site had been graded or heavily damaged by machine and truck traffic. Work was suspended on 18PR901 when it was determined that a large portion of the surface had been recently disturbed.

Due to the lack of intact deposits or features and extensive twentieth century disturbance, no further work was recommended on sites 18PR900 and 18PR901. Historic Preservation staff concurs that no additional archeological investigations are necessary on either site.

The Magruder family held a number of enslaved people on the subject property during their occupation of the site. The Magruder family cemetery does not appear to be large enough to have included burials of enslaved people. Therefore, it is possible that a separate burial ground for the enslaved people exists on the larger property. Historic Preservation staff have identified several areas where a slave cemetery may have been located. The applicant should work with Historic Preservation staff to investigate some areas of the subject property that were not previously shovel tested to determine if a separate burial ground for enslaved people is present.

## **Yergat Property**

8. A Phase I archeology survey was conducted on the Yergat property in February 2005, with additional investigations in April 2007. A total of 613 shovel test pits were excavated across the Yergat property, and 229 locations were investigated by pedestrian survey. Two historic archeological sites, 18PR898 – a late nineteenth to twentieth century tenant site – and 18PR899 – a late nineteenth to twentieth century artifact scatter – were identified on the property. Due to the large number of artifacts recovered and the large size of the site, Phase II evaluation was recommended for site 18PR898 to determine its eligibility to the National Register of Historic Places. No further work was recommended for site 18PR899 due to its lack of intact deposits, lack of structural debris, and lack of evidence for structures at this location.

Staff concurs with the recommendations of this report that no additional archeological investigations are necessary on site 18PR899 located in the northern portion of the Yergat Property. After a site visit to the area of site 18PR898 on March 15, 2022, staff concluded that the large artifact scatter represented by site 18PR898 was the result of manuring the agricultural fields with refuse brought into the site from Washington, DC. Therefore, staff concluded that no additional archeological investigations were necessary on site 18PR898.

## **Conclusions**

### *Historic Preservation*

1. At the time of the submission of the associated Preliminary Plan, the Historic Preservation Commission should evaluate the Dunblane Site and Cemetery (Historic Resource 78-010) to determine if it meets any of the Historic Site criteria in Subtitle 29 (the Prince George's County Historic Preservation Ordinance). Any associated Environmental Setting for the historic site should include adequate buffering from nearby features of the proposed development such as roadways, sidewalks, lighting, or stormwater management facilities.
2. Based on the historic significance of the Dunblane property, and its association with the Magruder family, the Magruder/McGregor family cemetery should be protected and maintained throughout the development process. A plan for the long-term maintenance and preservation of the site should be developed for the cemetery by the applicant.
3. Should the Magruder/McGregor Family Cemetery and/or an archeological feature within the developing property be designated as a Historic Site, the buffering provisions of the Prince George's County Landscape Manual would apply, and careful consideration should be given to the character of fencing, lighting, and landscape features to be introduced.

### *Archeology*

4. Phase II archeology investigations conducted on sites 18PR900 and 18PR901 on the Case property indicated that there was a high degree of disturbance to both sites due to agricultural activities and recent grading and dumping on the southern portion of the property. Historic Preservation staff concurs with the findings and conclusions of the Phase II archeological investigations for the Case Property that no further work is necessary on either site. Three hard copies and three digital copies of the final Phase II report for the Case

property should be submitted prior to the approval of the associated Preliminary Plan of Subdivision.

5. A Phase II archeological investigation was previously recommended on portions of site 18PR898 on the Yergat property. However, after a site visit to the subject property on March 15, 2022, it was determined that the site represented manuring activities on the agricultural fields and that no further work was necessary on site 18PR898. Phase II archeological investigations are not recommended on site 18PR898.
6. During the site visit on the Case and Yergat Properties on March 15, 2022, Historic Preservation staff identified two areas on the property that could possibly be the location of a burial ground for the enslaved people who were held by the Magruder family on the subject property. The applicant's consultant archaeologist recommended the use of cadaver dogs to explore the areas of the property noted during the site visit as the possible location of a burial ground for the enslaved laborers. This work should be completed prior to the approval of the associated Preliminary Plan for this proposed development.
7. The artifacts recovered from Phase I and Phase II investigations conducted on the Case Property and Phase I investigations on the Yergat property by Greenhorne & O'Mara (now Stantec) archeologists under the previous owner, were never curated with the Maryland Archaeological Conservation (MAC) Lab in Calvert County. The applicant should contact Stantec archeologists about curating the artifacts recovered from the previous investigations on the Case and Yergat properties at the MAC Lab.

## **Recommendations**

The Historic Preservation Commission recommends to the Planning Board approval of CDP-01601-01 Case Yergat (Woodside Village) with the following conditions:

1. Prior to approval of the preliminary plan:
  - a. The applicant shall prepare a draft perpetual maintenance covenant to be attached to the legal deed (i.e., the lot or parcel delineated to include the Magruder Family Cemetery 78-010). Evidence of this covenant shall be presented to and approved by the Planning Board or its designee prior to final plat.
  - b. The applicant shall demonstrate that the Dunblane (Magruder Family) Cemetery (Historic Resource 78-010), or any other burial ground that may be identified on the property, shall be preserved and protected in accordance with Section 24-135.02 of the Subdivision regulations including:
    - i. An inventory of existing cemetery elements which shall be provided to Historic Preservation staff for review and approval.
    - ii. Measures to protect the cemetery during development, which shall be provided to Historic Preservation staff for review and approval.
    - iii. An appropriate fence or wall constructed of stone, brick, metal or wood shall be maintained or provided to delineate the cemetery boundaries. The design

of the proposed enclosure and a construction schedule shall be reviewed and approved by Historic Preservation staff.

- iv. The applicant shall provide a final report detailing the Phase II investigations on sites 18PR900, and 18PR901, and shall ensure that all artifacts are curated at the Maryland Archaeological Conservation Lab in Calvert County, Maryland.
2. At the time of preliminary plan, if any archeological sites have been identified as significant and potentially eligible to be designated as a Prince George's County Historic Site or determined to be eligible for listing in the National Register of Historic Places, the applicant shall provide a plan for:
  - a. Avoiding and preserving the resource in place; or
  - b. Phase III Data Recovery investigations and interpretation.
3. Prior to the approval of a Specific Design Plan application (or applications) for the area including the Magruder Family Cemetery and any significant archeological sites, the applicant's Phase III Data Recovery plan, if said plan is required based on the findings of a Phase II investigation, shall be approved by the M-NCPPC staff archeologist. The Phase III (Treatment/Data Recovery) final report shall be reviewed for compliance with the Guidelines for Archeological Review before any ground disturbance or before the approval of any grading permits within 50-feet of the perimeter of the archeological site(s) identified for Phase III investigation.
4. Prior to the approval of a Specific Design Plan, not including a site plan for infrastructure only, the applicant shall provide a plan for any interpretive signage to be erected if any significant archeological sites are further identified on the Case Property. The location and wording of the signage shall be subject to approval by the M-NCPPC staff archeologist. The installation of the signage shall occur prior to the issuance of the first building permit for the development.
5. Prior to the approval of a Specific Design Plan application (or applications), not including a site plan for infrastructure only, for the area including the Magruder Family Cemetery (78-010) and any significant archeological sites, the applicant shall provide for buffering of the cemetery and/or any archeological site designated as a Historic Site, in compliance with the Prince George's County Landscape Manual.
6. Prior to the approval of the first building permit for the development, the applicant shall provide for a permanent wall or fence to delineate the Dunblane (Magruder Family) cemetery boundaries, or any other burial ground that may be identified on the subject property and provide for the placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant shall submit the design of the wall or fence and proposed text for the marker for review and approval by the Historic Preservation staff.

March 25, 2022

## MEMORANDUM

**TO:** Henry Zhang, Planner IV, Zoning Section  
**FROM:** Sherri Conner, Planning Supervisor, Subdivision Section *SC*  
**SUBJECT:** CDP-0601-01; Case Yergat (Woodside Village)

The subject property consists of four acreage parcels, two of which are both known as Parcel 5 and two of which are both known as Parcel 19. The two Parcel 5's are recorded in the Prince George's County Land Records in Liber 45419 at folio 393, while the two Parcel 19's are recorded in Liber 45939 at folio 532. The property area is 158.28 acres. The property is in the Residential Medium Development (R-M) Zone, as well as the Military Installation Overlay (M-I-O) Zone for height, and it is subject to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.

Basic Plan A-9973 and Comprehensive Design Plan CDP-0601 established the original plan for the overall development. Basic Plan Amendment A-9973-02 established a new basic plan specific to the property included in this CDP amendment, which came under separate ownership from the remainder of the development. This CDP proposes amendments to CDP-0601 applicable to Parcels 5, 5, 19, and 19 only, in accordance with A-9973-02.

There are no previous preliminary plans of subdivision (PPS) or final plats of subdivision applying to this site. A PPS will be required for the division of land and the proposed construction of multiple dwelling units. Final plats of subdivision will be required following approval of the PPS and specific design plans (SDP) before any permits can be approved for the subject site.

### **Conformance with Prior Approvals**

Basic Plan A-9973-01 has 15 conditions of approval; of these Conditions 3, 10, and 14 will be applicable at the time of PPS and Conditions 12 and 14 will be applicable at the time of final plat. At this time, there are no major subdivision issues with regard to conformance with these conditions.

Comprehensive Design Plan CDP-0601 has 21 conditions of approval; of these, Conditions 2, 14, and 18 will be applicable at the time of PPS and Conditions 5, 7, 10, and 21 will be applicable at the time of final plat. Of these conditions, the applicant is requesting deletion of Conditions 2d, 5, 10, and 18, and amendment of Conditions 2e and 14. Subdivision staff have no objections to the requested deletions and amendments; however, concurrence will be needed from the Environmental Planning Section for proposed changes to Conditions 2d, 2e, 14, and 18, and concurrence will be needed from

the Department of Parks and Recreation for changes to Conditions 5 and 10.

**Additional Comments:**

Two master planned primary roads, P-616 and P-617, are shown on the proposed comprehensive design plan amendment serving the residential development area. P-616 enters the site near its southwest corner and connects north to Westphalia Road. P-617 enters the site on its east side and connects west to P-616. In addition, MC-631 passes through the eastern Parcel 5. Acceptability of the proposed alignments should be determined by the Transportation Planning Section. Dedication of the master planned roads will be required at the time of PPS.

The middle entrance to the development from Westphalia Road may need to align with Matapeake Drive in order to ensure efficient circulation and queuing onto and off of Westpahalia Road, as determined in consultation with the Transportation Planning Section and road operating agency. The applicant provided a response that they are open to realignment of the entrance dependent on necessary studies for sight distance and improvements to Westphalia Road. The necessary alignment of this entrance will be further examined at the time of PPS.

**Conclusion**

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. A preliminary plan of subdivision and final plat will be required. There are no other subdivision issues at this time.





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


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March 28, 2022

**MEMORANDUM**

TO: Henry Zhang, Urban Design Review Section, Development Review Division

FROM:  Glen Burton, Transportation Planning Section, Countywide Planning Division

VIA:  William Capers III., PTP, Supervisor, Transportation Planning Section,  
Countywide Planning Division

**SUBJECT: CDP-0601-01 Case-Yergat**

**Proposal:**

This application is a comprehensive design plan (CDP-0601-01), for the development of up to 661 dwelling units for Parcel 5 and Parcel 19 of Woodside Village consistent with the approval of Basic Plan amendment A-9973-02.

**Prior Conditions of Approval:**

- February 6, 2007, the County Council approved the Westphalia Sector Plan and Sectional Map Amendment.
- September 11, 2008, Planning Board CDP-0601. Affirmed by County Council on February 9, 2009.
- November 15, 2021, Approval of A-9973-02, (Parcel 19 and Parcel 5), by District Council

**Master Plan Compliance:**

The subject property is located in an area where the development policies are governed by the *Approved Westphalia Sector Plan and Sectional Map Amendment, 2007*, as well as the *Approved Countywide Master Plan of Transportation, November 2009*. This development will be served by three roads with master plan designation:

- Westphalia Road (C-626), a two-lane collector along the northern boundary, with plans to widen to a maximum of 4 lanes within an 80-foot right-of-way.
- MC-631, an unbuilt major collector road which will be built along the western boundary, and will include four lanes and a median within a 100-foot right-of-way.
- P-617, an unbuilt 60-foot primary residential street that runs east-west, between planned P-616 and the eastern end of the development. This road will be terminated with a stubbed connection to the adjacent property to the east.

- P-616, an unbuilt 60-foot primary residential street that runs north-south close to the western end of the site.

### **Master Plan Pedestrian and Bike Facilities**

The Approved Master Plan of Transportation (MPOT) includes the following goal and policies regarding sidewalk and bikeway construction and the accommodation of pedestrians and bicyclists (MPOT, pages 7 and 8):

**GOAL:** Provide a continuous network of sidewalks, bikeways and trails that provide opportunities for residents to make some trips by walking or bicycling, particularly to mass transit, schools, employment centers, and other activity centers.

**POLICY 2:** Provide adequate pedestrian and bicycle linkages to schools, parks, recreation areas and employment centers.

**POLICY 3:** Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

**POLICY 4:** Identify sidewalk retrofit opportunities for small area plans within the Developed and Developing Tiers in order to provide safe routes to school, pedestrian access to mass transit and more walkable communities.

**POLICY 5:** Plan new development to help achieve the goals of this master plan.

In addition, the MPOT recommends the construction of side paths along MC-631, P-616, and P-617.

### **Comment**

The subject site will be served by major roads along the northern and eastern end of the property. The planned right-of-way for these facilities will facilitate the design and construction of shared-use paths as recommended by the Master Plan, unless modified by DPIE with written correspondence. The applicant shall provide a network of pedestrian and bikeway facilities internal to site to facilitate adequate connection for pedestrian and bicycle travel in accordance with the Master Plans policies and goals. The exact location and design of said facilities shall be evaluated with future applications.

### **Zoning Ordinance Compliance:**

Section 27-521(5)(C) provides guidance regarding the compatibility of facilities from the standpoint of circulation access points. The site is being proposed with a total of five access points for both vehicles and pedestrians. There is an environmental feature that bifurcates the property into a western and an eastern half. Both halves of the property will be connected with two internal public streets, one of which (P-717) will include a side path. The other cross connection will be a public residential street with sidewalks on both sides.

### **Analysis of Bicycle & Pedestrian Impacts:**

This development is not located within any established Corridor, and is, therefore not subject to Section 24-124.01 and the "Transportation Review Guidelines – Part 2".

**Staff Review and Comments:**

Staff reviewed a traffic impact study (TIS) dated November 2021 in conjunction to the subject CDP amendment. This TIS is necessary because the proposed development is 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 (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. A three-part process is employed for two-way stop-controlled intersections:

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 conducted by staff of the Transportation Planning Section, consistent with the "Transportation Review Guidelines - Part 1- 2012". 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	B/1107	B/1002
Ritchie Marlboro Road and White House Road	B/1034	B/1003

Westphalia Road and MD 4	C/1174	D/1312
Westphalia Road and D’Arcy Road *	21.4 seconds	24.2 seconds
Ritchie Marlboro Road and Westphalia Road-Orion Lane *	21.9 seconds	39.4 seconds
MD 4 and Suitland Parkway-Presidential Parkway	E/1563	F/1644
D’Arcy Road and Sansbury Road *	12.6 seconds	12.6 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 traffic study identified 20 background developments whose impact would affect some or all of the study intersections. Based on ADT data representing the last 10 years of daily traffic along regional routes such as MD 4, it was determined that an average annual growth of 0.2 percent has been realized. Applying a conservative growth of 0.5 percent over a six-year period, plus the traffic for those background developments, the analyses were predicated on the following two intersections being upgraded to interchanges:

- Westphalia Road and MD 4 (CR-66-2010 PFFIP Funding)
- MD 4 and Suitland Parkway-Presidential Parkway (CTP Funding)

Given all the background-related assumptions, 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/1044	D/1322
Ritchie Marlboro Road and White House Road	C/1177	C/1212
Westphalia Road and MD 4	-	-
MD 4 SB Ramps and Old Marlboro Pike	A/597	A/728
MD 4 NB Ramp and Westphalia Road	A/534	A/697
Westphalia Road and D’Arcy Road *		
Tier 1: HCS Delay test	53.3 seconds	>200.0 seconds
Tier 2: Minor Street Volume	>100 vehicles	>100 vehicles
Tier 3: CLV	A/753	A/864
Ritchie Marlboro Road and Westphalia Road-Orion Lane *		
Tier 1: HCS Delay test	106.8 seconds	148.8 seconds
Tier 2: Minor Street Volume	>100 vehicles	>100 vehicles
Tier 3: CLV	B/1106	C/1248
MD 4 and Suitland Parkway-Presidential Parkway	-	-
MD 4 SB Ramps and Suitland Parkway	A/685	A/558
MD 4 NB Ramp and Presidential Parkway	A/578	A/504
D’Arcy Road and Sansbury Road *	33.0 seconds	42.8 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.

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	531	80	318	398	311	167	478
Townhouse	130	18	73	91	68	36	104
<b>Total new trips</b>		98	391	<b>489</b>	379	203	<b>582</b>

The table above indicates that the development as proposed, will be adding 489 AM and 582 PM net new peak trips. A third analysis depicting total traffic conditions was done, yielding the following results:

<b>TOTAL CONDITIONS</b>		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	B/1103	D/1388
Ritchie Marlboro Road and White House Road	C/1186	C/1236
<b>Westphalia Road and MD 4</b>	-	-
MD 4 SB Ramps and Old Marlboro Pike	A/597	A/842
MD 4 NB Ramp and Westphalia Road	A/534	A/697
<b>Westphalia Road and D'Arcy Road *</b>		
Tier 1: HCS Delay test	161.9 seconds	>200.0 seconds
Tier 2: Minor Street Volume	>100 vehicles	>100 vehicles
Tier 3: CLV	A/929	B/1080
Westphalia Road and West Site Access *	13.5 seconds	14.6 seconds
Westphalia Road and East Site Access *	12.0 seconds	12.4 seconds
Westphalia Road and Main Site Access *	12.8 seconds	13.4 seconds
<b>Ritchie Marlboro Road and Westphalia Road-Orion Ln *</b>		
Tier 1: HCS Delay test	>200.0 seconds	>200.0 seconds
Tier 2: Minor Street Volume	>100 vehicles	>100 vehicles
Tier 3: CLV	B/1126	<b>C/1273</b>
<b>MD 4 and Suitland Parkway-Presidential Parkway</b>	-	-
MD 4 SB Ramps and Suitland Parkway	A/728	A/598
MD 4 NB Ramp and Presidential Parkway	A/585	A/527
<b>D'Arcy Road and Sansbury Road *</b>		
Tier 1: HCS Delay test	74.7 seconds	143.3 seconds
Tier 2: Minor Street Volume	>100 vehicles	>100 vehicles
Tier 3: CLV	A/798	A/964
* 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.
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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 & Westphalia Road-Orion Lane, has failed the three-step test required for unsignalized intersections. Consequently, the TIS is recommending that the applicant provides a signal warrant analysis for the intersection. If the intersection is deemed to be warranted, the applicant will be required to install said signal(s) if such installation is approved by the permitting agency. Regarding the intersection of MD 4 @ Westphalia Road-Old Marlboro Pike, the adequate levels of service projected for this intersection are based on an interchange being built. Pursuant to the provisions of County Council approved CR-66-2010, the applicant will be required to contribute to the Westphalia Public Facilities Financing and Implementation Program (PFFIP) District. The amount of the contribution will be determined at the time of preliminary plan of subdivision.

Having reviewed the TIS, staff is in general agreement with its overall conclusions and recommendations. The traffic study was referred out to the State Highway Administration (SHA) as well as the Department of Permitting, Inspection and Enforcement (DPIE). As of this writing, staff has not received any comments from either agency. Regarding the street layout on the proposed site, there is a design issue that is not supported by staff.

#### **Westphalia Road and Main Site Access:**

The western half of the property fronts along a section of Westphalia Road where the horizontal radii fall below the minimum AASHTO (and county) standards for collector roads. The current MPOT does recommend that that section of Westphalia Road be realigned to meet the minimum geometric standard. Approximately 200 feet to the east of the proposed main entrance, is the existing "T" intersection of Westphalia Road and Matapeake Drive. If the main entrance to the site is built in the proposed location, we will have two "T" intersections within 200 feet apart along Westphalia Road. The close proximity of these intersections could pose an operational challenge for vehicles along Westphalia Road. Staff therefore recommends the realigning of Westphalia Road prior to the release of any building permits from any phase of this development. Staff further recommends the relocation of the main entrance to the east, such that it becomes coincident with the centerline of Matapeake Drive. It is important to underscore the importance of the timing of the realignment of Westphalia Road along the property frontage, and how it will affect the progress of the development. Under no circumstance should any access be granted for the main entrance until the realignment of Westphalia Road is complete and open to traffic.

#### **Transportation Staff Conclusions**

The Transportation Planning Section concludes that the CDP meets the finding of Section 27-521 of the Prince George's County Code if the application is approved with the following conditions:

1. At the time of preliminary plan, the total development within the subject property shall be limited to uses which generate no more than 489 AM peak hour trips and 582 PM peak hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

2. At the time of preliminary plan, the applicant shall dedicate all rights-of-way for MC-631, P-617, and P-616 as identified by the Planning Department.
3. At the time of preliminary plan, the applicant shall be conditioned to contribute to the Public Facilities Financing and Implementation Program PFFIP. The exact amount will be determined based on the density approved for the preliminary plan.
4. The applicant shall provide a network of pedestrians and bikeway facilities internal to site. The exact location and design of said facilities shall be evaluated with future applications.
5. The applicant, the applicant's heirs, successors, and/or assignees shall construct a minimum 10-foot-wide master plan shared-use path along the subject site frontage of MC-631, P-616 and P-717 consistent with AASHTO standards, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
6. Prior to the 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:
  - A. Ritchie Marlboro Road & 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 the Department of Permitting, Inspections and Enforcement (DPIE).
  - B. Westphalia Road – Frontage Improvement MPOT

Realign Westphalia Road along the property frontage per the requirements of the MPOT and DPIE.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Countywide Planning Division  
 Prince George's County Planning Department

301-952-3650

March 31, 2022

**MEMORANDUM**

**TO:** Henry Zhang, Planner IV, Urban Design Section, DRD

**VIA:** Tom Burke, Supervisor, Environmental Planning Section, CWPD *TB*

**FROM:** Alexander Kirchhof, Planner I, Environmental Planning Section, CWPD *AK*

**SUBJECT:** Case Yergat; CDP-0601-01 and TCP1-006-2022

The Environmental Planning Section (EPS) has reviewed the above referenced comprehensive design plan (CDP-0601-01) and Type I Tree Conservation Plan (TCP1-006-2022) application accepted on February 22, 2022. Comments were provided at the Subdivision and Development Review Committee (SDRC) meeting held on March 4, 2022. Revised materials were received March 17, 2022. Staff recommend approval of CDP-2101 and TCP1-006-2022, subject to findings provided at the end of this memorandum. Conditions are provided at the end of the staff report.

**Background**

The Environmental Planning Section has reviewed this site previously with the review of the following applications:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
NRI-158-05	N/A	Staff	Approved	7/10/2006	N/A
A-9973	N/A	Planning Board	Approved	5/11/2006	PGCPB No. 06-112
CDP-0601	TCP1-006-08	District Council	Approved	2/9/2009	PGCPB No. 08-121
N/A	TCPII-223-92	Staff	Approved	11/30/1992	N/A
NRI-158-05-01	N/A	Staff	Approved	10/4/2012	N/A
NRI-158-05-02	TCP2-015-2018-01	Staff	Pending	1/16/2020	N/A
A-9973-02	N/A	District Council	Approved	11/15/2021	Z.O. No. 8-2021
A-9973-01	N/A	Planning Board	Pending	8/6/2021	
NRI-158-05-03	N/A	Staff	Approved	9/16/2021	N/A
CDP-0601-01	TCP1-006-2022	Planning Board	Pending	Pending	Pending



### **Proposed Activity**

This application requests to amend the approved CDP for a 158.28-acre site in the R-M Zone, and to separate the Case and Yergat parcels (Parcel 19 and Parcel 5 respectively) from the Woodside Village Basic Plan. This application proposes the development of residential dwellings, a trail system, and clubhouse.

### **Grandfathering**

This project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010, and February 1, 2012.

### **Site Description**

The subject property is a 158.28-acre site in the R-M Zone, located just east of the intersection of Valley Forest Drive and Westphalia Road. This site contains streams and wetlands associated with the Western Branch of the Patuxent River basin. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program (DNR NHP), there are no rare, threatened, or endangered (RTE) species found to occur on or in the vicinity of this property. Westphalia Road, which borders the site on the north, is a designated historic road. Two master planned roadways are mapped on the site. A master plan primary road (P-616) runs north from the southern edge of the property to Westphalia Road and connects to the east property boundary. The master planned major collector road (MC-631) proposes a connection with Westphalia Road along the eastern edge of the site. According to the *Countywide Green Infrastructure Plan of the Approved Prince George's Resources Conservation Plan* (May 2017), the site contains both Regulated and Evaluation Areas with the majority of Regulated Areas associated with the on-site stream network, and the Evaluation Areas present on the southern portion of the site. The Dunblane Cemetery historic site is present in the northwestern corner of the site.

### **CONFORMANCE WITH CONDITIONS OF PREVIOUS APPROVALS**

**TCPII-223-92 and TCP1-006-08:** These TCPs were associated with the Woodside Village project, which includes additional adjacent properties. No modifications to the prior TCPs are required for conformance and development proposed with TCP1-006-2022 supersedes prior approvals.

### **Environmental Review**

#### **Existing Conditions/Natural Resource Inventory (NRI)**

The application has an approved Natural Resource Inventory Plan (NRI-158-05-03), approved on September 16, 2021. The CDP shows the required NRI information, and is in general conformance with the NRI plan for the overall site. No modifications to the CDP are required for conformance with the NRI.

### **Woodland Conservation**

A revised TCP1-006-2022 has been submitted with the current application, which shows the overall 158.28-acre site with a net tract area of 156.21 acres. The site has 31.52 acres of existing woodland in the net tract area, and 2.07 acres of existing woodlands in the floodplain. The woodland conservation threshold is 31.24 acres (20 percent of the site's overall net tract area). The woodland conservation worksheet shows the removal of 15.15 acres of woodland on the net tract area, 0.41 acre of woodlands in the floodplain, resulting in a woodland conservation requirement of 61.47 acres. This requirement is proposed to be met with 16.37 acres of woodland preservation, 7.66 acres of afforestation, and 37.44 acres of off-site credits.

A stream assessment, dated January 1, 2022, was submitted with the revised materials. The report indicates that the majority of the stream is significantly impaired. Stream restoration, or other stormwater management techniques as approved by the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE), shall be investigated to retain the connectivity of the woodland area and promote stream health.

In the response to SDRC submission dated March 17, 2022, the applicant provided a revised CDP and TCP1, which shows a modified layout, which retains portions of this key area. EPS is in general support with this revised layout. The TCP1 will be further analyzed at the time of preliminary plan of subdivision (PPS).

The NRI shall be revised to account for the discrepancy within the site statistic table, and minor revisions to the TCP1 are required and discussed below. Revisions in response to other staff referrals may result in minor revisions to the TCP1 prior to certification.

### **Preservation of Regulated Environmental Features/Primary Management Area**

The site contains streams, wetlands, and wetland buffers within the delineated primary management area (PMA), which shall be protected by conservation easements to the fullest extent possible as determined at the time of PPS and specific design plan (SDP) reviews. The CDP application package includes a statement of justification (SOJ) for ten proposed impacts to the PMA, which are shown on the CDP and TCP1. A brief overview of impacts of concern are detailed below. PMA impacts will be reviewed for conformance at time of PPS. No impacts were evaluated with CDP-0601-01.

#### **Impact 1**

Impact 1 proposes 35,209 square-feet of PMA and stream buffer disturbance for the construction of a road crossing for Master Plan Road P-616 and associated infrastructure. This impact is supported as it provides primary access to the site from the south.

#### **Impact 2**

Impact 2 proposes 35,807 square-feet of PMA and stream buffer disturbance for the construction of an internal road crossing and recreational trail. This connection crosses a sensitive area directly south of the Dunblane Cemetery site. Three direct vehicular connections to Westphalia Road are proposed for this project. These connections serve the main sections of the development, making this internal connection redundant and avoidable. In a meeting with the applicant's engineers dated March 9, 2022, a statement was made that the proposed PMA crossing is currently impacted by the existing use on the property. Additional information was requested for further justification on this crossing. In the March 18, 2022, response to SDRC comments submission, additional materials relating to the proposed internal crossing were provided which detailed impacts to the stream from the existing use. Further evaluation of this impact will occur at time of PPS.

### **Impacts 3, 4, and Trail Components of Impacts 5, 6, 7, 8, and 9**

A large portion of the proposed PMA impacts are associated with the proposed recreation trail on-site. These impacts run parallel to the on-site stream system, and the associated grading has the potential to further impact the stream system. The trail system shall be relocated outside of the PMA to reduce impacts. With the PPS acceptance package, the PMA SOJ and exhibits shall be revised to separate the trails system clearly from other proposed impacts.

### **Impact 5**

Impact 5 proposes 18,027 square-feet of PMA and stream buffer disturbance for the construction of a storm drain outfall and sitewide recreational trail. The outfall has been placed to minimize PMA disturbance. As discussed above, modifications for the trail system will be analyzed further at time of PPS.

### **Impact 6**

Impact 6 proposes 45,390 square-feet of PMA and stream buffer disturbance for the construction of Master Plan Road P-617, a stormdrain outfall, and a portion of the site-wide recreational trail. The Master Plan Road impact provides east to west connection through the site and is generally supported. The outfall is to be placed to minimize impacts to the PMA. As discussed above, modifications for the trail system will be analyzed further at time of PPS.

### **Impact 7**

Impact 7 proposes 16,685 square-feet of PMA and stream buffer disturbance for the construction of a stormdrain outfall and site-wide recreational trail. The outfall is to be placed to minimize impacts to the PMA. As discussed above, modifications for the trail system will be analyzed further at time of PPS.

### **Impact 8**

Impact 8 proposes 15,440 square-feet of PMA and stream buffer disturbance for the construction of two stormdrain outfalls and a portion of the site-wide recreational trail. The outfall is to be placed to minimize impacts to the PMA. As discussed above, modifications for the trail system will be analyzed further at time of PPS.

### **Impact 9**

Impact 9 proposes 4,980 square-feet of PMA and stream buffer disturbance for the construction of a sewer connection and a portion of the site-wide recreational trail. The connection for infrastructure is to minimize the potential impact to the extent practicable. As discussed above, modifications for the trail system will be analyzed further at time of PPS.

### **Impact 10**

Impact 10 proposes 9,090 square-feet of PMA and stream buffer disturbance for the construction of a stormdrain outfall, and for infrastructure associated with the Washington Gas pipeline. Impacts to PMA for infrastructure are to be minimized to the extent practicable.

### **Soils**

The predominant soils found to occur, according to the United States Department of Agriculture, Natural Resources Conservation Service (USDA NRCS), Web Soil Survey, are in the Adelpia-Holmdel complex, Croom-Marr complex, Dodon Fine Sandy Loam, Evesboro-Downer complex, Issue Silt Loam, Marr-Dodon complex, Woodstown Sandy Loam, and Widewater and Issue soils. Marlboro clays occur on sites in proximity to the subject site. This information is provided for the applicant's benefit, and may affect the architectural design of structures, grading requirements, and stormwater management (SWM) elements of the site. DPIE may require a soils report in conformance with CB-94-2004 during the permit process review.

### **Stormwater Management**

Conceptual stormwater management facilities were added by the applicant to the TCP1. These will be further reviewed as a site development concept plan, to be reviewed with the PPS and subsequent TCP1 revision.

### **Specimen Trees**

Tree Conservation Plans are required to meet all of the requirements of Subtitle 25, Division 2, which includes the preservation of specimen trees, Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance. (Refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances.)

If, after careful consideration has been given to the preservation of the specimen trees, there remains a need to remove any of the specimen trees, then a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the Woodland and Wildlife Habitat Conservation Ordinance, or WCO), provided all the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by SOJ stating the reasons for the request, and how the request meets each of the required findings.

The submitted TCP1 indicates in the south-central portion of the site multiple specimen trees are proposed for removal for the installation of a submerged gravel wetland. In a meeting with the applicant's engineering team on March 9, 2022, a statement was made that a stream assessment was performed on the property, which indicated that the on-site system was in poor health. In order to promote the *Green Infrastructure Plan (2017)* and meet the environmental requirements set forth in the *Approved Westphalia Sector Plan and Sectional Map Amendment*, these specimen trees shall be retained, and placed within on-site preservation. A revised TCP1 was submitted, which modified the proposed stormwater facility and retains additional specimen trees, in addition to existing woodland. This revision preserves the connected nature of the woodland system, which currently exists on-site, and provides additional buffering for the impaired stream system.

The revised CDP plan submitted on March 17, 2022, shows a modified layout, in which a greater portion of this key area is retained. EPS is in general support of this layout change. No specimen trees are approved for removal with this application. Removal of specimen trees will be further analyzed at time of PPS.

### **Special Roadways**

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

**Summary of Recommended Findings and Conditions:**

The EPS has reviewed CDP-0601-01 and TCP1-006-2022, and recommend approval of CDP-0601-01 and TCP1-006-2022, subject to the following findings:

**FINDINGS:**

1. Based on the level of design information shown, the CDP demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible, in accordance with the requirements of Subtitle 24-130-(b)(5).
2. No PMA impacts are approved with CDP-0601-01. A PMA statement of justification was provided with this application, due to the numerous environmentally sensitive areas which exist on-site. Impacts were reviewed at a general level and will be evaluated with the PPS application.
3. No specimen tree removals are approved with CDP-0601-01. A variance for the removal of specimen trees will be evaluated with the PPS application.
4. Stream restoration may be a viable conservation practice on this site, pending further discussion involving The Prince George's County Department of Permitting, Inspections and Enforcement.

**CONDITIONS:**

1. Revise the TCP1 to identify wetlands areas using the standard symbology in the Environmental Technical Manual, and update the legend to ensure all symbols present are identifiable.
2. At time of preliminary plan of subdivision review, a revised PMA Impact statement and exhibits shall be provided. The applicant shall revise the PMA Impact statement and exhibits to address the following:
  - a. Provide additional justification for the proposed PMA Impact crossing south of the Dunblane Cemetery site to preserve this area to the greatest extent practicable.
  - b. Separate out the proposed trail system PMA Impacts from the other utility impacts.
3. Prior to certification of the TCP1, revise the NRI to address the discrepancies between the TCP1 worksheet and the NRI site statistics table.

If you have any questions concerning this review, please contact me by e-mail at [alexander.kirchhof@ppd.mncppc.org](mailto:alexander.kirchhof@ppd.mncppc.org).



14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
www.mncppc.org/pgco

Countywide Planning Division  
Special Projects Section

March 21, 2022

**MEMORANDUM**

**TO:** Henry Zhang, Master Planner, Urban Design Section, Development Review Division

**VIA: BR** Bobby Ray, AICP, Planning Supervisor, Special Projects Section, Countywide Planning Division *BR*

**FROM: ~~IR7~~** Ivy R. Thompson, Senior Planner, Special Projects Section, Countywide Planning Division

**SUBJECT:** CDP-0601-01 Case Yergat (Woodside Village)

Project Summary: Proposal to develop a maximum of 661 single-family attached and detached residential units.

This comprehensive design plan (CDP) amendment was accepted for processing by the Planning Department on February 22, 2022.

Section 27-521(a)(7) of the Prince George’s County Code of Ordinances requires a finding prior to approval that **“the staging of development will not be an unreasonable burden on available public facilities.”**

Subtitle 24 of the County Code provides the methodology for testing adequate public facilities as set forth below. The proposal will be reviewed for adequate public facilities during the Subdivision review of the preliminary plan. The following is provided for informational purposes only:

**Water and Sewer:**

Using Section 24-122.01(b)(1) of the Prince George’s County Code of Ordinances, Subdivision Regulations which states, “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The subject properties were placed in Water and Sewer Category 4 “Community System Adequate for Development Planning”. Administrative approval for Category 3 must be completed before Final Plat approval. The subject property is in Sustainable Growth Tier I.

**Capital Improvement Program (CIP):**

The Prince George’s County FY 2021-2027 Approved CIP identifies three Police and Fire-EMS projects in the planning area (Planning Area 78 – Westphalia and Vicinity) of the subject property. These are: Police Training and Administrative Headquarters; Fire Department Headquarters; and the Forestville Fire/EMS Station Westphalia.

## **RESIDENTIAL**

### **Police:**

The subject property is served by Police District II, Bowie, located at 601 Crain Highway SW in Bowie. The response time standards established by Section 24-122.01(e) is 10-minutes for emergency calls and 25-minutes for non-emergency calls. The test is applied on the date the preliminary plan application is accepted or within the following three (3) monthly cycles, pursuant to Section 24-122.01(e)(2). Therefore, compliance with police response time will be evaluated at the time of the preliminary plan review.

It is not anticipated that the proposed development will impact the need for additional police facilities and existing police facilities are adequate for the uses proposed. This will also be further evaluated at the time of preliminary plan of subdivision review.

### **Fire and Rescue:**

The proposed residential development is served by Fire Station Co. 817 located at 1415 Ritchie Marlboro Road. The response time standard established by Section 24-122.01(e) is a maximum of 7-minutes travel time from the first due station. Compliance with police and emergency response time will be evaluated at the time of the preliminary plan review.

It is not anticipated that proposed development will impact the need for additional fire and rescue facilities and existing facilities are adequate for the uses proposed. This will also be further evaluated at the time of preliminary plan of subdivision review.

### **Schools:**

The proposed project is within School Cluster 4, which includes Arrowhead Elementary, Kettering Middle, Largo High School, and Dr. Henry A. Wise Jr. High School. The test for school adequacy is evaluated at the time of preliminary plan of subdivision review. It is anticipated that existing school facilities are adequate for the uses proposed, however, this will be further evaluated at the time of preliminary plan of subdivision review.

Section 10-192.01 establishes school surcharges (annually adjusted for inflation), unrelated to the provision of Subtitle 24 ("Subdivisions"). The current amount is \$10,180 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$10,180 per dwelling if the building is included within a Basic Plan or Conceptual Site Plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$17,451 per dwelling for all other buildings. This per dwelling unit fee is to be paid to Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) at the time of issuance of each building permit.



Angela D. Alsobrooks  
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT  
Department of Permitting, Inspections and Enforcement  
Site/Road Plan Review Division



**MEMORANDUM**

March 7, 2022

**TO:** Henry Zhang, Urban Design Section  
Development Review Division, M-NCPPC

**FROM:** Mary C. Giles, P.E., Associate Director  
Site/Road Plan Review Division, DPIE *Mary Giles*

**Re:** Woodside Village Yergat  
Comprehensive Design Plan, CDP-0601-01

**CR:** Westphalia Road

In response to the Comprehensive Design Plan, CDP-0601-01, referral for the development of single-family detached and single-family attached dwellings and associated infrastructure, the Department of Permitting, Inspections, and Enforcement (DPIE) offers the following:

- The property is in Upper Marlboro, MD, located south of the intersection of the Westphalia Road and Matapeake Drive intersection.
- **Westphalia Road** is an existing County-maintained Road to the north of the subject property with variable right-of-way width, requiring an 80-ft right-of-way width as per its Master Plan Road Classification C-626. The Applicant shall provide right-of-way dedication based on the master planned alignment and construct roadway/frontage improvements as required in accordance with the Department of Public Works and Transportation (DPW&T) Urban 4-Lane Collector Road standard (Std. 100.03). This work shall be permitted prior to or concurrent with issuance of a fine grading permit.
- **Master Plan Road P-616** is located within the subject site and is currently unimproved, requiring a 60-ft right-of-way width as per its Master Plan Road Classification P-616. The applicant shall adjust the alignment of this roadway to be a continuous through road, as per the master plan. The Applicant shall provide right-of-way dedication and construct this road improvement as required in accordance with the Department of Public Works and Transportation (DPW&T) Urban Primary Residential Road standard (Std. 100.06). This work shall be permitted prior to or concurrent with issuance of a fine grading permit.



- **Master Plan Road P-617** is located within the subject site and is currently unimproved, requiring a 60-ft right-of-way width as per its Master Plan Road Classification P-616. The Applicant shall dedicate right-of-way and construct this road as required in accordance with the Department of Public Works and Transportation (DPW&T) Urban Primary Residential Road standard (Std. 100.06). This work shall be permitted prior to or concurrent with issuance of a fine grading permit.
- All roadways must be labeled. It makes it very difficult to make comments without having road names to refer to.
- Main site access at Westphalia Road appears to be located close to the intersection across from it, Matapeake Drive at Westphalia Road. Provide adequate clearance between the two entrances.
- Provide sight distance analysis (intersection & stopping sight distance) at the major intersections including the 3 site access entrances from Westphalia Road and major intersections among the internal roads.
- All way stop warrant and justification is required at all intersections with 4 crosswalks.
- Site Development Concept Plan Sheet 17 – Intersection in the northwest corner may have sight distance issues. Please provide sight distance analysis for this intersection. The horizontal curve on this road must meet minimum radii requirements.
- All site access entrances along Westphalia Road must have standard entrances meeting curve requirements.
- All site access entrances along Westphalia Road must have pedestrian ramps.
- All internal roads must meet requirements for horizontal curve radius and all other standards from DPWT Specs and Standards, including Table I-2.
- According to Master Plan Right of Way, there are 2 primary public roads (P-616 and P-617) that pass through the site. Label these roads on the plans and provide the required ROW dedication and frontage improvements according to DPWT Specs and Standards. Std 100.06 is the relevant standard for primary residential roads.
- The internal roads here primarily serve single family homes; they must be public roads.
- All crosswalks require justification and sight distance analysis.
- Applicant is required to provide a hammerhead for all temporary dead-end roads.

- Pedestrian ramps in internal roads should face each other & crosswalks should have sufficient width to contain the pedestrian ramps.
- Applicant will be required to perform left turn lane analysis (per MDOT SHA Access Manual) for Westphalia Road at all 3 site access points before grading permit.
- When Traffic Impact Analysis is revised, Smith Home Farm and Marlboro Ridge trips that will be routed through this development must be accounted for.
- Within Traffic Impact Analysis, future lane use at intersection 2 shows three left turn lanes from NB Ritchie Marlboro Road onto WB Road. This poses a problem as there are only two receiving lanes here. Any plan to increase to three left turn lanes must account for adding a third receiving lane.
- Full-width, 2-inch mill-and-overlay for all existing County, roadway frontages are required.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- Compliance with DPW&T's utility policy is required. Based upon the plans submitted, proper temporary and final patching and the related mill and overlay in accordance with "DPW&T Policy and Specifications for Utility Installation and Maintenance Permits" is required.
- Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance. Any new sidewalk installation is to match existing sidewalks in the area. In addition, sidewalks must always be kept open for pedestrians.
- If any private roads are retained on the plan, these shall be at least 22' wide, bonded and permitted in accordance with applicable County codes, standards and specifications.
- Maintenance of private streets is not the responsibility of Prince George's County.
- Cul-de-sacs are required to allow, at a minimum, turning movement for a standard WB-40 vehicle and a standard-length fire truck. When considering turning movement, it is assumed that parking is provided on the outside edge of the radius of the cul-de-sac.
- Conformance with DPIE street lighting specifications and standards are required. Adjustments to street lighting, to accommodate the proposed plan improvements, are required in accordance with Section 23-140 of the Prince George's Road Ordinance.

- Roadside trees will be required along County-maintained roadways within the limits of the permit area.
- All improvements within the public right-of-way as dedicated to the County are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act (ADA).
- The Site Development Concept Application filed under DPIE Case No. 38822-2021-0 has not been approved yet. An Approved Site Development Concept Plan and Approval Letter are required prior to the approval of the impending Preliminary Plans and Detailed Site Plan by M-NCPPC.
- All stormwater management facilities and drainage systems, including their recreational features and visual amenities (if applicable), are to be designed and constructed in accordance with the standards and specifications set forth by the Department of Permitting, Inspections, and Enforcement (DPIE) and the Department of Public Works and Transportation (DPW&T). Approval of all facilities are required prior to permit issuance.
- All easements are to be approved by DPIE and recorded prior to technical approval.
- A maintenance agreement is to be approved by DPIE and recorded prior to technical approval.
- The proposed development will require site development permits approved by the Department of Permitting, Inspections and Enforcement (DPIE).
- A soils investigation report which includes subsurface exploration and geotechnical engineering evaluation for all proposed roadways and Marlboro clay is required.
- The proposed project must obtain an approved floodplain delineation in accordance with DPIE's requirements.
- A floodplain easement is to be dedicated prior to issuance of any permit.

Henry Zhang  
March 7, 2022  
Page 5

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.636.2070.

MA:TJ:DSM

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE  
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE  
Salman Babar, CFM, Engineer, S/RPRD, DPIE  
MJ Labban, Engineer, S/RPRD, DPIE  
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE  
Ted Jeong, P.E., Engineer, S/RPRD, DPIE  
Woodside Development LLC, c/o Edwards Family Partnership, 3907 Greenway,  
Baltimore, MD 21218  
Soltesz, c/o Greg Micit, 4300 Forbes Boulevard, Suite 200, Lanham, MD 20706



*Division of Environmental Health/Disease Control*

Date: March 3, 2022

To: Henry Zhang, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: CDP-0601-01 CASE YERGAT (WOODSIDE VILLAGE)

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the comprehensive design plan submission for Woodside Village- Case Yergat and has the following comments / recommendations:

1. Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community.
2. The comprehensive design plans should include “pet friendly” amenities for pets and their owners. Pet refuse disposal stations and water sources are strongly recommended at strategic locations.
3. During the construction phases of this project, noise should 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.
4. During the construction phases of this project, no dust should 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.

If you have any questions or need additional information, please contact me at 301-883-7677 or [aoadepoju@co.pg.md.us](mailto:aoadepoju@co.pg.md.us).



Environmental Engineering/Policy Program  
Largo Government Center  
9201 Basil Court, Suite 318, Largo, MD 20774  
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711  
[www.princegeorgescountymd.gov/health](http://www.princegeorgescountymd.gov/health)



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

**MEMORANDUM**

DATE: March 28, 2022

TO: Henry Zhang, Master Planner  
Zoning Section, Development Review Division  
Planning Department

VIA: Sonja Ewing, Assistant Division Chief *SME*  
Park Planning and Development Division  
Department of Parks and Recreation

FROM: Qiaojue Yu, Landscape Architect *QY*  
Land Acquisition/Management & Development Review Section  
Park Planning and Development Division  
Department of Parks and Recreation

SUBJECT: **CDP-0601-01 Case Yergat (Woodside Village)**

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The Department of Parks and Recreation (DPR) has reviewed and evaluated this comprehensive design plan (CDP) for conformance with the requirements as they pertain to public parks and recreational facilities.

**PROPOSAL**

The subject application proposes an amendment to CDP-0601 to allow changes only to Parcel 5 (Yergat Property) and Parcel 19 (Case Property) out of the total assemblage of properties originally approved with CDP-0601. This amendment had resulted from the disassembled properties in CDP-0601, which are no longer under common ownership (as was the case when CDP-0601 was approved). Specifically, Wholey and Suit properties are currently under the ownership of M-NCPPC.

**BACKGROUND:**

The property subject to this amendment consists of 158.28 acres in the R-M/MIO (Residential-Medium Development, Military Installation Overlay) Zone. The property in this application is bounded in all directions by existing or proposed residential development in the R-M/MIO. To the southeast is the Marlboro Ridge development, to the southwest is the Parkside development, and to the north is the proposed Villages at Westphalia

development. The subject property is located within Planning Area 78 and Council District 6.

This property is located at the northern border of Suit property, which is in the vicinity of proposed Westphalia Central Park, a premier park currently under development. Once completed, the Park will provide playgrounds, a network of trails, tennis and basketball courts, informal fields and lawn areas, a recreational pond, a seasonal ice rink, and several other amenities for public enjoyment.

**DISCUSSION:**

Mandatory dedication of parkland pursuant to Section 24-134(a) of the Prince George's County Subdivision Regulations provides for the dedication of land, the payment of a fee-in-lieu, or on-site recreational facilities.

In the applicant's Statement of Justification, the applicant provided narrative about the design framework of the onsite recreational facilities at various locations in the community. Please see summary below:

- The central focus will be the northernmost open space indicated on the CDP. This open space area can contain such elements such as a clubhouse, pool, outdoor play area, and adequate parking.
- A secondary open space will be located at the intersection of P617 & P616. This area could be used for open play activities, potential play equipment, and seating areas.
- The third location in the southeast corner can be used for a smaller, quieter, more hidden open space area where a seating area or gazebo can be proposed. This area can be used as a picnic grove or outdoor gathering place.

These three areas are connected by a recreation trail that runs north and south in the center of the site and by a large pedestrian sidewalk system. These locations have been shown on the CDP. The exact location, details, and quantity will be determined at the time of the Specific Design Plan.

This CDP shows the fulfillment of on-site recreation. The details of these amenities and the cost estimates will be provided with the subsequent preliminary plan of subdivision and specific design plan applications.

Since the subject property is within close proximity 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 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The Maryland-National Capital Park and Planning Commission 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 the central park and/or the other parks that will serve the Westphalia Sector Plan area.

**RECOMMENDATION:**

The Park Planning & Development Division of DPR recommends to the Planning Board approval of Conceptual Design Plan CDP-2101 for Parkland and Rock Creek, subject to the following conditions:

1. 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 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The Maryland-National Capital Park and Planning Commission 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 the central park and/or the other parks that will serve the Westphalia Sector Plan area.
2. The applicant, his successors, and/or assigns, shall provide onsite recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines and be reviewed by DRD at the time of Preliminary Plan and Specific Design Plan.
3. 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.

cc: Bridget Stesney  
Alvin McNeal





# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
301-952-3600

December 13, 2021

**TO: All Persons of Record**

**RE: A-9973-02 Woodside Village  
Woodside Development, LLC, Applicant**

## ADMINISTRATIVE CORRECTION

This is to advise all persons of record that on November 19, 2021 the previous Notice of Final Decision mailing for A-9973-02 Woodside Village included a "*District Council Preliminary Notice of Conditional Zoning Approval*" notice which was sent in error and is not necessary for this application. This notice serves as an administrative correction to that mailing. Enclosed you will find a copy of Notice of Final Decision of the District Council and Zoning Ordinance No. 8 - 2021.

A handwritten signature in cursive script that reads "Donna J. Brown".

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Donna J. Brown  
Clerk of the Council

**County Administration Building  
14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772**



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
301-952-3600

November 19, 2021

**RE: A-9973-02 Woodside Village  
Woodside Development, LLC, Applicant**

## ***NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL***

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 8 - 2021 setting forth the action taken by the District Council in this case on November 15, 2021.

### ***CERTIFICATE OF SERVICE***

This is to certify that on November 19, 2021 this notice and attached Council order were mailed, postage prepaid, to all persons of record.

A handwritten signature in black ink that reads "Donna J. Brown".

---

Donna J. Brown  
Clerk of the Council

**County Administration Building  
14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772**

Case No.: A-9973-02  
Woodside Village  
(Amendment of Basic Plan &  
Conditions)

Applicant: Woodside Development, LLC

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

ZONING ORDINANCE NO. 8 –2021

AN ORDINANCE to amend the Woodside Village Basic Plan that currently includes approximately 381.95 acres of land (with multiple owners) in the R-M (Residential Medium Development) and M-I-O (Military Installation Overlay) Zones in order to separate out Applicant's approximately 158.11-acre property (consisting of Parcels 5 and 19) and create a separate Basic Plan, pursuant to Section 27-197(c) of the Zoning Ordinance. The property is located on the southern side of Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie-Marlboro Road, and identified as 10009 Westphalia Road, Upper Marlboro, Maryland, in Council District 6.

WHEREAS, the entire 381.95-acre property originally consisted of Parcel 5 (the Yergat property), Parcel 14 (A. Bean property), Parcel 19 (Case property), and Parcel 42 (Suit property) Tax Map 82. This assemblage of land was rezoned from the R-A (Residential-Agricultural) Zone to the R-M (Residential Medium Development) Zone upon the District Council's approval of the 2007 Westphalia Sector Plan and Sectional Map Amendment via CR-2-2007. The District Council's approval of the SMA included approval of A-9973, with conditions, and added the 11.65-acre Parcel 13 (Wholley property, spelled "Wholey" in some exhibits) as an addition to A-9973. The approved Woodside Village Basic Plan envisioned "a residential development organized around a park/school site of approximately 56 acres within the Suit property, which

would then be combined with the larger Westphalia Central Park located in the adjacent Parkside subdivision.” Applicant’s Statement of Justification contains a Table that succinctly explains the status of all Parcels in Woodside Village; and

WHEREAS, the Applicant seeks an amendment of the District Council’s original approval of A-9973-C to remove its property from the approved Basic Plan, thereby creating two Basic Plans – one containing the Yergat and Case properties and the other containing the remaining properties within the original Basic Plan. The District Council’s approval of A-9973-C allowed the Applicant to construct between 1,422 - 1,497 dwellings on the adjusted gross acreage (374.14 acres, after providing approximately 116 acres of open space) which equated to approximately 3.8-4.0 du/ac; and

WHEREAS, the Applicant also requests to amend the prior plan to allow the development of 626-661 dwelling units on the adjusted gross acreage of 158.11 acres, which equates to approximately 3.95-4.18 du/ac; and to revise/delete other data to accommodate the request. Applicant’s Statement of Justification sets forth its reasoning for these changes. In short, Applicant is requesting to amend Condition 1 as necessary to recognize the smaller acreage in the new Basic Plan and the concomitant changes that must be made to the development data as a result. Applicant does not seek revision to prior Conditions 3 (a), (b), (c), (f), (h), (j), (o), (p), (q), (s) and (t); 4 (b), (c), (d), (g); and 5 (a), (b), (c), and (d). Applicant requests that Conditions 3 (g) and (i); and 4 (a) be revised; and that Conditions 2 (a) and (b); 3 (d), (e), (k), (l), (m), (n), (r) and (u); and 4 (e) and (f) be deleted; and

WHEREAS, the Technical Staff recommended approval with conditions, and the Planning Board adopted Staff’s recommendation as its own; and

WHEREAS, the application request was advertised and the property was posted for the application request prior to any public hearing; and

WHEREAS, on September 29, 2021, the Zoning Hearing Examiner held an evidentiary hearing on the application request; and

WHEREAS, there was no opposition at the evidentiary hearing before the Examiner; and

WHEREAS, on October 29, 2021, the Examiner filed a written recommendation to the District Council that the application request should be approved subject to certain conditions; and

WHEREAS, on November 8, 2021, the District Council requested preparation of this Ordinance to approve the application request in accordance with the Examiner's written recommendation; and

WHEREAS, as a basis for this final decision, the District Council adopts and incorporates by reference the Examiner's written recommendation to approve the application request subject to certain conditions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The application request by the applicant to amend the Woodside Village Basic Plan that currently includes approximately 381.95 acres of land (with multiple owners) in the R-M (Residential Medium Development) and M-I-O (Military Installation Overlay) Zones in order to separate out Applicant's approximately 158.11-acre property (consisting of Parcels 5 and 19) and create a separate Basic Plan, pursuant to Section 27-197(c) of the Zoning Ordinance, for the property located on the southern side of Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie-Marlboro Road, and identified as 10009 Westphalia Road, Upper Marlboro, Maryland, in Council District 6, is APPROVED.

SECTION 2. Use of the subject property shall be subject to all requirements in the applicable zones and to the requirements in the conditions herein. Failure to comply with any stated condition shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the Basic Plan as conditionally approved; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; and/or to take any other action deemed necessary to obtain compliance.

Approval of A-9973-02 is subject to the following conditions:

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>158.28 acres</b>
Land in the 100-year floodplain*	2.07 acres
Adjusted gross area: (158.28 acres less half the floodplain)	157.25 acres
Density permitted under the R-M (Residential Medium) Zone	3.6 - 5.7 dwelling units/acre
Base residential density (3.6 du/ac)	566 dwelling units
Maximum residential density (5.7 du/ac)	896 dwelling units

<b>Proposed Land Use Types and Quantities</b>	
Residential: 157.25 gross acres @ 3.98-4.205 du/ac	626 - 661 dwelling units
Number of the units above the base density:	60-95 dwelling units
Density proposed in the R-M (Residential Medium) Zone	3.98 – 4.205 dwelling units/acre
Permanent open space: (23 percent of original site area) (Includes environmental, recreational, and HOA areas)	37 acres

2. Prior to certification of the basic plan, the plan shall be modified as follows:
  - a. Add bearings and distances for the boundaries of the subject property (on Sheet 2).
  - b. In the Development Data column on Sheet 2, specify that Parcel 5 and Parcel 19 each consist of two parcels. List the individual acreage of each of the four parcels.
  - c. In the Approved Land Use Types and Quantities table on Sheet 2, include a line item showing the land area to be dedicated to master-planned roadways (other than Westphalia Road).
  - d. In the Approved Land Use Types and Quantities table on Sheet 2, correct the gross acreage to match that given in the Development Data table.
  - e. Remove “to be dedicated to MNCPPC” from the southeast section of Parcel 5.
  - f. In the Subject Property table, show the Liber/Folio number of each property’s deed reference in addition to the tax account number.
3. Prior to approval of any preliminary plan of subdivision, the applicant shall provide a final report detailing the Phase II investigations on sites 18PR898, 18PR900, and 18PR901, and shall ensure that all artifacts are curated to Maryland Historic Trust standards.
4. Prior to approval of a specific design plan, if an archeological site has been identified as significant and potentially eligible to be designated as an historic site or determined eligible to the National Register of Historic Places, the applicant shall provide a plan for:
  - a. Avoiding and preserving the resource in place; or
  - b. Phase III Data Recovery investigations and interpretation.
5. If required, prior to approval of a specific design plan or the area including the cemetery and the archeological sites, the applicant’s Phase III Data Recovery plan shall be approved by the Maryland-National Capital Park and Planning Commission staff archeologist. The Phase III (Treatment/Data Recovery) final report shall be reviewed for compliance with the *Guidelines for Archeological Review* before any ground disturbance or before the approval of any grading permits within 50 feet of the perimeter of the archeological site(s) identified for Phase III investigation.

6. Prior to approval of a specific design plan, the applicant shall provide a plan for any interpretive signage to be erected (based on the findings of the Phase I, Phase II, or Phase III archeological investigations). The location and wording of the signage shall be subject to approval by the Historic Preservation Commission and the Maryland-National Capital Park and Planning Commission staff archeologist. Installation of the signage shall occur, prior to issuance of the first building permit for development.
7. Prior to approval of a specific design plan for the area including the cemetery and any archeological sites, the applicant shall provide for buffering of the Dunblane (Magruder/McGregor family) cemetery and/or any archeological site designated as an historic site, in compliance with the 2010 Prince George's County Landscape Manual.
8. Prior to approval of the first building permit for development, the applicant shall provide for a permanent wall or fence to delineate the Dunblane (Magruder/McGregor family) cemetery boundaries and provide for the placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant shall submit the design of the wall or fence and proposed text for the marker for review and approval by the Historic Preservation Commission.
9. Provide the below master plan facilities, designed to be consistent with the 2012 *AASHTO Guide for the Development of Bicycle Facilities*, as part of subsequent applications and shown prior to their acceptances, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence:
  - a. Minimum 10-foot-wide path along Westphalia Road (C-626)
  - b. Shared roadway pavement markings and signage along P-616
  - c. Minimum 10-foot-wide path along P-617
  - d. Minimum 10-foot-wide path along MC-631
10. Internal streets and shared-use paths are to follow the 2009 Approved Countywide Master Plan of Transportation Complete Streets Policies and Principles and include traffic calming measures, as well as a bicycle boulevards network. These will be reviewed as part of subsequent applications.
11. All sidewalks within the subject site shall be a minimum of 6 feet in width, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
12. 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 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The Maryland-National Capital Park and Planning Commission (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 the central park and/or the other parks that will serve the Westphalia Sector Plan area.

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 M-NCPPC. 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 Prince George's County Land Records by the applicant, prior to final plat approval.

13. The following shall be required as part of the comprehensive design plan submittal package:
  - a. The Transportation Planning staff shall review the list of significant 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.
  - b. Provide a description of the general type, amount, and 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.
14. At the time of preliminary plan of subdivision and/or prior to the first plat of subdivision, the applicant shall:
  - a. Submit hydraulic planning analysis to the Washington Suburban Sanitary Commission (WSSC) to address access to adequate water storage facilities and water service to be approved by WSSC to support the fire flow demands required to serve all site development.
  - b. Submit a letter of justification for all proposed primary management area impacts, in the event disturbances are unavoidable.
15. Prior to submittal of any grading or building permits, the applicant shall demonstrate that the Dunblane (Magruder/McGregor family) cemetery shall be preserved and protected, in accordance with Section 24-135.02 of the Prince George's County Subdivision Regulations, including:
  - a. An inventory of existing cemetery elements.
  - b. Measures to protect the cemetery during development.

- c. Provision of a permanent wall or fence to delineate the cemetery boundaries, and placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant shall submit for review and approval by the Historic Preservation staff, the design of the wall and design and proposed text for the marker at the Dunblane (Magruder/McGregor family) cemetery.
- d. Preparation of a perpetual maintenance easement to be attached to the legal deed (i.e., the lot delineated to include the cemetery). Evidence of this easement shall be presented to and approved by the Prince George's County Planning Board or its designee, prior to final plat.

SECTION 3. The Ordinance shall become effective upon enactment.

ENACTED this 15<sup>th</sup> day of November, 2021, by the following vote:

In Favor: Council Members Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, and Turner.

Opposed:

Abstained:

Absent: Council Member Franklin, Streeter, and Taveras.

Vote: 7-0.

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

By: Calvin S. Hawkins, II  
Calvin S. Hawkins, II, Chair

ATTEST:

Donna J. Brown  
Donna J. Brown  
Clerk of the Council

Case No.: CDP-0601

Applicant: MD XI, L.P.

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

ORDER AFFIRMING PLANNING BOARD DECISION,  
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the Planning Board's decision in Resolution PGCPB No. 08-121, approving with conditions a comprehensive design plan for construction of up to 1,496 residential dwelling units, to include about 1,276 attached and detached single-family units, and 220 multifamily units, for a project referred to as Woodside Village, described as 381.96 acres in the R-M Zone, located on the southern side of Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie-Marlboro Road, Upper Marlboro, is hereby:

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

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

1. Prior to signature approval of the subject CDP, the applicant shall revise the plans as follows and/or provide the specified documentation:
  - a. Provide documentation that the Department of Parks and Recreation staff shall review and approve the revised comprehensive design plan that shows approximately 61 acres of parkland dedication.
  - b. Provide the master plan Hiker-Biker-Equestrian Trail along the subject site's entire portion of the Cabin Branch Stream Valley subject to Department of Parks and Recreation coordination and approval.

- c. Provide an eight-foot-wide side path or wide sidewalk along the subject property's entire frontage of Suitland Parkway extended (MC-631), unless modified by DPW&T.
- d. Provide an eight-foot-wide side path or wide sidewalk along the subject site's entire road frontage of Westphalia Road (C-626), unless modified by DPW&T.
- e. Provide bicycle and pedestrian accommodations along P616, unless modified by DPW&T. The exact nature of accommodations will be determined at time of specific design plan approval.
- f. Provide an eight-foot-wide side path or wide sidewalk along the subject site's entire road frontage of P-619, unless modified by DPW&T.
- g. Provide standard sidewalks along both sides of all internal roads (excluding alleys), unless modified by DPW&T.
- h. Provide the internal connector trails as conceptually shown on the submitted landscape and recreation plan.
- i. The lighter orange color utilized on the comprehensive design plan graphic shall be included in the legend for the plan and correctly identified as a single-family detached use and the spelling of the adjacent Marlboro Ridge development shall be corrected.
- j. A note shall be added to the subject comprehensive design plan document stating that:
  - 90 percent of all single-family detached models shall have a full front façade (excluding gables, bay windows, trim, and door) of brick, stone, stucco, or other masonry treatment. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.
  - At least 90 percent of all single-family attached units shall have a full front façade (excluding gables, bay windows, trim and door) of brick, stone, stucco, or other masonry treatment. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.
  - All chimneys shall be of masonry or stone.
  - Every side elevation on a corner lot that is visible from the public street shall display significant architectural features as provided in one of the following options:
    1. Full brick, stone, stucco, or other masonry treatment (excluding gables, bay windows, trim and door) combined

with at least three windows, doors, or other substantial architectural features: or

2. Brick, stone, stucco, or other masonry treatment (excluding gables, bay windows, trim and door) with at least four windows, or one side entry door. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.
    - Architecture for the condominium buildings shall be of a balanced and harmonious design and shall include at least 80 percent brick, stone, stucco, or other masonry treatment. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.
    - Specific architecture for the project shall be approved at time of specific design plan approval for the project.
- k. All wood specified for the project to be used for benches and other amenities shall be replaced by a durable, non-wood, low sheen construction material to be approved more particularly at time of approval of specific design plan(s) for the project.
  - l. A continuous buffer of green space/open area shall be provided at the periphery of the project. Exceptions to this requirement will be along the shared property line with the Sun Valley Estates subdivision to the west, and where roads and/or sidewalks or trails cross the site's boundaries and along the southeastern boundary where it is intended to provide a lotting pattern/street network that will dovetail with that of a replatted Marlboro Ridge.
  - m. A note shall be added to the plans stating that the homeowners association park site be completed prior to the issuance of the 748<sup>th</sup> building permit for the project. In the interim, the applicant will coordinate a program by which the residents may use the community center and pool in the adjacent Marlboro Ridge development until the homeowner's association park site can be completed.
  - n. A note shall be added to the plans that the following design guidelines should be adhered to for development of the townhouse lots:
    - That no more than 60 percent of the units included in the development be townhouse/two over two units.
    - That no townhouse (with the exception of rear loaded townhouses) yard shall measure smaller than 800 square feet if the unit does not have a deck and no less than 500-square feet if a deck is provided.

- That a maximum of 15 percent of the townhouse/two over two units measure a minimum of 16 feet wide, with the remainder of the townhouse/two over two units measuring a minimum of 18 feet wide.
2. Prior to approval of a preliminary plan for the subject site:
- a. The applicant shall prepare a draft perpetual maintenance easement for the Magruder Family Cemetery to be attached to the legal deed (i.e., the lot or parcel delineated to include the cemetery). Evidence of this easement shall be presented to and approved by the Planning Board or its designee prior to final plat.
  - b. The applicant shall demonstrate that the Dunblane (Magruder family) Cemetery (Historic Resource #78-010) shall be preserved and protected in accordance with Section 24-135.02 of the subdivision regulations including:
    - (1) An inventory of existing cemetery elements which shall be provided to Historic Preservation staff for review and approval.
    - (2) Measures to protect the cemetery during development, which shall be provided to Historic Preservation staff for review and approval.
    - (3) An appropriate fence or wall constructed of stone, brick, metal or wood shall be maintained or provided to delineate the cemetery boundaries. The design of the proposed enclosure and a construction schedule shall be reviewed and approved by Historic Preservation staff.
  - c. The applicant shall be conditioned to dedicate all rights-of-way for Westphalia Road as identified by the Planning Department.
  - d. The TCPI shall be revised to conceptually show the proposed stormwater management ponds as amenities and be labeled as such.
  - e. The Primary Management Area shall be preserved to the greatest extent possible. Protection and restoration of these areas is a priority. Impacts shall be limited to necessary road crossings, installation of sanitary sewer lines and connections, creation of a lake, a portion of which may be located on the subject property and stormwater management outfalls. PMA impacts for the trails and future lake on property to be dedicated to M-NCPPC will be evaluated at time of preliminary plan and subsequent specific design plan review.

3. Prior to the acceptance of a specific design plan application (or applications) for the area including 18PR894, 18PR898, 18PR900, 18PR901 or the cemetery:
  - a. The applicant shall provide a final report detailing the Phase II investigations on sites 18PR894, 18PR898, 18PR900, and 18PR901, and shall ensure that all artifacts are curated to MHT standards.
  - b. If an archeological site has been identified as significant and potentially eligible to be listed as a Historic Site or determined eligible to the National Register of Historic Places, the applicant shall provide a plan for:
    1. Avoiding and preserving the resource in place; or
    2. Phase III Data Recovery investigations and interpretation.
  - c. The applicant's Phase III Data Recovery plan, if required, shall be approved by The M-NCPPC staff archeologist. The Phase III (Treatment/Data Recovery) final report, if required, shall be reviewed for compliance with the *Guidelines for Archeological Review* before any ground disturbance or before the approval of any grading permits within 50 feet of the perimeter of the archeological site(s) identified for Phase III investigation.
  - d. The applicant shall provide for buffering of the Magruder/McGregor Family Cemetery and/or an archeological site designated as a Historic Site, in compliance with the *Prince George's County Landscape Manual*.
  - e. The applicant shall provide a plan for any interpretive signage to be erected (based on the findings of the Phase I, Phase II, or Phase III archeological investigations). The location and wording of the signage shall be subject to approval by the Historic Preservation Commission and M-NCPPC staff archeologist.
4. Prior to the issuance of the first building permit for the development, the applicant shall:
  - a. The applicant and the applicant's heirs, successors and/or assignees, shall pay a pro-rata share of the cost of construction of an interchange at MD 4 and Old Marlboro Pike-Westphalia Road. The pro rata share shall be payable to Prince George's County (or its designee), with evidence of payment provided to the Planning Department with each building permit application. The pro rata share shall be  $\$522.47 \text{ per dwelling unit} \times (\text{Engineering News Record Highway Construction Cost Index at the time of building permit application}) / (\text{Engineering News Record Highway Construction Cost Index for the second quarter 2006})$ .

- b. The applicant shall have the option to obtain approval of a Transportation Facilities Mitigation Plan (TFMP) at time of preliminary plan, pursuant to the *2002 Guidelines for the Analysis of the Traffic Impact of Development Proposals* in lieu of providing a pro-rata contribution pursuant to condition 4(a).
- c. The above improvement shall have full financial assurances through either private money and/or full funding in the CIP, in a SCRP, (which requires the Planning Board to adopt a resolution establishing the SCRP) State CTP, Public Financing Plan approved by the Council.
- d. Prior to the issuance of any building permits within the subject property, except model homes within the subject property, the following road improvements or sections of roads 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:
- (1) **Sansbury Road/Ritchie Marlboro Road intersection (signalized)**
    - Install a third westbound and eastbound through lane on Ritchie-Marlboro Road.
  - (2) **White House Road/Ritchie-Marlboro Road intersection**
    - Restripe the three approach lanes of northbound Ritchie-Marlboro Road to provide double left and a shared left-thru-right-turn lane.
      - Provide a third through lane along westbound Ritchie Marlboro Road to receive traffic from three left-turn lanes.
  - (3) **Westphalia Road/ MD 4 intersection**
    - Provide a pro-rata contribution pursuant to conditions 4(a) and 4(c), or fully fund the improvement(s) approved in a TFMP.
  - (4) **D'Arcy Road and Westphalia Road**
    - Conduct a signal warrant study and install signal if deemed necessary by DPW&T.
  - (5) **D'Arcy Road and Sansbury Road**
    - Conduct a signal warrant study and install signal if deemed necessary by DPW&T.



- e. Prior to the initial SDP for residential units a timetable for the phasing, construction, and financing of the following road improvements shall be determined:
- (1) **Westphalia Road**
    - Construct a standard collector section along the south side of Westphalia Road along the property frontage
  - (2) **Westphalia Road and Ritchie Marlboro Road**
    - Conduct a signal warrant study and install signal if deemed necessary by DPW&T. The timing for the installation of a signal shall be determined by DPW&T prior to the first SDP.
5. Prior to approval of the final plat that includes the park/school site acreage, the applicant shall dedicate approximately 61 acres parkland to M-NCPPC as shown on Department of Parks and Recreation Exhibit "A", which shall be conveyed to M-NCPPC subject to the conditions of DPR's Exhibit "B", included as plat notes on the final plat.
6. Prior to issuance of each building permit for a residential unit, per the applicant's proffer, the applicant and the applicant's heirs, successors and/or assignees shall make a monetary contribution or provide in-kind services in the amount of \$3,500 per dwelling unit in 2006 dollars. The applicant may make a contribution to the "park club" or provide an equivalent amount of recreational facilities. The choice between a monetary contribution and the provision of in-kind services shall be at the sole discretion of the Department of Parks and Recreation. Notwithstanding the above, DPR acknowledges that it prefers that the applicant provide in-kind services (such as park improvements, trails, crossing, etc.) and that DPR's approval of said services shall not be unreasonably withheld. The value of the recreational facilities shall be reviewed and approved by the Department of Parks and Recreation staff. Monetary contributions may be used for 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 the Department of Parks and Recreation.
7. Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into an account administered by M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined by the DPR staff based on a cost estimate to be provided by the applicant. If not previously determined, the agreement also shall establish a schedule for payments and/or a schedule for park construction. The payment shall be adjusted from the base year of 2006 pursuant to Consumer Price

- Index (CPI) to account for inflation. The agreement shall be recorded in the Prince George's Land Records by the applicant prior to final plat approval.
8. The applicant shall develop a specific design plan (SDP) for the portion of Central Park on the Woodside Village Site. The SDP for the Central Park shall be submitted to the Planning Board in conjunction with the SDP containing the 225<sup>th</sup> dwelling unit for the area covered by CDP-0601. A specific design plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from the Department of Parks and Recreation. Department of Parks and Recreation staff shall review the credentials and approve the selected design consultant, prior to development of the SDP plans. The SDP shall include a phasing plan. Should the applicant seek to have the residential component of CDP-0601 included in a single specific design plan, plans for the approximately 61-acre park/school site shall be included in that plan. The public recreational facilities shall include a ten-foot-wide asphalt master planned trail along the Cabin Branch and a six-foot-wide trail connectors to the neighborhoods. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Department of Parks and Recreation. Grade separated crossings shall be provided for the master planned Cabin Branch Stream Valley Trail at all major road crossings. The SDP for the Central Park shall identify the needed road crossings the value of which shall be credited to the applicant as an in-kind-contribution toward its required per dwelling park fee.
  9. The recreational facilities to be constructed on dedicated parkland shall be built in phase with development but no later than the issuance of the 748<sup>th</sup> building permit.
  10. Three original, executed recreational facilities agreements (RFA) for the construction of the recreational facilities on dedicated parkland shall be submitted to DPR for its approval, six weeks prior to a submission of a final plat of subdivision for any land adjoining the parkland. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
  11. A performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the Department of Parks and Recreation, shall be submitted to DPR at least two weeks prior to applying for the first grading permit for the Central Park property or the issuance of the 600<sup>th</sup> building permit whichever comes first.
  12. At least 35 days prior to any public hearing for specific design plans for each portion of the property containing a stormwater management pond, the stormwater management ponds shall be designed as visual and recreational amenities to the community with features such as utilizing the natural contours of the site, providing extensive landscaping, providing walking trails where appropriate, and may include stormwater management techniques, such as the use of forebays to trap sediment, bioretention, french drains, depressed parking lot islands, and the use of native plants as approved by DPW&T.

13. Private recreational facilities for the project, the majority of which shall be located on the centrally-located homeowner's association land, shall consist of the following facilities or alternate facilities of equal value of \$1,853,600± which shall be determined at time of SDP:
- 2 picnic areas
  - 3 sitting areas
  - 4 tot lots
  - 2 open play areas
  - 2 pre-teen areas
  - 4 tennis courts
  - 1 swimming pool with six lanes (25 meters long) with at least a 30-foot by 30-foot training area and additional area for wading for toddlers
  - 1 volleyball court
  - 1 basketball court
  - 1 community building including a meeting room measuring a minimum of 5,000 square feet in addition to space acquired by pool facilities or as may be increased at the time of consideration and approval of the specific design plan for the subject project that includes the community building.

Recreational facilities not located on the centrally-located homeowners' association land shall be distributed throughout the subdivision so that all units have convenient access to a portion of the recreational facilities. Phase 5 of the deployment, which includes the centrally-located homeowners' association land, shall be completed prior to the issuance of the 748th building permits, while the remainder of the private recreational facilities shall be completed as they are included on individual specific design plans and prior to issuance of 50-percent of the building permits for units included on each respective specific design plan. Exact location of all the recreational facilities for the development shall be generally in accordance with Applicant's Exhibit #1 and confirmed at time of specific design plan approval.

14. At least 35 days prior to any Planning Board hearing on the preliminary plan,
- a. A stream corridor assessment using the Maryland Department of Natural Resources protocol shall be submitted and used to further develop the stormwater management design for the site. Outfalls shall be carefully placed to ensure stream stability. If stream restoration recommendations are appropriate, they shall be included in the report and shown on the specific design plan. Streams shall not be piped unless absolutely necessary to address a water quality or water conveyance problem.

- b. The applicant shall coordinate a joint meeting with the staff reviewers of DPW&T, DPR and the Environmental Planning Section of M-NCPPC to evaluate the results of the stream corridor assessment and recommend the final stormwater design for the site.
  - c. The NRI shall be revised to correctly show the total acreage of the site, total floodplain acreage, and the total wooded acreage in the floodplain for the subject site. Any other figures that need to be corrected as a result of these changes shall also be revised.
15. Prior to acceptance of the review package of the SDP, it shall be evaluated to ensure that it includes a statement from the applicant regarding how green building techniques and energy conservation methodologies have been incorporated to the greatest extent possible.
16. The following note shall be placed on all future plans for the project:  
NOTE: All on-site lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.
17. Prior to certification of the CDP, and at least 35 days prior to any hearing by the Planning Board on the preliminary plan, the TCP 1 shall be revised as follows:
- a. Include the following label on the TCP I for the area of natural regeneration: "Existing shrub/scrub area of natural regeneration."
  - b. Remove woodland preservation located on the school/park site and revise the worksheet unless written permission from the Department of Parks and Recreation has been obtained.
  - c. Have the plan signed and dated by the qualified professional who prepared it.
18. Prior to acceptance of the preliminary plan application, the package shall be evaluated to ensure that it contains a revised geotechnical report based on the proposed grading of the site. The geotechnical report, prepared following the guidelines established by the Environmental Planning Section and the Prince George's County Department of Environmental Resource, shall state how the grading addresses the proposed 1.5 safety factor on the TCP I. The TCP I shall show proposed grading and the resulting 1.5 safety factor line. The 1.5 safety factor line shall not occur on any proposed residential lots. The report must contain an original signature and date; a signature stamp is not allowed.
19. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approved conditions have been complied with, and associated mitigation plans.

- 20. Prior to the issuance of a building permit for any lot immediately adjoining a lot or parcel occupied by an archeological site or cemetery, applicant shall:
  - a. Install all required signage, if any, decided at time of specific design plan approval
  - b. Install a permanent wall or fence to delineate the Dublane (McGruder/McGregor Family) cemetery boundaries and provide for the placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant shall submit the design of the wall or fence and proposed text for the marker for review and approval by the Historic Preservation Commission at the time of approval of the SDP that includes the cemetery.

- 21. The following note shall be placed on the final plat of subdivision:

Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/006/08), or as modified by the Type II Tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation and Tree Preservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission.

Ordered this 9th day of February, 2009, by the following vote:

In Favor: Council Members Bland, Campos, Dean, Dernoga, Harrison, Knotts and Turner.

Opposed:

Abstained:

Absent: Council Members Exum and Olson.

Vote: 7-0

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

By: \_\_\_\_\_  
Marilynn M. Bland, Chairperson

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2007 Legislative Session**

Resolution No. CR-2-2007  
Proposed by The Chairman (by request – Planning Board)  
Introduced by Council Members Dean, Turner and Bland  
Co-Sponsors \_\_\_\_\_  
Date of Introduction February 6, 2007

**RESOLUTION**

1 A RESOLUTION concerning

2                   The Westphalia Sector Plan and Sectional Map Amendment

3 For the purpose of approving with amendments, as an act of the County Council of Prince  
4 George's County, Maryland, sitting as the District Council, the Westphalia Sector Plan and  
5 Sectional Map Amendment, thereby defining long-range land use and development policies,  
6 detailed zoning policies, and community improvement proposals within the area generally  
7 defined by Ritchie-Marlboro Road to the northeast, the Capital Beltway (I-495) to the west, and  
8 Pennsylvania Avenue (MD 4) to the south, consisting of a portion of Planning Area 78, the  
9 boundaries of which are described in the zoning ordinance.

10           WHEREAS, the Westphalia Sector Plan and Sectional Map Amendment amends portions  
11 of the 2002 *Prince George's County Approved General Plan* for the Physical Development of  
12 the Maryland-Washington Regional District in Prince George's County, Maryland; the 1994  
13 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas*  
14 *77 and 78)*; the 2005 *Approved Countywide Green Infrastructure Plan*; the 1982 *Master Plan of*  
15 *Transportation*; the 1983 *Functional Master Plan for Public School Sites*; the 1990 *Public Safety*  
16 *Master Plan*; the 1992 *Prince George's County Historic Sites and Districts Plan*; and the 1975  
17 *Countywide Trails Plan* including the 1985 *Equestrian Addendum*; and

18           WHEREAS, on January 17, 2006, in Council Resolution CR-5-2006, the County  
19 Council, sitting as the District Council, directed The Maryland-National Capital Park and  
20 Planning Commission to prepare a new sector plan and sectional map amendment for the  
21 Westphalia Sector Plan area, being a part of Planning Area 78, in order to develop a

1 comprehensive approach to implementing the recommendations of the 2002 General Plan and to  
2 ensure that future development is consistent with County policies; and

3 WHEREAS, the October 2005 *Westphalia Comprehensive Concept Plan* study provided  
4 a refinement and a detailed update to the vision, analysis, and information contained in the 1994  
5 *Approved Melwood-Westphalia Master Plan* (Planning Areas 77 & 78) as a means of facilitating  
6 the orderly and cohesive development of a planned community in the Westphalia area; and

7 WHEREAS, the October 2005 *Westphalia Comprehensive Concept Plan* study provides  
8 a description of goals, concepts and guidelines for future development of this area; and

9 WHEREAS, during preparation of the October 2005 *Westphalia Comprehensive Concept*  
10 *Plan* study a lengthy, substantive, and well-notified public participation process was conducted  
11 between June and August 2005 including a pre-charrette, three public charrettes, a final public  
12 presentation, a mailed community survey, and visual preference survey; and

13 WHEREAS, on January 17, 2006, the District Council endorsed the goals, concepts and  
14 guidelines prepared by the Planning Board pursuant to Section 27-643 of the Zoning Ordinance;  
15 and

16 WHEREAS, the Planning Board granted permission to print the Preliminary Westphalia  
17 Sector Plan and Proposed Sectional Map Amendment on April 6, 2006; and

18 WHEREAS, the District Council and the Planning Board held a duly-advertised joint public  
19 hearing on the Preliminary Westphalia Sector Plan and Proposed Sectional Map Amendment on  
20 May 23, 2006; and

21 WHEREAS, pursuant to Section 27-645(b) of the Zoning Ordinance, the plan proposals for  
22 public facilities were referred to the County Executive and the District Council for review, and  
23 the District Council subsequently endorsed the sector plan proposals for public facilities; and

24 WHEREAS, the Planning Board held two worksessions on June 22 and July 6, 2006, to  
25 consider the public hearing testimony; and

26 WHEREAS, on July 6, 2006, the Planning Board, in response to the public hearing  
27 testimony, adopted the sector plan and endorsed the sectional map amendment with revisions as  
28 described in Prince George's County Planning Board Resolution PGCPB No. 06-159 and  
29 transmitted the adopted sector plan and endorsed sectional map amendment to the District  
30 Council on July 7, 2006; and

31 WHEREAS, the District Council held a worksession on July 11, 2006, to consider public



1 hearing testimony and the recommendations of the Planning Board and voted to propose  
2 amendments to the adopted plan and endorsed sectional map amendment and to hold a second  
3 public hearing to allow public comment; and

4 WHEREAS, the District Council adopted CR-66-2006 on July 18, 2006, proposing thirteen  
5 amendments to the Adopted Westphalia Sector Plan and Endorsed Sectional Map Amendment;  
6 and

7 WHEREAS, the Planning Board held a worksession on September 14, 2006, to review a  
8 revised Development Pattern plan text element and new Existing Communities and Economic  
9 Development plan text elements as required by CR-66-2006, and transmitted those elements to  
10 the District Council on September 19, 2006, for submittal to the public record of testimony; and

11 WHEREAS, the District Council and the Planning Board held a second duly-advertised  
12 joint public hearing on amendments to the Adopted Westphalia Sector Plan and Endorsed  
13 Sectional Map Amendment on September 19, 2006; and

14 WHEREAS, the Planning Board held a worksession on October 5, 2006, to consider the  
15 public hearing testimony; and

16 WHEREAS, on October 16, 2006, the Planning Board, in response to the public hearing  
17 testimony and pursuant to Sections 27-226(c)(7) and 27-646 of the Zoning Ordinance,  
18 transmitted its written comments to the District Council; and

19 WHEREAS, the District Council held a worksession on October 17, 2006, to consider  
20 public hearing testimony and the recommendations of the Planning Board and voted to propose  
21 additional amendments to the adopted plan and endorsed sectional map amendment, and to hold  
22 a third public hearing to allow public comment; and

23 WHEREAS, the District Council adopted CR-83-2006 on October 31, 2006, proposing four  
24 additional amendments regarding the proposed transportation network and the sectional map  
25 amendment for the Adopted Westphalia Sector Plan and Endorsed Sectional Map Amendment;  
26 and

27 WHEREAS, the District Council adopted CB-76-2006 on October 31, 2006, revising the  
28 Sectional Map Amendment process to allow rezoning to a Comprehensive Design Zone without  
29 filing a formal rezoning application and correcting conflicting language in the plan/sectional map  
30 amendment (SMA) approval process regarding notices for public hearings, the public hearing  
31 record, and plan or SMA amendment decisions made by the District Council; and

1       WHEREAS, the District Council adopted CB-77-2006 on October 31, 2006, amending  
2 development regulations in the Comprehensive Design Zones to identify master plan, sector  
3 plan, and/or Sectional Map Amendment (SMA) zoning change recommendations, including any  
4 references to a public hearing exhibit of record, as the “Basic Plan” for development and  
5 establishing master or sector plan/SMA changes as the guide for defining development  
6 regulations in the review of Comprehensive Design Plans and Specific Design Plans; and

7       WHEREAS, the District Council adopted CB-78-2006 on October 31, 2006, amending the  
8 M-X-T Zone to allow the requirement for mixed-use development in the M-X-T Zone to be  
9 satisfied on other property within a comprehensively-planned General Plan Center consistent  
10 with the recommendations of a master plan or sector plan, and place a specific focus on  
11 implementing plan recommendations and establishing plan recommendations as the guide to  
12 defining regulations for development in the review of subsequent Conceptual Site Plan and  
13 Detailed Site Plan applications; and

14       WHEREAS, the Planning Board held a worksession on January 11, 2007, to review  
15 additional staff analysis for proposed Amendments 1 and 2 in CR-83-2006, and voted to transmit  
16 the analysis to the District Council prior to the scheduled public hearing; and

17       WHEREAS, the District Council and the Planning Board held a duly-advertised joint public  
18 hearing on amendments proposed by CR-83-2006 to the Adopted Westphalia Sector Plan and  
19 Endorsed Sectional Map Amendment on January 16, 2007; and

20       WHEREAS, the Planning Board held a worksession on January 18, 2007, to consider the  
21 public hearing testimony; and

22       WHEREAS, on January 18, 2007, the Planning Board, in response to the public hearing  
23 testimony and pursuant to Sections 27-226(c)(7) and 27-646 of the Zoning Ordinance,  
24 transmitted its written comments to the District Council; and

25       WHEREAS, the District Council held worksessions on January 23, January 30, and  
26 February 6, 2007, to consider all public hearing testimony and the recommendations of the  
27 Planning Board; and

28       WHEREAS, the District Council, having reviewed supporting materials submitted as part  
29 of the comprehensive rezoning proposals and examined the testimony presented, finds that the  
30 accumulated record along with County plans and policies justifies the zoning changes, including  
31 the downzoning recommendations, within this sectional map amendment; and

1 WHEREAS, the District Council has reviewed several comprehensive design zone  
2 proposals and finds the proposals to be in general conformance with the land use  
3 recommendations of the Westphalia Sector Plan as approved in this resolution; and

4 WHEREAS, the District Council recognizes that its action to approve comprehensive  
5 design zones as described in this sectional map amendment establish the Basic Plan for  
6 development which, combined with policies and strategies in the plan text, becomes the basis on  
7 which the second phase, Comprehensive Design Plan, and third phase, Specific Design Plan, will  
8 be processed as a continuing development sequence.

9 WHEREAS, the District Council has reviewed and generally endorses the findings and  
10 recommendations of the Planning Board as expressed in Prince George's County Planning Board  
11 Resolution PGCPB No. 06-159, it nevertheless makes the following findings:

12 (a) The Spirit of God Deliverance Church properties (Tax Map 80, Parcels 67 and 211) located  
13 on the south side of Westphalia Road, east and west of Melwood Road, should be  
14 classified in a commercial zoning category to allow institutional and limited commercial  
15 land uses, provided that site plan review by the Planning Board is obtained prior to  
16 issuance of a building permit for any new construction on the site. The purpose of site  
17 plan review is to ensure that any proposed commercial or institutional use on this  
18 property has high quality architectural design, landscaping and construction materials and  
19 effective on-site buffering for existing or future residential or institutional land uses in the  
20 area. It is not intended that commercial or institutional activities on these properties will  
21 establish a precedent to justify further commercial expansion along these roads.

22 (b) The Fletcher property located on the west side of Sansbury Road, south of Little  
23 Washington Neighborhood Park, should retain the existing industrial zoning category for  
24 the one lot (Lot 3, Block E, Plat A15-1486) upon which an ongoing business has been  
25 legally established, provided that site plan review by the Planning Board is obtained prior  
26 to building permit issuance for any other use on the property. The purpose of site plan  
27 review is to ensure that any proposed new commercial or industrial use on this property  
28 has high quality architectural design, landscaping and construction materials and  
29 effective on-site buffering for existing or future residential or institutional land uses in the  
30 area.

31 (c) The Mirant Mid-Atlantic property at 8711 Westphalia Road, which is currently developed

1 with a large industrial building, should be redeveloped with mixed residential and  
2 commercial land uses under a mixed-use zoning category. In the short term, the Council  
3 should consider legislation to allow limited industrial use of the existing industrial  
4 buildings on the site.

5 (d) As determined by the Department of Public Works and Transportation, adequate safety  
6 roadway improvements for Melwood Road between MD 4 and new road MC-632,  
7 including traffic calming devices, should be bonded for construction prior to issuance of  
8 building permits for the Westphalia Town Center development project.

9 (e) A larger than normally required buffer averaging 150 feet in depth, but not less than 40 feet,  
10 should be established on the town center property along historic Melwood Road and the  
11 properties in the Twin Knolls subdivision as illustrated on Exhibit 44. If the portion of the  
12 Westphalia Town Center property located along Melwood Road is to be developed within  
13 two years following approval of this resolution, additional buffering could be required  
14 between the proposed development and existing home sites.

15 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
16 County, Maryland, sitting as the District Council for that part of the Maryland-Washington  
17 Regional District in Prince George's County, Maryland, that the Westphalia Sector Plan and  
18 Sectional Map Amendment, as adopted and endorsed by the Planning Board on July 6, 2006, is  
19 hereby approved with the following amendments:

20  
21 **AMENDMENTS TO THE ADOPTED SECTOR PLAN**

22  
23 **AMENDMENT 1**

24 Replace the Development Pattern element of the adopted sector plan with new text transmitted  
25 by the Planning Board on September 19, 2006 (**See Attachment A**) to designate the Westphalia  
26 Town Center as a General Plan Regional Center and to refine design concepts and phasing  
27 strategies for the sector plan area, with the following revisions:

- 28 • Revise Map 3A (Proposed Future Land Use) and Map 4B (Illustrative Town Center  
29 Development Pattern) to reflect illustrations submitted by Exhibit 44, which depict  
30 Westphalia Town Center development concepts as revised by Council amendments.  
31 Revise the plan text to clarify that these illustrations represent the desired design concepts

1 for the character and pattern of urban development in the Town Center area as the guide  
2 for review of future applications in the development review process.

- 3 • Add text to clarify the phasing of commercial development in the Westphalia Town  
4 Center to ensure that such development precedes or occurs concurrently with and in  
5 proportion to residential development.
- 6 • Add a new design principle as follows: “Design a Town Center road network that reflects  
7 the sector plan’s design principles for development with an urban character, provides  
8 functional continuity with the sector plan transportation network (Map 7), and needed  
9 capacity for adequate circulation of non-motorized as well as motorized transportation on  
10 internal streets.”
- 11 • Add a new strategy to Policy 2 on page 9 of the revised development pattern element to  
12 read: “Consider a future Development District Overlay Zone (DDOZ) for the entire  
13 sector plan area or a portion of the sector plan area such as the Town Center or local  
14 activity centers to ensure a comprehensive review of all new development applications  
15 and adherence to the policies, strategies and design guidelines.”
- 16 • Add text on page 12 to recommend that single-family attached residential lot sizes near the  
17 town center area may range from 1,300 to 1,800 square feet and the minimum finished  
18 floor area should be determined at site plan review. Within the town center urban areas  
19 there should be a range of lot sizes for single-family attached dwelling units with a  
20 minimum of 1,000 square feet. The finished floor area for dwelling units in the town  
21 center should be determined during site plan review in order to ensure an urban character  
22 of development. The percentage of townhouses and other dwelling unit types to be  
23 allowed in the town center and surrounding development projects should be determined  
24 at site plan review based on the policies and exhibits referenced in the sector plan text.
- 25 • Add text to clearly identify the allowable percentage of residential development types, as  
26 illustrated on Exhibit 44.
- 27 • Clarify the definition of “two over two” dwelling units as two-family attached dwellings,  
28 and establish a development guideline that provides for a maximum height of 65 feet for  
29 “two over two” structures.
- 30 • Clarify that the proposed locations for the future police and fire stations within the Town  
31 Center may be subject to change as facility and service needs and implementation of the

1 Town Center vision warrant.

- 2 • Clarify that a medical facility should be included among the uses developed within the
- 3 town center area.
- 4 • Require a buffer along historic Melwood Road and the Twin Knolls subdivision that is an
- 5 average depth of 150 feet, with a minimum depth of 40 feet, as illustrated on Exhibit 44.

6

7 **AMENDMENT 2**

- 8 • Add two new plan elements entitled Existing Communities and Economic Development,
- 9 as transmitted by the Planning Board on September 19, 2006 (See Attachments B and C).

10

11 **AMENDMENT 3**

12 Add language to the Environmental Infrastructure element of the sector plan to address

13 stormwater management, woodland conservation, and environmentally-sensitive roadway design

14 (See Attachment D).

15

16 **AMENDMENT 4**

17 Revise the text of the Transportation element and Map 7 (Transportation Network) to:

- 18 • Require additional right-of-way at major intersections along MC-631 (Suitland Parkway
- 19 Extended) for one additional lane in each direction, but not along the entire road length,
- 20 in order to minimize impacts on adjacent properties and provide level of service LOS D
- 21 operation at the major intersections during peak hours.
- 22 • Require only four lanes of road construction along A-39 (Ritchie Marlboro Road) for the
- 23 segment between Old Marlboro Pike and MC-631 (Suitland Parkway Extended), to
- 24 prohibit direct access to the road from individual lots, and require additional right-of-way
- 25 at major intersections for one additional lane in each direction, but not along the entire
- 26 road length, in order to minimize impacts on adjacent properties and provide LOS D
- 27 operation at the major intersections during peak hours.
- 28 • Require additional right-of-way within the segment of MC-634 (Presidential Parkway
- 29 Extended) between Sansbury Road and White House Road for multiple turning lanes at a
- 30 T-intersection with Ritchie Marlboro/White House Road.
- 31 • Add a new strategy to Policy 4 on page 28 of the adopted sector plan as follows: “Design

1 a Town Center road network that reflects the sector plan’s design principles for  
 2 development with an urban character, provides functional continuity with the sector plan  
 3 transportation network (Map 7), and needed capacity for adequate circulation of non-  
 4 motorized as well as motorized transportation on internal streets.”

- 5 • Replace roadway cross section illustrations with urban street cross sections referenced in  
 6 Exhibit 65 and add language proposed by DPW&T in Exhibit 70 regarding pedestrian  
 7 safety under the fifth bullet to add: “...regarding pedestrian safety across new roads MC-  
 8 632 and A-66”, and “the location of the consolidated transit center should provide safe  
 9 and convenient pedestrian crossing and access to the core of the town center.”
- 10 • Downgrade the segment of A-66 (Presidential Parkway) between A-67 (Suitland  
 11 Parkway Extended) and A-52 (Dower House Road extended) to MC-634.
- 12 • Downgrade the segment of MC-636 between A-66 and P-615 to C-636 to provide the  
 13 equivalent of a collector road function through the designed network of urban streets in  
 14 the town center.
- 15 • Downgrade the segment of MC-636 between P-615 and MC-631 to P-619 with a 70-foot  
 16 right-of-way to allow for construction of two travel lanes with parking on each side.
- 17 • Downgrade the segment of MC-637 between MC-632 (Westphalia north/south spine) and  
 18 MC-636 to become part of P-615 (Dower House Road Extended), and add plan text  
 19 language to require a 70-foot right-of-way for construction of two travel lanes with  
 20 parking on each side.
- 21 • Extend MC-632 (Westphalia north/south spine) through the Westphalia Town Center  
 22 from A-66 (Presidential Parkway) to MC-637, and add plan text language to clarify that  
 23 review in the Conceptual Site Plan stage should ensure the equivalent of a major collector  
 24 road function is provided through the designed network of urban streets in the Town  
 25 Center.
- 26 • Retain the segment of Ritchie Marlboro Road between Pennsylvania Avenue (MD 4) and  
 27 Old Marlboro Pike as part of A-39, with 6-8 lanes.
- 28 • Revise the alignment for proposed road MC-631 to avoid impacts to the James Butler  
 29 property (Tax Map 90, Grid D3, Parcel 158, 4.076 acres) to the greatest extent possible.
- 30 • Add a new strategy to Policy 4, Rural Roads (plan text, p. 30): “As determined by the  
 31 Department of Public Works and Transportation, adequate safety roadway improvements

1 for Melwood Road between MD 4 and new road MC-632, including traffic calming  
 2 devices, should be bonded for construction prior to issuance of building permits for the  
 3 Westphalia Town Center development project.”

4  
 5 **AMENDMENT 5**

6 Revise the adopted plan Transportation element text and Map 7 (Transportation Network) to  
 7 identify interchange footprints and design concepts for the following major interchanges along  
 8 the Capital Beltway (I-495/I-95) and Pennsylvania Avenue (MD 4) to accommodate the  
 9 development proposed by the sector plan:

- 10 ● Ritchie Marlboro Road and the Capital Beltway
- 11 ● Suitland Parkway and Pennsylvania Avenue
- 12 ● Dower House Road and Pennsylvania Avenue
- 13 ● Woodyard Road and Pennsylvania Avenue (either Alternative K, or Alternative N,  
 14 pending further analysis)

15  
 16 **AMENDMENT 6**

17 Add a new strategy to Policy 4 of the Transportation element to read:

- 18 ● Implement the road transportation system in an environmentally-sensitive manner, by:
  - 19 ○ Minimizing the crossings of streams and wetlands, where possible, by careful  
 20 planning of road locations, maximizing the use of existing stream crossings, and  
 21 coordinating the road network between parcels to limit the need for stream crossings  
 22 and other environmental impacts.
  - 23 ○ Crossing streams (where stream crossings are unavoidable) at right angles except  
 24 where prevented by geologic features.
  - 25 ○ Constructing stream crossings using clear span bridges or, where bridges cannot be  
 26 used for design reasons, bottomless culverts or other low-impact crossing structures  
 27 that have a width that matches or exceeds the natural width of the stream and that  
 28 minimize the impact to stream habitats, fish and other stream organisms.
  - 29 ○ Using drainage structures, such as water turnouts or broadbased dips, on both sides of  
 30 a crossing as needed to prevent road and ditch runoff from directly entering the  
 31 stream.



- 1           ○ Retrofitting stream crossings (where necessary) in a manner that removes fish  
2           blockages.

3  
4     **AMENDMENT 7**

5     Revise the adopted plan Public Facilities element text and Map 9 (Public Facilities) to:

- 6           • Reflect the following proposed school facility locations:
- 7           ○ Elementary schools on the:
- 8                 ▪ Smith Home Farms site
- 9                 ▪ Westphalia Neighborhood Park site
- 10                ▪ On Brook Lane adjacent to Henry A. Wise High School (outside the sector plan  
11                area to the east)
- 12                ▪ Woodside Village site (combined with a middle school)
- 13                ▪ Town Center property (as a possible future school)
- 14                ▪ Arrowhead Elementary School (to be revitalized/replaced)
- 15           ○ A middle school on the Woodside Village site, combined with an elementary school.
- 16           ○ A high school northeast of Ritchie Marlboro Road at White House Road (outside the  
17           sector plan area to the east)
- 18           • Make note of the potential relocation of the proposed fire and police stations to a location  
19           within the Westphalia Town Center area that is separated from the transit center site  
20           illustrated on Exhibit 44.

21  
22     **AMENDMENT 8**

23     Revise the adopted plan parks and recreation element text to:

- 24           • Add text to Policy 3, under the strategy describing the Westphalia Central Park (p. 38) as  
25           follows:
- 26                 ○ Revise the description of the lake in the central park to state: “A lake or other  
27                 water element as the central feature of the park with an extensively landscaped  
28                 edge and paths....”
- 29                 ○ Add a new paragraph describing park elements: Active and passive recreation  
30                 facilities which should include a tennis center, an amphitheater, a waterfront  
31                 activities center, a restaurant with patio, a multi-station playground, a skate park,

1 a splash park, sports fields and courts, a dog park, pedestrian, bicycle, and  
 2 equestrian trails, and similar features.

- 3 ○ Add a new paragraph that states: Form a multi-agency public/private work group  
 4 to implement the vision for the Westphalia Central Park on an expedited basis.
- 5 ● Revise the plan text to specify that a parks fee of \$3,500 per new dwelling unit (in 2006  
 6 dollars) is required to construct the public parks facilities recommended for the sector  
 7 plan area.

8  
 9 **AMENDMENT 9**

10 Include a table of proposed public facilities with cost estimates based on the Westphalia Public  
 11 Facilities Financing and Implementation Program study (Exhibit 73) in the approved sector plan  
 12 and sectional map amendment document.

13  
 14 **AMENDMENTS TO THE ENDORSED SECTIONAL MAP AMENDMENT**

15  
 16 **SMA 1**

17 Prepare a standardized set of concept illustrations (based on and  
 18 referencing exhibits submitted to the record for each property) for the  
 19 published sector plan text that will serve as the Basic Plan for  
 20 development in Comprehensive Design Zones or the illustrative site plan  
 21 to guide the character of development for the M-X-T Zone for the  
 22 properties rezoned by this SMA.

22 **SMA 2**

23 Revise the comprehensive rezoning policies for Comprehensive Design  
 24 Zones on page 49 of the Adopted Westphalia Sector Plan and Endorsed  
 25 Sectional Map Amendment to reference CB-76-2006 and CB-77-2006, as  
 26 follows:

27 **“Comprehensive Design Zones**

28 Comprehensive Design Zones (CDZs) may be included in a sectional map  
 29 amendment. [However] Normally, the flexible nature of these zones  
 30 requires a Basic Plan of development to be submitted through the zoning  
 31 application process (Zoning Map Amendment) in order to evaluate the  
 comprehensive design proposal. It is only through approval of a Basic

1 Plan, which identifies land use types, quantities, and relationships, that a  
2 CDZ can be recognized. [Therefore] Under this process, an application  
3 must be filed, including a Basic Plan; and the Planning Board must have  
4 considered and made a recommendation on the zoning application in order  
5 for the CDZ to be included within the SMA. During the comprehensive  
6 rezoning, prior to the submission of such proposals, property must be  
7 classified in a conventional zone that provides an appropriate “base  
8 density” for development. In theory, the “base density” zone allows for an  
9 acceptable level of alternative development should the owner choose not  
10 to pursue full development potential indicated by the master plan.

11  
12 Under limited circumstances, which include the Westphalia Sector Plan  
13 and SMA, CDZs may be approved in a sectional map amendment without  
14 the filing of a formal rezoning application by an applicant. The  
15 recommendations of the sector plan and the SMA Zoning Change,  
16 including any design guidelines or standards, may constitute the Basic  
17 Plan for development. In these cases, overall land use types, quantities  
18 and relationships for the recommended development concept should be  
19 described in the SMA text, and be subject to further adjustment during the  
20 second phase of review, the Comprehensive Design Plan, as more detailed  
21 information becomes available. (See CB-76-2006, CB-77-2006, and  
22 Sections 27-223(b), 27-225(a)(5), 27-225(b)(1), 27-226(a)(2), [and] 27-  
23 226(f)(4), 27-478(a)(1), 27-480(g), and 27-521(a)(1) of the Zoning  
24 Ordinance.)”

25  
26 **SMA 3**

27 Change the zoning of the Rock Creek Baptist Church, Washington and  
28 Bean properties located west of Ritchie Marlboro Road north of  
29 Westphalia Road.

30 **Zone Change:** From R-A (Residential-Agricultural) to R-M  
31 (Residential Medium Development) and L-A-C  
(Local-Activity- Center)

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**Land Area:** Approximately 223.5 acres  
**Legal Description:** Tax Map: 83 Grid: B2, B4, C4 Parcels: 16, 25, 26 and 71

**Other Information:** Reference Exhibit 58 as the Basic Plan for development of these comprehensive design zones for the following land use types and quantities:  
Land Use Types: All uses allowed in the R-M and L-A-C Zones  
Land Use Quantities (to be determined at CDP, based on Exhibit 58):

R-M (3.6) Zone:  
Approximately 183.5 acres, capped at 4.0 DU/acre  
Residential - 712 units  
Age-Restricted Community – 160 units  
Public/Quasi-Public Use – Church, school and recreation amenities

L-A-C (Neighborhood) Zone:  
Approximately 40 acres:  
Residential – 320 units  
Commercial/Retail (including live/work) – 25,000 square feet GFA  
Country Inn – 40,000 square feet GFA

CDP Review Considerations:  
MC-631 is located on the subject property and should connect directly to the portion of MC-631 located on the Woodside Village property at a four-way intersection with Westphalia Road.

**SMA 4** Change the zoning of the Addison property, located west of Ritchie Marlboro Road north of Old Marlboro Pike

**Zone Change:** From R-R (Rural Residential) to M-X-T (Mixed Use – Transportation Oriented)

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**Land Area:** 8.98 acres  
**Legal Description:** Tax Map: 101 Grid: B1 Subdivision: Marlboro Riding Subdivision, Plat 15208020, Parcel P  
**Other Information:** Reference Exhibit 20 as the intended development concept for subsequent development review procedures regarding this site.

**SMA 5**

Change the zoning of the Spirit of God Deliverance Church properties located on the east and west sides of Melwood Road at Westphalia Road.  
**Zone Change:** From C-A (Commercial-Ancillary) on Parcel 67 and R-A (Residential-Agricultural) on Parcel 211 to C-S-C (Commercial Shopping Center)  
**Land Area:** 3.7 acres  
**Legal Description:** Tax Map: 80 Grid: D1 Parcels: 67 and 211  
**Other Information:** Subject to site plan review per findings of the District Council.

**SMA 6**

Change the zoning of the Pleasant Excavating, Inc. property located on the east side of Sansbury Road south of Arrowhead Elementary School.  
**Zone Change:** From I-1 (Light Industrial) to R-18C (Multifamily Medium-Density Residential-Condominium)  
**Land Area:** 28.09 acres  
**Legal Description:** Tax Map: 82 Grid: E2 and E3 Subdivision: Lots 1-19 and Parcel A, Sansbury Park Subdivision, Plat 15167042  
**Other Information:** Reference Exhibit 34 as the development concept for a mix of residential condominium product types for this property in subsequent development review procedures.

**SMA 7**

Change the zoning for three of the four recorded lots known as the Fletcher property located on the west side of Sansbury Road south of the Little Washington Neighborhood Park

**Zone Change:** From I-1 (Light Industrial) to R-R (Rural Residential)

**Land Area:** 0.84 acres

**Legal Description:** Tax Map: 82 Grid: D2 Subdivision: Little Washington Subdivision, Plat A15-6085, Block E, Lots 4, 5 and 6

**Other Information:** The existing I-1 Zone will be retained on Lot 3, Block E, Plat A15-1486 (0.46 acres) to recognize the existing business on that lot, subject to site plan review per findings of the District Council.

**SMA 8**

Change the zoning of the PB&J, LLC property located east of Sansbury Road south of Ritchie Marlboro Road.

**Zone Change:** From R-A (Residential-Agricultural) to M-X-T (Mixed Use – Transportation Oriented)

**Land Area:** 4.484 acres

**Legal Description:** Tax Map: 82 Grid: E1 Parcel: 195 and Subdivision: Parcel A, Roy Bean Subdivision, Plat A15-4383

**Other Information:** Reference Exhibit 19 as the development concept for a mix of commercial and residential uses on these properties.

The property was formerly referred to as the PB&J, Inc. property, consisting of 6.3 acres. The representative of the property owner corrected ownership and acreage information in a letter dated August 30, 2006 (EXHIBIT 52)

**SMA 9**

Change the zoning of the Scales property (formerly referenced as the PJ Associates, Inc., property), located south of Ritchie Marlboro Road and east of Sansbury Road.

**Zone Change:** From R-A (Residential-Agricultural) to R-M (Residential Medium Development) for approximately 42.5 acres and to M-X-T (Mixed Use – Transportation Oriented) for approximately 7.1 acres

**Land Area:** 49.6 acres

**Legal Description:** Tax Map: 82 Grid: F1 Parcels: 194, 199, and 250

**Other Information:** The R-M portion of the property shall be located southeast of the proposed centerline for MC-634 (Sansbury Road Relocated), with the M-X-T portion to be located northwest of the proposed centerline for MC-634, as illustrated in Exhibit 66). Reference Exhibit 66 as the Basic Plan for development of the R-M portion of the property for the following land use types and quantities:

Land Use Types: All uses allowed in the R-M Zone

Land Use Quantities (to be determined at CDP, based on Exhibit 66): Residential development up to the maximum density allowed in the R-M (5.8-7.9) Zone up to approximately 335 units.

**SMA 10**

Change the zoning of the Mirant Mid-Atlantic, LLC property (formerly PEPCO) located at 8711 Westphalia Road across from Chester Grove Drive.

**Zone Change:** I-1 (Light Industrial) to M-X-T (Mixed Use – Transportation Oriented)

**Land Area:** 68.9 acres

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**Legal Description:** Tax Map: 90 Grid: C1 Subdivision: Parcel C, Penn-East Business Park Resubdivision, Plat 06 191-023

**Other Information:** Reference Exhibit 31 as the development concept for future development review procedures, revised to show that proposed road MC-634 is located on the subject property in accordance with the approved transportation plan.

**SMA 11**

Change the zoning of the Purdy Property located at 3311 Melwood Road, south of Westphalia Road.

**Zone Change:** C-M (Commercial Miscellaneous) to R-R (Rural Residential)

**Land Area:** 0.87 acres

**Legal Description:** Tax Map: 90 Grid: D1 Parcel: 112

**SMA 12**

Change the zoning of the Toll Brothers, Inc. property (formerly the Patricia M. Wholey property) located at 10501 Westphalia Road, east of Matapeake Drive, from the R-A Zone to the R-M Zone for approximately 11.65 acres as an addition to the Woodside Village Comprehensive Design Zone Application A-9973.

**Zone Change:** From R-A (Residential-Agricultural) to R-M (Residential Medium Development)

**Land Area:** Approximately 11.65 acres

**Legal Description:** Tax Map: 91 Grid: A1 Parcel: 13

**Other Information:** Reference Exhibit 41 as the Amended Basic Plan for development of the Woodside Village comprehensive design zone for the following additional land use types and quantities:

Land Use Types: All uses allowed in the R-M Zone

Land Use Quantities (to be determined at CDP, based on Exhibit

41): R-M (3.6) Zone: Up to 46 units capped at 4.0 DU/acre



BE IT FURTHER RESOLVED that the Basic Plan for A-9973, Woodside Village, is hereby approved with amendments, including the addition of the 11.65-acre Toll Brothers, Inc. property (see SMA 12 above), and the subject property is rezoned from the R-A Zone to the R-M Zone, with the Basic Plan as amended, and with the following limitations and conditions as contained in the recommendation of the Zoning Hearing Examiner dated July 13, 2006:

- 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:

DEVELOPMENT DATA:

Table with 2 columns: Description and Value. Rows include Total area (381.95 acres), Land in the 100 year floodplain\* (15.69 acres), Adjusted gross area: (381.95 less half the floodplain)\* (374.15 acres), Density permitted under the R-M (Residential Medium Zone) (3.6-5.8 dwellings/acre), Base residential density (3.6 du/ac)\* (1,347 dwellings), and Maximum residential density (5.8 du/ac)\* (2,170 dwellings).

Table with 2 columns: Description and Value. Rows include Approved Land Use Types and Quantities: Residential: 374.15 adjusted gross acres @ 3.8-4.0 du/ac\* (1,422-1,497 dwellings), Number of the units above the base density: (75-150 dwellings), Permanent open space: (31 percent of original site area)\* (116 acres), Public active open space: (parkland and school sites)\* (26.0 acres minimum parkland, 10 acres minimum elementary school, 20 acres minimum middle school), and Private open space (homeowner association and other) (60 acres).

\* To be validated during the review of a CDP to account for the addition of the 11.65-acre Toll Brothers, Inc. property.

- 2. Prior to approval of the Basic Plan the Applicant shall revise the Basic Plan to provide the following:
a. Eliminate the cul-de-sac streets on the Case property that stretch out of the subject site

1 boundary into the Smith Home Farms property, and terminate the cul-de-sac within the  
2 subject property.

3 b. Show one (1) primary street connection between the subject property and the adjacent  
4 W. Bean property to the east.

5 3. The following shall be required as part of the Comprehensive Design Plan (CDP) submittal  
6 package:

7 a. The Transportation Planning staff shall make Master Plan transportation facility  
8 recommendations consistent with the Westphalia Sector Plan. The CDP road  
9 alignments shall conform to road alignments in all other adjacent approved  
10 subdivisions.

11 b. The Transportation Planning staff shall review the list of significant internal access  
12 points as proposed by the Applicant along Master Plan roadways, including  
13 intersections of those roadways within the site. This list of intersections shall receive  
14 detailed adequacy study at the time of Preliminary Plan of Subdivision. The adequacy  
15 study shall consider appropriate traffic control as well as the need for exclusive turn  
16 lanes at each location.

17 c. The Transportation Planning staff shall review minor street connections between the  
18 subject site and adjacent properties. All minor street connections shown on the  
19 Comprehensive Design Plan shall conform to all other adjacent approved subdivisions.

20 d. The Applicant shall build the MD 4/Westphalia Road interchange with the development  
21 of the subject property and this may be accomplished by means of a public/private  
22 partnership with the State Highway Administration and with other developers in the  
23 area. This partnership may be further specified at the time of Preliminary Plan of  
24 Subdivision, and the timing of the provision of this improvement shall also be  
25 determined at the time of Preliminary Plan of Subdivision.

26 e. The CDP shall demonstrate that a majority of lots located along Westphalia Road are  
27 single-family detached lots in order to be compatible with the surrounding land use  
28 pattern and to preserve a rural character as recommended in the WCCP Study.

29 f. The Applicant shall meet with and obtain written approval from the DPW&T to front  
30 and/or provide driveway access to any townhouse units that may be located along C-  
31 631. If the townhouses or two-over-two townhouses are to be located along any

1 roadways, which are classified as collector and above, they should be accessed through  
2 an alley.

- 3 g. The Applicant and the Applicant's heirs, successors, and/or assignees shall provide the  
4 following in conformance with the 1994 Master Plan and the WCCP Study:
- 5 (1) Provide the Master Plan hiker-biker-equestrian trail along the subject site's entire  
6 portion of the Cabin Branch stream valley subject to Department of Parks and  
7 Recreation coordination and approval.
  - 8 (2) Provide an eight-foot wide sidepath or wide sidewalk along the subject property's  
9 entire frontage of Suitland Parkway extended.
  - 10 (3) Provide a sidepath (Class II Trail) along the subject site's entire road frontage of  
11 Westphalia Road.
  - 12 (4) Provide the internal HOA trails and sidepaths as conceptually shown on the  
13 submitted hiker and biker trail plan.
- 14 h. Submit a design package that includes an image board and general design guidelines  
15 that establish review parameters, including design, material and color, for architectural,  
16 signage, entrance features and landscaping for the entire site.
- 17 i. Provide a description of the type, amount, and general location of the recreation  
18 facilities on the dedicated parkland and elsewhere on the site, including provision of  
19 private open space and recreation facilities to serve development on all portions of the  
20 subject property.
- 21 j. The Applicant, and the Applicant's heirs, successors and/or assignees shall agree to  
22 make a monetary contribution or provide in-kind services for the development,  
23 operation and maintenance of the central park. The recreational facilities packages shall  
24 be reviewed and approved by DPR prior to Comprehensive Design Plan (CDP)  
25 approval. The total value of the monetary contribution (or in-kind services) for the  
26 development, operation and maintenance of the central park shall be \$3,500 per  
27 dwelling unit in 2006 dollars. The Applicant may make a contribution into the "park  
28 club" or provide an equivalent amount of recreational facilities. The value of the  
29 recreational facilities shall be reviewed and approved by DPR staff. Monetary  
30 contributions may be used for the design, construction, operation and maintenance of  
31 the recreational facilities in the central park and/or the other parks that will serve the

1 Westphalia Study Area. The park club shall be established and administered by DPR.

- 2 k. The Applicant shall submit a scope of services from a qualified urban park design  
3 consultant for development of a Comprehensive Concept Plan for the portion of central  
4 park in the project area. The Comprehensive Concept Plan shall be prepared by a  
5 qualified urban park design consultant working in cooperation with a design team from  
6 DPR and Urban Design Section. Urban Design Section and DPR staff shall review  
7 credentials and approve the design consultant prior to development of a Comprehensive  
8 Concept Plan. The Comprehensive Concept Plan shall be approved by DPR prior to  
9 approval of the Comprehensive Design Plan (CDP).
- 10 l. The public recreational facilities shall be constructed in accordance with the standards  
11 outlined in the *Parks and Recreation Facilities Guidelines*. The concept plan for the  
12 development of the parks shall be shown on the Comprehensive Design Plan.
- 13 m. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch,  
14 in conformance with the latest Department of Parks and Recreation guidelines and  
15 standards. Connector trails should be provided from the stream valley to adjacent  
16 residential development and recreational uses.
- 17 n. Provide the site location and timing or propose a contribution for the pro-rata share of  
18 funding for the following public facilities to be reviewed and approved by the  
19 appropriate agencies and the Countywide Planning Division:
- 20 (1) Fire station  
21 (2) Library  
22 (3) Police facility  
23 (4) Middle school  
24 (5) Elementary school
- 25 o. Submit a signed Natural Resources Inventory (NRI) with the Comprehensive Design  
26 Plan. All subsequent plan submittals shall clearly show the Patuxent River Primary  
27 Management Area (PMA) as defined in Section 24-101(b)(10), and as shown on the  
28 signed NRI.
- 29 p. Demonstrate that the PMA has been preserved to the fullest extent possible. Impacts to  
30 the PMA shall be minimized by making all necessary road crossings perpendicular to  
31 the streams and by using existing road crossings to the extent possible.

- 1 q. Submit a required Type I Tree Conservation Plan (TCPI). The TCPI shall:
- 2 (1) Focus on the creation and/or conservation/preservation of contiguous woodland
- 3 (2) Concentrate priority areas for tree preservation in areas within the framework of
- 4 the approved Green Infrastructure Master Plan, such as stream valleys. Reflect a
- 5 25 percent Woodland Conservation Threshold (WCT) and meet the WCT
- 6 requirements on-site.
- 7 (3) Mitigate woodland cleared within the PMA's Preservation Area on-site at a ratio
- 8 of 1:1, with the exception of impacts caused by Master Plan roads which shall be
- 9 mitigated 1:25. This note shall also be placed on all Tree Conservation Plans.
- 10 (4) Focus afforestation in currently open areas within the PMA and areas adjacent to
- 11 them. Tree planting should be concentrated in areas of wetland buffers and stream
- 12 buffers, which are priority areas for afforestation and the creation of contiguous
- 13 woodland.
- 14 (5) Prohibit woodland conservation on all residential lots.
- 15 r. Submit an exhibit showing areas where Marlboro Clay occurs on-site.
- 16 s. Submit a plan that addresses how housing will be provided for all income groups in
- 17 accordance with Section 27-487 and the Master Plan recommendations for the planned
- 18 community.
- 19 t. Present all roadway improvement plans for Westphalia Road to the Historic
- 20 Preservation and Transportation Planning staff for review and comment to ensure that
- 21 all scenic and historic features associated with this historic road are properly evaluated
- 22 and preserved as necessary.
- 23 u. Complete a Phase I archeological investigation report and submit to the Historic
- 24 Preservation staff for approval.
- 25 4. At the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision,
- 26 the Applicant shall:
- 27 a. Show proposed dedication area for a non-CIP-sized sewer extension approximately
- 28 2,400 feet long to serve the eastern portion of the property and connect to the 24-inch
- 29 diameter sewer in the Cabin Branch stream valley, or other alternative as required by
- 30 WSSC.
- 31 b. Submit Hydraulic Planning Analysis to WSSC to address access to adequate water

1 storage facilities and water service to be approved by the WSSC to support the fire flow  
2 demands required to serve all site development.

- 3 c. Submit a letter of justification for all proposed PMA impacts, in the event disturbances  
4 are unavoidable.
- 5 d. Submit a plan, prior to Planning Board approval of a Preliminary Plan of Subdivision,  
6 that shall provide for:
- 7 (1) Either the evaluation of any significant archaeological resources existing in the  
8 project area at the Phase II level, or
- 9 (2) Avoiding and preserving the resource in place.
- 10 e. The Applicant shall dedicate 56 developable acres of public open space to the M-  
11 NCPPC for a park/school. The portion of the parkland needed for school construction  
12 shall be conveyed to the Board of Education when funding for construction is in place  
13 and conveyance of the property is requested by the Board of Education. The final  
14 determination of location of the land to be dedicated for park/school sites shall be  
15 determined at the time of CDP Plan approval. The land to be conveyed to the M-  
16 NCPPC shall be subject to the following conditions:
- 17 (1) An original, special warranty deed for the property to be conveyed, (signed by the  
18 WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of  
19 the Development Review Division, Maryland-National Capital Park and Planning  
20 Commission (M-NCPPC), along with the final plats.
- 21 (2) M-NCPPC shall be held harmless for the cost of public improvements associated  
22 with land to be conveyed, including but not limited to, sewer extensions, adjacent  
23 road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit  
24 charges prior to and subsequent to Final Plat.
- 25 (3) The boundaries and acreage of land to be conveyed to M-NCPPC shall be  
26 indicated on all development plans and permits, which include such property.
- 27 (4) The land to be conveyed shall not be disturbed or filled in any way without the  
28 prior written consent of the Department of Parks and Recreation (DPR). If the land  
29 is to be disturbed, DPR shall require that a performance bond be posted to warrant  
30 restoration, repair or improvements made necessary or required by M-NCPPC  
31 development approval process. The bond or other suitable financial guarantee

- 1 (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be  
2 submitted to DPR within two weeks prior to applying for grading permits.
- 3 (5) Stormdrain outfalls shall be designed to avoid adverse impacts on land to be  
4 conveyed to or owned by M-NCPPC. If the outfalls require drainage  
5 improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR  
6 shall review and approve the location and design of these facilities. DPR may  
7 require a performance bond and easement agreement prior to issuance of grading  
8 permits.
- 9 (6) All waste matter of any kind shall be removed from the property to be conveyed.  
10 All wells shall be filled and underground structures shall be removed. DPR shall  
11 inspect the site and verify that land is in acceptable condition for conveyance, prior  
12 to dedication.
- 13 (7) All existing structures shall be removed from the property to be conveyed, unless  
14 the Applicant obtains the written consent of the DPR.
- 15 (8) The Applicant shall terminate any leasehold interests on property to be conveyed  
16 to the Commission.
- 17 (9) No stormwater management facilities, or tree conservation or utility easements  
18 shall be proposed on land owned by or to be conveyed to M-NCPPC without the  
19 prior written consent of DPR. DPR shall review and approve the location and/or  
20 design of these features. If such proposals are approved by DPR, a performance  
21 bond, maintenance and easement agreements shall be required prior to the issuance  
22 of grading permits.
- 23 f. Enter into an agreement with the DPR, prior to the first Final Plat of Subdivision, that  
24 shall establish a mechanism for payment of fees into an account administered by the  
25 M-NCPPC. The agreement shall note that the value of the in-kind services shall be  
26 determined at the sole discretion of DPR.
- 27 g. Submit three original, executed agreements for participation in the park club to DPR for  
28 their review and approval, eight weeks prior to a submission of a final plat of  
29 subdivision. Upon approval by DPR, the agreement shall be recorded among the Land  
30 Records of Prince George's County, Upper Marlboro, Maryland.
- 31 5. Prior to submittal of any grading or building permits, the Applicant shall demonstrate that

1 the Dunblane (Magruder family) Cemetery shall be preserved and protected in accordance  
2 with Section 24-135-02 of the Subdivision regulations, including:

- 3 a. An inventory of existing cemetery elements.
- 4 b. Measures to protect the cemetery during development.
- 5 c. Provision of a permanent wall or fence to delineate the cemetery boundaries, and  
6 placement of an interpretive marker at a location close to or attached to the cemetery  
7 fence/wall. The Applicant shall submit for review and approval by the Historic  
8 Preservation staff, the design of the wall and design and proposed text for the marker at  
9 the Dunblane (Magruder family) cemetery.
- 10 d. Preparation of a perpetual maintenance easement to be attached to the legal deed (i.e.,  
11 the lot delineated to include the cemetery). Evidence of this easement shall be presented  
12 to and approved by the Planning Board or its designee prior to final plat.

13 BE IT FURTHER RESOLVED that the staff is authorized to make appropriate text,  
14 illustratives/concepts, and map revisions to correct identified errors, reflect updated information,  
15 and incorporate the Zoning Map changes reflected in this Resolution.

16 BE IT FURTHER RESOLVED that this Sectional Map Amendment is an amendment to  
17 the Zoning Ordinance and to the official Zoning Map for the Maryland-Washington Regional  
18 District in Prince George's County. The zoning changes approved by this Resolution shall be  
19 depicted on the official Zoning Map of the County.

20 BE IT FURTHER RESOLVED that the approval of this Sectional Map Amendment shall  
21 repeal and readopt with amendments that portion of the Zoning Map encompassed by the  
22 Amendment, and that the conditions and findings attached to previously approved zoning  
23 applications are considered part of this Sectional Map Amendment where the previous zoning  
24 category has been maintained and noted on the Zoning Map.

25 BE IT FURTHER RESOLVED that the provisions of this Resolution are severable. If any  
26 provision, sentence, clause, section, zone, zoning map, or part thereof is held illegal, invalid,  
27 unconstitutional, or unenforceable, such illegality, invalidity, unconstitutionality, or  
28 unenforceability shall not affect or impair any of the remaining provisions, sentences, clauses,  
29 sections, zones, zoning maps, or parts hereof or their application to other zones, persons, or  
30 circumstances. It is hereby declared to be the legislative intent that this Resolution would have



1 | been adopted as if such illegal, invalid, unconstitutional, or unenforceable provision, sentence,  
2 | clause, section, zone, zoning map, or part had not been included therein.

3 |       BE IT FURTHER RESOLVED that it is the intent of the District Council that approved  
4 | Conditions 10 and 23 in Comprehensive Design Plan CDP-0501 for Smith Home Farms should  
5 | be interpreted to require submission of an SDP for the Central Park following approval of the  
6 | Westphalia Sector Plan and SMA and not as the second SDP under CDP-0501. The exact timing  
7 | for SDP submission, approval and phasing for the Central Park shall be established by the  
8 | District Council in approval of the next SDP to be filed under CDP-0501.

9 |       BE IT FURTHER RESOLVED that it is the intent of the District Council that the first  
10 | building constructed in the Central Park be a tennis facility and that funding in the amount of  
11 | \$2.5 million be allocated from the \$4.2 million for construction funds for the Central Park as  
12 | required by CDP-0501; and

13 |       BE IT FURTHER RESOLVED that it is the intent of the District Council that the first  
14 | public recreation building constructed outside the Central Park be a recreation building in the  
15 | Westphalia Estates Neighborhood Park and that funding in the amount of \$1.0 million be  
16 | allocated from the \$4.2 million in construction funds for the Central Park as required by CDP-  
17 | 0501.

18 |       BE IT FURTHER RESOLVED that, pursuant to Condition 16 of CDP-0501, it is the  
19 | intent of the District Council that the lot size for single-family attached dwellings in the R-M  
20 | (market rate) Zone in the Smith Home Farms project be a minimum of 1,300 square feet.  
21 |

1 BE IT FURTHER RESOLVED that this Resolution shall take effect on the date of its  
2 adoption.

Adopted this 6th day of February, 2007.

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

BY: \_\_\_\_\_  
Camille A. Exum  
Council Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the County

## CR-2-2007 ATTACHMENT A

### Development Pattern Element (Revised)

#### Planning Framework

The Westphalia sector plan area is in the Developing Tier and a segment of the Pennsylvania Avenue Corridor as described in the 2002 *Prince George's County Approved General Plan*. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. The vision for corridors is mixed residential and nonresidential uses that are community-oriented in scope at moderate densities and intensities. This development should occur at local centers and other appropriate nodes within one-quarter mile of major intersections or transit stops along the corridor.

The General Plan indicates a possible future community center in the Westphalia sector plan area north of Pennsylvania Avenue. The General Plan's vision for community centers is a mix of residential and nonresidential uses at moderate to high densities and intensities that serve the immediate community near them and have a strong emphasis on transit-oriented development.

The development pattern concept for the Westphalia sector plan is also established largely by the 2005 Westphalia Comprehensive Concept Plan (WCCP) study, which built upon the vision of the General Plan and the approved 1994 Melwood-Westphalia Master Plan by promoting a high-density, mixed-use core off MD 4, with incrementally less dense, largely residential development throughout the remainder of the area and green spaces and parks linking the elements together.

#### Existing Development Pattern

The predominant land uses have historically been agricultural and equestrian in nature, but are currently being converted to residential and commercial uses.

Existing residential land use patterns include single-family homes on small and large lots, such as those found in the Little Washington, Westphalia, and Melwood neighborhoods. Approximately six single-family residential subdivisions have been built in recent years, with two large residential subdivisions now under construction along Ritchie Marlboro Road and Old Marlboro Pike on the east side of the sector plan area. Additional development applications have been approved or are pending review. An older mobile-home park is also located in the northwest part of the area.

Limited industrial and commercial office development has taken place along MD 4 and along the Capital Beltway under the northern extension of the Andrews Air Force Base flight path and its related noise contours. Additional industrial uses are located off Westphalia Road and D'Arcy Road.

One large rubble fill, and approximately six Class Three landfill operations, exist in the central, northern, and western parts of the sector plan area.

#### Vision

The Westphalia sector plan area contains an urban town center core that is transit- and pedestrian-oriented, with ample public spaces suitable for community events, and surrounding residential and commercial development that helps create a single unified community. Westphalia's existing neighborhoods are an integral part of the new development pattern.

Map 2 shows the overall development concept envisioned by the sector plan. The concept promotes:

- A mixed-use, urban town center with a defined core and a defined edge.
- An urban town center core that is transit- and pedestrian-oriented, with ample public spaces suitable for community events, and surrounding residential and commercial development that helps create a single unified community.

- Two mixed-use activity centers with medium-density local commercial, office, and retail development that serves area neighborhoods.
- Four smaller-scaled mixed-use neighborhood centers to serve local neighborhoods.
- Retail development of approximately one million square feet located primarily in the Westphalia town center core and also within the two mixed-use activity centers and four mixed-use neighborhood centers.
- Office development of up to 4.5 million square feet.
- Attractive and safe residential neighborhoods with a range of housing types and densities, convenient access to schools, recreation, green spaces, and shopping, designed to minimize the visual impact of cars.
- Residential development of approximately 17,000-18,000 units in a wide range of mixed housing types and densities, with incremental increases in development densities closer to the high-density urban town center core.
- Open space of approximately 1,850 acres within, and immediately adjacent to, the Westphalia sector plan area.
- Preservation of green space along the eastern edge and a portion of the MD 4 corridor.
- New industrial development restricted to areas within the Andrews Air Force Base noise zone of 70 dBA (the average day/night sound level measured in decibels) and higher, and existing industrial uses outside the 70 dBA line redeveloped for commercial or residential uses, depending on their location.

Taking into account this development concept, recently approved zoning cases, and existing land uses, proposed future land uses for the Westphalia sector plan area are shown on Map 3A. An illustration of development patterns that may result from this land use plan is shown on Map 3B.

### Goals

- Promote compact, mixed-use development at moderate to high densities through the development of a center on the Pennsylvania Avenue (MD 4) corridor in accord with the 2002 General Plan.
- Create a mixed-use town center with high-quality urban form.
- Develop compact areas of commercial and office development.
- Encourage phased commercial and office development that strategically targets and creates market demand in the town center and mixed-use areas.
- Maintain low- to moderate-density land uses for the sector plan area, except in the Westphalia town center core.
- Reinforce existing residential neighborhoods in the Westphalia sector plan area.
- Preserve and enhance environmentally sensitive areas, such as streams, woodlands, and wetlands.
- Develop transit supportive densities and promote street grid systems with compact blocks of development that provide easy automobile, transit, and pedestrian accessibility.
- Balance the pace of development with the provision of adequate transportation and public facilities.

### Policy 1

Promote development of an urban town center with a defined core, edge, and fringe, with mixed residential and nonresidential uses at medium to high densities and intensities, and with a strong emphasis on transit-oriented design.

### Strategy I. *Westphalia Regional Center:*

Concurrent with this sector plan process, amend the 2002 *Prince George's County Approved General Plan* to officially designate a Regional Center in the Westphalia sector plan area, changing its designation

from a “possible future” community center to Regional Center and “possible future” Metropolitan Center (see Map 4A).

**Strategy II. Westphalia Town Center Core:**

Develop a compact, interconnected, high-density, high-quality, transit-oriented urban core with mixed commercial, retail, office, residential, and public spaces that create an appealing place for people to live, work, shop, and play (see Map 4B and Illustrations A and B).

**Size:**

- An area of approximately one-quarter mile from the midpoint of the town center.

**Development Density and Intensity Targets:**

- Residential density at a minimum of 24 dwelling units per acre net, with a preferred target density range of 40-60 dwelling units per acre net.
- Mixed-use and nonresidential intensity at a minimum 1.0 FAR (floor area ratio) net lot area.

**Recommended Range of Land Use Mix:**

- |                                 |        |
|---------------------------------|--------|
| ▪ Residential:                  | 20-70% |
| ▪ Retail and Services:          | 10-60% |
| ▪ Office:                       | 10-60% |
| ▪ Public and Quasi-Public Uses: | 10-20% |

**Design Principles:**

- Construct high-density residential and commercial development using multistory buildings, generally of three to ten stories, with taller landmark buildings. (Note: The town center area is located under federally regulated airspace surrounding Andrews Air Force Base. The regulations limit the height of buildings in the town center area to generally less than 150 feet depending on site elevation and distance from the airport runway. The exact restrictions for each building site need to be verified with Andrews Air Force Base personnel.)
- Feature vertical mixing of uses, particularly along main streets, to include ground-level retail and upper level office or residential uses.
- Create a high-quality urban environment that results in a lively and appealing place to live, work and shop:
  - The façade of all buildings should front all master planned or internal streets and roads unless they front a plaza, green, courtyard, or public park.
  - Encourage the use of materials and finishes that reinforce a sense of quality and permanence.
  - Encourage building designs that are compatible in scale, form, rhythm, and materials to adjacent commercial or residential structures.
  - Provide architectural variation in buildings to discourage the appearance of a uniform structure:
    - Building façades that face public streets should be articulated with form variation and should include design elements such as:
      - Texture
      - Canopies
      - Projections or indentations
      - Vertical expression of structural bays
      - Roof design
    - Design building wall planes to have shadow relief; pop-outs, off-setting planes, overhangs, and recessed doorways shall be used to provide visual interest at the pedestrian level.

- Design signs as a means to communicate a unified theme and identity for the town center.
- Prohibit drive-through commercial services that are visible from public streets.
- Hide garbage collection and other storage areas from streets, parks, squares, and pedestrian spaces through strategic placement and screening.
- Locate loading areas and service driveways adjacent to alleys or parking areas off the rear or the principal buildings, hidden from streets, parks, squares, and pedestrian spaces by the principal structure, or through articulated screening walls.
- Promote the development of quality public spaces:
  - Design a minimum of one public space in a prominent, centralized location of the town center core at a minimum of three acres in size.
  - Construct inviting public amenities such as a gazebo, fountain, bandstand, public art or ornamental landscaping in all civic and public spaces.
  - Develop numerous smaller public spaces such as plazas, courtyards, and green spaces of approximately one-quarter to one-half acre in size.
- Use street grid systems to create compact blocks of development and provide for easy connectivity of all town center features:
  - Prohibit culs-de-sac.
  - Construct blocks with an average length of no more than 500 feet and maximum length not to exceed 800 feet.
- Develop in a way that promotes walking and transit use and provides high levels of pedestrian accommodation, safety and amenity:
  - Design streets to support multiple users such as: automobiles, pedestrians, bicyclists, transit buses, and trash collection and emergency vehicles.
  - Provide necessary rights-of-way for transit, transit stops, or stations.
  - Provide direct access from public sidewalks to all buildings, unless the building fronts a plaza, green, or courtyard.
  - Design streets with pedestrian facilities and amenities such as wide sidewalks, street trees, nature strips or tree boxes, pedestrian-scaled lighting and signs, landscaping, and street furniture.
  - Design sidewalks adjacent to master planned roads to an appropriate standard for city boulevards, city collectors, and city residential streets (see Transportation Illustration 1).
  - Design all other streets with sidewalks no less than six feet in width.
  - Provide attractively designed transit stops and stations that are adjacent to active uses and recognizable by the public.
  - Design safe, attractive, and convenient pedestrian connections from transit stops and stations to building entrances.
- Encourage structured parking that is multiuse and does not interfere with aesthetics of the streetscape:
  - Screen free-standing parking structures from public walks and streets by locating them off street or behind the primary structure or a liner building.
  - Encourage ground floor retail development in structured parking that fronts public streets; integrate structured parking with active uses.
  - Design clear and safe pedestrian pathways with signs that link parking to destinations.
- Promote on-street parking and construct it in a manner that is practical and does not impair aesthetics or safety:
  - Promote parking that meets needs of various uses: short-term turnover for retail, longer term for employment, and parking for evening and nighttime uses.
  - Break up long lines of parked vehicles with planting island projections if appropriate.
- Discourage surface parking lots, and ensure appropriate design if built, by:

- Orienting and designing surface lots in a manner that enables infill development as the town center develops and increases in density.
- Locating pedestrian pathways in areas where vehicular access is limited.
- Avoiding large areas of uninterrupted parking especially adjacent to community and public viewsheds.
- Using trees and landscaping to provide shade, screening, and filtering of stormwater runoff in parking lots.

**Strategy III. Town Center Edge:**

Develop a medium- to high-density urban pattern surrounding the high-density town center core, including medium-density mixed-use commercial and office, and several interconnected residential neighborhoods that have diverse housing styles and a network of open space (see Map 4B and Illustration C).

**Size:**

- An area of approximately one-quarter to one-half mile beyond the midpoint of the town center.

**Development Density and Intensity Targets:**

- Residential density at a minimum of 8 dwelling units per acre net, with a preferred target range of approximately to 15-30 dwelling units per acre net
- Nonresidential intensity at 0.5 to 1.5 FAR net

**Recommended Range of Land Use Mix:**

- Residential: 40-80%
- Retail and Services: 5-20%
- Office: 5-20%
- Public and Quasi-Public Uses: 10-20%

**Design Principles:**

- Use medium- to high-density multistory buildings (generally two–five stories); avoid constructing one-story buildings.
- Build residential neighborhoods that are attractive, walkable, and include diverse housing styles and open space:
  - Encourage a variety of residential dwelling unit types within blocks and within neighborhoods, such as:
    - Small lot single-family
    - Cottages
    - Duplexes
    - Triplexes or quadruplexes
    - Zero-lot line or garden homes
    - Townhouses or rowhouses
    - Dwellings above nonresidential space
    - Multifamily condominiums (including “two over two” units)
    - Multifamily apartments
  - Create varied architecture and avoid flat façades by using bays, balconies, porches, stoops, and other projecting elements.
  - Design single-family detached and attached homes and multifamily buildings so the mass of the living space and the front door dominates the front façade:
    - Require garages that are hidden or clearly subordinate to the main structure and do not project beyond the main façade of residential buildings.

- Arrange driveways so that cars are parked to the side or rear of the house or otherwise hidden from the street.
- Promote rear alleys to have access to parking and garages for residences that are sited back-to-back.
- Maximize the number of windows facing public streets.
- Allow the use of accessory dwelling units or “granny flats” in appropriate locations.
- Enhance community gateways to demonstrate neighborhood pride and delineate boundaries.
- Design streets to include high levels of interconnectivity between neighborhoods:
  - Do not build culs-de-sac, except to avoid sensitive environmental resources.
  - Do not allow gated streets or developments.
- Emphasize the provision of high-quality pedestrian and bikeway connections to transit stops/stations and surrounding neighborhoods.
- Build large multifamily developments within approximately one-quarter mile of transit serviceable roadways.
- Develop parks and open spaces in town center edge neighborhoods:
  - Distribute parks generally no less than one-quarter mile from each other.
  - Cluster residences around shared amenities to form distinct neighborhoods with a sense of identity. Use green space to define and divide the clusters.
- Design attractive commercial, retail, and office use areas:
  - Front the façade of all buildings to public roads or internal streets, unless they face a plaza, green, courtyard, or public park.
  - Feature vertical mixing of uses, particularly along main streets, to include ground level retail or commercial and upper level office or residential uses.
  - Encourage building designs that are sensitive to the scale, form, rhythm, and materials proximate to commercial areas and residential neighborhoods that have a well-established, distinctive character.
  - Encourage location of mixed-use commercial projects in transition areas and areas where small-scale commercial uses can fit into a residential neighborhood context.
  - Provide architectural variation in buildings to discourage the appearance of a uniform structure.
  - Restrict drive-in commercial services to rear areas behind main structures; do not allow on street fronts.
  - Provide public plazas, squares, or other public gathering spaces.
  - Encourage structured parking that is multiuse and does not interfere with aesthetics or safety of the streetscape:
    - Screen any free-standing parking structure from public walks and streets by locating it off street, or behind the primary structure or a liner building.
    - Encourage ground-floor retail development in structured parking that fronts public streets; integrate structured parking with active uses.
    - Design clear and safe pedestrian pathways with signs that link parking to destinations.
- Promote on-street parking and construct it in a manner that is practical and does not impair aesthetics or safety:
  - Promote parking that meets needs of various uses: short-term turnover for retail, longer term for employment, and parking for evening and nighttime uses.
  - Break up long lines of vehicles with occasional planting island projections.
- Discourage large areas of off-street surface parking and design surface lots appropriately:
  - Orient and design surface lots in a manner that enables infill development as the town center develops and increases in density.



- Encourage placement of parking along the rear and sides of street-oriented buildings.
- Locate pedestrian pathways in areas where vehicular access is limited.
- Avoid large areas of uninterrupted parking especially adjacent to public view sheds.
- Use trees and other landscaping to provide shade, screening, and filtering of stormwater runoff in parking lots.
- Promote a town center edge development pattern that promotes walking and transit use and provides high levels of pedestrian accommodation, safety and amenity:
  - Design streets to support multiple users such as automobiles, pedestrians, bicyclists, transit buses, and trash collection and emergency vehicles.
  - Provide necessary rights-of-way for transit, transit stops, or stations.
  - Provide direct access from public sidewalks to all buildings, unless the building fronts a plaza, green, or courtyard.
  - Design streets with pedestrian facilities and amenities such as wide sidewalks, street trees, nature strips, pedestrian-scaled lighting and signs, landscaping, and street furniture.
  - Design sidewalks adjacent to master planned roads to urban boulevard, collector, and residential street standards (see Transportation Illustration 1).
  - Design local and internal streets with sidewalks of no less than six feet in width.
  - Provide attractively designed transit stops and stations that are adjacent to active uses and recognizable by the public.
  - Design safe, attractive, accessible, lighted, and convenient pedestrian connections from transit stops and stations to building entrances.

**Strategy IV. Town Center Fringe:**

Develop town center fringe areas as distinct and cohesive districts of commercial, office, employment, and institutional uses in campus like settings that are separate from the core and have “greener” character and setting by abutting parkways, parks, and green space fronting MD 4. Create building styles that favor large office or institutional developments, with medium- to large-scale commercial developments, and limited landmark, high-density structures such as mid-rise hotel and office buildings.

**Size:**

- An area approximately 180 acres as shown on Map 4B.

**Development Density and Intensity Targets:**

- 0.3 FAR or greater for commercial and employment uses

**Recommended Range of Land Use Mix:**

- Retail and Services: Less than 40%
- Office: More than 50%
- Public and Quasi-Public Uses: More than 10%

**Design Principles:**

- Use street grid systems that are looser than in the regional core and that accommodate urban parkways and greenways.
- Buildings may be set back from the street to create landscaped front yards and to comply with security requirements.
- Design large commercial buildings to have architectural variation that supports a human scale and provides the appearance and functionality of smaller scale development:
  - Where feasible, use small buildings in key locations to create a human-scale environment in large retail centers.

- Design structures to be of a height and mass that are compatible with the surrounding area.
- Design large retail buildings to have articulation and to break up large masses by creating multiple entries and façade treatments that create the appearance of multiple smaller buildings.
- Incorporate separate individual main entrances directly leading to the outside of large buildings to function as smaller building storefronts.
- Use offsetting planes, rooflines, and overhangs or other means to break up the exterior façades of large retail establishment structures into distinct building masses
- Utilize green space as buffers or public spaces, and integrate them into campus-like settings:
  - Design structures to border or overlook green spaces.
  - Create large landscaped squares or interconnected public spaces with walkways or trails, particularly adjacent to office complexes.
  - Design all developments along MD 4 frontage to include landscaping or buffering to minimize the appearance of large building façades or parking lots.
- Integrate appropriately designed transit stops and centers, particularly near employment centers:
  - Provide attractively designed transit stops and stations that are recognizable by the public.
  - Provide necessary rights-of-way for transit, transit stops, or stations.
  - Design safe, attractive, accessible, lighted, and convenient pedestrian connections from transit stops and stations to building entrances.
- Design parking that is functional and supports aesthetics of the built environment:
  - Promote development of parking structures that are wrapped on their exterior with other uses to conceal the parking structure.
  - Design safe, attractive, accessible, lighted, and convenient pedestrian connections from transit stops and stations to building entrances.
  - Use trees and other landscaping to provide shade, screening, and filtering of stormwater runoff in parking lots.
- Create signage that functions to market services or denote building tenants but does not compromise aesthetics or safety:
  - Design signs to only advertise a service, product, or business on the site on which the sign is located.
  - Design signs to be compatible in style and character with the primary structure on the site.
  - Discourage large wall signs.
  - Promote monument signage.
  - Encourage appropriately scaled monument signage:
    - Do not exceed eight feet in height and 60 square feet of area per side for multi-tenant monument signage.
  - Prohibit pole-mounted signs except directional signs.
  - Prohibit signs that compromise motorist safety:
    - No florescent, reflective, or blinking signs.
    - Discourage animated, flashing, rotating signs.
  - Prohibit roof signs.
- Screen the service and loading areas of businesses:
  - Service/loading areas should have an articulated screening wall to shield trucking activities from pedestrian areas.
  - Loading areas and service driveways should adjoin alleys or parking areas to the rear or the principal building and shall be hidden from streets, parks, squares, and pedestrian spaces.

- Hide trash receptacles, garbage areas, and storage areas from public rights-of-way and public and pedestrian spaces through strategic placement and screening.

### **Policy 2**

The Westphalia town center should be designed and reviewed in accordance with design standards and best practices for urban development as described in this sector plan.

### **Strategy**

Approve development standards specifically for the town center area in a conceptual site plan review per Part 3, Division 9, of the Zoning Ordinance to ensure development of urban land use patterns and character and that may revise or replace the suburban development standards contained in the zoning ordinance pertaining to lot size, lot coverage, frontage, setbacks, height, and mix of land use types, signs, off-street parking and loading, landscaping, and other parts of the zoning ordinance.

### **Policy 3**

Ensure high-intensity commercial and office development in the first phases of town center construction.

### **Strategies**

- Identify and reserve sites specifically and exclusively for high-intensity office, high-intensity mixed use, and high-density residential uses in the town center core.
- In the site plan and subdivision review and approval processes, define and require high-intensity office and retail construction in the town center core prior to or in conjunction with specified levels of residential construction.

### **Policy 4**

Promote development of six distinct mixed-use activity areas beyond the town center area with residential, retail, service, and employment components to service the area's neighborhoods.

#### **Strategy: *Mixed-Use Activity Centers and Mixed-Use Neighborhood Centers:***

Develop distinct commercial activity centers serving communities and neighborhoods outside the town center core area with medium- to high-density, mixed-use commercial, retail, and office development that is designed around a main street and anchored by shared amenities such as open space or civic centers (see Map 4B and Illustration E).

#### Size:

- Varies from approximately 7 to 30 acres.

#### Development Density and Intensity Targets:

- Residential at 4.5 to 28 DUA net
- Retail/Services at 0.2-0.3 FAR net
- Office at 0.4 to 0.75 FAR net

#### Recommended Range of Land Use Mix:

- Residential: 20-80%
- Retail and Service: 5-50%
- Office: 5-50%
- Public Uses: 10-20%

## Location:

- Two Mixed-Use Activity Centers:
  - North of the town center on the north side of the grand park.
  - At the intersection of Ritchie Marlboro Road and Sansbury Road.
- Four Mixed-Use Neighborhood Centers:
  - South of Westphalia Road near Poplar Avenue.
  - North of Westphalia Road to the west of Ritchie Marlboro Road.
  - West of Ritchie Marlboro Road at Old Marlboro Pike.
  - North of Old Marlboro Pike at Melwood Park Avenue.

## Design Principles:

- Develop distinct, high quality, walkable, mixed-use and “main street” commercial development areas with focal points and shared amenities:
  - Residential and commercial development should be medium- to high-density with a minimum of two-story buildings, up to six.
  - Design commercial development to front a main street or parks, plazas, or courtyards.
  - Anchor development with larger scale commercial development or public or civic spaces and amenities at one or both ends of the main street.
  - Design interesting and attractive architectural features that create a quality environment and “sense of place”:
    - Develop buildings and signage with a common, appealing, and unifying theme and attractive, clearly demarcated entrances.
    - Encourage the use of materials and finishes that reinforce a sense of quality and permanence.
    - Design buildings to be attractive on all sides.
    - Design buildings with some form of architectural variation or articulation.
    - Promote ample and numerous windows on a building’s front ground-level elevation.
  - Main street businesses should be interconnected between parcels with the sharing of curb cuts, parking, and stormwater management.
  - Restrict drive-in commercial services to rear areas behind main structures; do not allow on street fronts.
  - Provide high levels of pedestrian accommodation, safety and amenity:
    - Design sidewalks no less than six feet in width to include street trees and planting boxes.
    - Design internal streets/site circulation as low-speed streets with parallel or angled on-street parking.
    - Provide pedestrian amenities such as canopies and street furniture.
    - Do not design main streets larger than two lanes in each direction.
    - Design key intersections with clearly demarcated crosswalks and enhancements such as brick pavers.
    - Promote innovative pedestrian safety improvements such as bump-outs.
    - Utilize landscaping and parked cars to buffer people from traffic.
    - Encourage street medians with amenities such as raised planters and ornamental or period lighting.
    - Encourage progressive and aesthetically appealing traffic-calming techniques such as roundabouts or traffic circles that are raised and landscaped.
    - Design parking to meet needs of various uses: short-term turnover for retail, longer term for employment, permit parking for residential areas, and parking for evening and nighttime uses.

- Create a parking network that is safe, functional, and promotes the aesthetic of a main street:
  - Encourage on-street parking, including “head-in” parking along the main street.
  - Design structured parking with active uses; screen any free-standing parking structures from public walks and streets by locating it off main streets.
  - Design off-street surface parking to be placed to the side and rear of buildings, in the interior of blocks, and screened from public walks and streets.

### **Policy 5**

Promote new residential development and preserve, protect, and enhance existing residential neighborhoods.

### **Strategy**

Develop approximately 3,500 acres of new low- to medium-density residential areas in a manner that conserves and is integrated with approximately 1,300 acres of existing residential development in accordance with the overall development pattern concept.

#### Design Principles:

- Design new low- to medium-density residential neighborhoods that are varied in housing styles and architecture and promote best practices for residential design:
  - Feature the same quality design and treatments on the exposed façades as on the front façade of highly visible residences on corner lots and elsewhere.
  - Create varied architecture and avoid flat façades by using bays, balconies, porches, stoops, and other projecting elements.
  - Design single-family detached and attached homes and multifamily buildings so the mass of the living space and the front door dominates the front façade:
    - Require garages that are hidden or clearly subordinate to the main structure and do not project beyond the main façade of residential buildings.
    - Arrange driveways so that cars are parked to the side or rear of the house or otherwise hidden from the street.
    - Promote rear alleys to have access to parking and garages for residences that are sited back-to-back.
  - Incorporate a variety of housing types in single-family projects/subdivisions:
    - 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.
    - Allow the use of detached accessory dwelling units.
  - Maximize the number of windows facing public streets.
- Design residential developments that connect and appropriately transition to pre-existing communities and neighboring commercial areas:
  - 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.
  - Create lot divisions that respect the existing pattern of development for neighborhood continuity and compatibility.
  - Discourage use of walls, gates, and other barriers that separate residential neighborhoods from the surrounding community and commercial areas.
- Design an efficient, safe, and interconnected residential street system:

- Design or retrofit street systems to link individual subdivisions/projects to each other and the community.
- Avoid closed loop subdivisions and extensive cul-de-sac systems, except where the street layout is dictated by the topography or the need to avoid sensitive environmental resources.
- Emphasize the provision of high-quality pedestrian and bikeway connections to transit stops/stations, village centers, and local schools.
- Clarify neighborhood roadway intersections through the use of special paving and landscaping.
- Create a system of open space and parks and preserve sensitive environmental features:
  - Cluster residences around shared amenities to form distinct neighborhoods with a sense of identity. Use green space to define and divide the clusters.
  - Preserve large wooded areas and fields by using cluster or conservation subdivision design techniques, by allowing smaller lot sizes and by permitting usable shared green areas in the immediate neighborhood.

### **Policy 6**

Promote the development of attractive gateways into the Westphalia area that define the site's image as an inviting and safe place.

### **Strategy**

Develop ten gateways at key intersections entering the Westphalia community at the following locations (see Map 3):

1. MD 4 at Westphalia Road
2. Suitland Parkway at MD 4
3. Dower House Road at MD 4
4. Woodyard Road at MD 4
5. Old Marlboro Pike at Ritchie Marlboro Road
6. P-615 and Ritchie Marlboro Road
7. Westphalia and Ritchie Marlboro Road
8. Sansbury Road and White House Road
9. D'Arcy Road at the Capital Beltway
10. Harry S Truman Drive at White House Road (outside the sector plan area)

### **Design Principles**

Design designated gateways to include at least the following design elements:

- Landmark elements such as entrance signage, artwork, monuments constructed on features such as stone or masonry, decorative columns, water features, or clock towers.
- Landscape design including both softscape and hardscape.
- Resting and recreation facilities, information kiosks, or other amenities as appropriate.

### **Policy 7**

Promote industrial development at appropriate locations in the sector plan area.

### **Strategies**

- Locate new industrial development primarily near the Capital Beltway and MD 4 where the Andrews Air Force Base flight paths result in noise ratings of 70 dBA or higher (see Map 3A).

- Require interior acoustical buffering for all buildings in high noise impact areas related to flight operations at Andrews Air Force Base.
- Separate industrial areas from residential areas by use of buffering designed and placed to minimize sight, sound and dust.
- Provide screening for outdoor storage areas and truck parking or loading areas for industrial properties bordering roads.
- Design access roads to industrial areas to border or pass around, not through, residential neighborhoods.
- Provide access to industrial sites by means of pedestrian trails and public transit, as well as public roads.
- Redevelop existing industrial uses located within residential communities with redesigned or new uses that are highly compatible with a residential living environment:
  - Enclose, buffer, or otherwise modify business activities to reduce noise, traffic, or unattractive views.
  - Redevelop incompatible industrial uses with more compatible types of business land use.
  - Rezone incompatible industrial areas to allow for redevelopment with compatible nonindustrial land uses.

## CR-2-2007 ATTACHMENT B

### Existing Communities Element (New)

#### Vision

The Westphalia area has a mix of stable neighborhoods that provide a broad range of housing opportunities.

#### Background

The Westphalia community has an eclectic mixture of suburban neighborhoods and rural home sites located along narrow roadways that traverse the predominantly rural landscape. Single-family housing ranges from very large to very small homes built in small subdivisions or on individual lots. A neighborhood of mobile homes and another of townhomes are located along the west side near the Capital Beltway. New homes in large subdivisions are being constructed in the eastern and southern parts of Westphalia and others are proposed in the central area. Eventually, a network of new neighborhoods intermingled with the old will emerge (See Map \_\_).

Industrial land uses, including mining and land filling activity, have historically been located within or adjacent to the residential neighborhoods in the northern and western parts of Westphalia. While providing a source for local employment, the related heavy truck traffic, noise, and hours of operation are often incompatible with nearby residential neighborhoods. Some of the landfills have ceased operation or are planned for alternative land uses, but others will remain in operation for an indeterminate period of time (See Map \_\_).

Roads and public facilities serving the existing Westphalia neighborhoods are limited and adequate drainage, road shoulders, street lighting, and curb, gutter and sidewalks are frequently lacking. Main roadways (Westphalia Road, D'Arcy Road, Sansbury Road, and Ritchie Marlboro Road) have heavy industrial truck traffic or cut-through commuter traffic from surrounding areas and the need for road improvements and repairs is apparent in many areas. Three neighborhood parks in Little Washington, Westphalia, and Melwood Park provide outdoor recreation facilities for area residents, but do not yet include community meeting rooms or bathroom facilities. Police and fire services are provided from facilities located outside the community, which is typical of still-rural communities. Arrowhead Elementary School is an older facility in need of modernization or replacement.

Existing neighborhoods are generally stable residential areas where many owners have improved older homes with new siding, windows, and landscaping. However, a number of homes in the area are in need of improved property maintenance, rehabilitation, modernization, or even replacement. In some cases, problem properties have persisted for several years. Inappropriate, nonconforming, or potentially illegal uses were noted in several neighborhoods, including roadside dumping, commercial truck storage, and inoperable or abandoned vehicles. Residents have concerns about crime in some neighborhoods.

Deliberate steps must be taken to ensure that as new communities are developed, the older neighborhoods are not left behind. Substandard property maintenance, land uses that are incompatible with a neighborhood context, excessive or inappropriate traffic traveling to and through the area, deteriorating roads, and the reality, or perception, of crime can erode stability of neighborhoods, deter further residential investment in older neighborhoods, and lead to isolation from the surrounding communities.

Prominent concerns common to the residents of existing neighborhoods in Westphalia include the following:



- Incompatible land uses within or adjacent to neighborhoods without adequate buffering or mitigation measures, especially rubble and Class Three landfills.
- Poor home and yard maintenance.
- The design and compatibility of new subdivisions and infill development with the character of existing neighborhoods.
- The threat of escalating property assessments for limited income homeowners and their ability to maintain or retain their homes.
- Heavy truck and commuter traffic traveling along local residential streets and rural roads.
- Inadequate road capacity and maintenance for existing and future traffic needs.
- Adequacy of education, parks, police, fire, and emergency facilities to serve the existing community as well as new development.
- The reclamation or reuse of rubble and Class Three landfills upon completion.
- Potential displacement of residents by use of eminent domain.

### **Goal**

Protect, maintain, and enhance older Westphalia neighborhoods.

### **Policy 1**

All land uses within or adjacent to residential areas should be physically and visually compatible with the neighborhood character.

### **Strategies**

- Mitigate or eliminate activities that adversely impact neighborhoods.
  - Rezone as necessary to prohibit incompatible land use.
  - Replace incompatible land uses.
  - Enclose, buffer, or otherwise modify incompatible land uses to reduce noise or unattractive views.
  - Promote close working relationships among business owners, residents and county officials to foster communication and cooperation and to minimize conflicts.
- Enforce county codes and take corrective action regarding inappropriate neighborhood activities, such as parking of commercial vehicles or illegal commercial operations on residential property, abandoned or inoperable vehicle storage, decrepit structures, or dumping.
- Target distressed and low-value housing for revitalization or redevelopment.
- Schedule joint citizen/public agency tours of the community on an annual basis to identify and address new or unresolved problems.

### **Policy 2**

Property in residential communities should be maintained in good structural and aesthetic condition.

### **Strategies**

- Support programs sponsored by civic associations, preservation organizations, local businesses, or public agencies (such as the Livable Communities Initiative) that encourage and facilitate regular home maintenance, including, but not limited to:
  - Educational initiatives on such topics as home and yard maintenance, historic renovation, landscaping, and garden design.
  - A tool lending program among homeowners, civic associations, and preservation organizations.
  - Low-income loan or volunteer assistance programs for residents who are physically or financially incapable of maintaining their homes and yards.

- Establish a cooperative public/private program that returns abandoned or foreclosed properties to active use in a timely and economical manner.
- Promote activities that instill resident respect and pride in their neighborhood, such as:
  - Volunteer activities that promote high standards of cleanliness and safety.
  - Holiday activities and neighborhood fairs/block gatherings to meet neighbors and increase awareness of the community's history, culture, and traditions.
  - Construction of well-designed and landscaped neighborhood entrance markers to bolster identity and a sense of place.
  - Community parks or gardens.

### **Policy 3**

The design of new or infill development within and adjacent to older communities should be compatible with the established neighborhood scale and character.

#### **Strategies**

- Design new development to be compatible with the established character of existing neighborhoods, in terms of:
  - Lot size, building orientation, and setback.
  - Building mass, architecture and design.
  - Construction materials.
  - Street patterns and parking.
  - Buffers, landscaping, and transition areas.
- Revise zoning ordinance regulations to require limited site plan review for subdivisions or development projects within or adjacent to older neighborhoods to address character and compatibility issues.

### **Policy 4**

Roads and sidewalks in existing community neighborhoods should be physically and functionally comparable to those in contemporary subdivisions.

#### **Strategies**

- Construct new roads that provide alternative truck and commuter traffic routes to the regional highway network and avoid established residential neighborhoods.
- Implement traffic-calming techniques that discourage nonlocal traffic from using roads in established residential neighborhoods.
- Identify existing roads and subdivision streets in need of surface or shoulder repair, drainage improvements, or replacement.
- Prepare a pedestrian circulation plan for older neighborhoods to identify where new sidewalks or trails should be installed.
- Establish a targeted capital improvement and maintenance program to implement identified improvements.

### **Policy 5**

All neighborhoods should be provided with modern public facilities and services.

#### **Strategies**

- As new neighborhoods and public facility structures are built, ensure that services to and facilities in existing neighborhoods are upgraded to contemporary standards.
- Provide opportunities for homeowners utilizing aging, or potentially failing, septic sanitary disposal

systems to convert to the public sewer system as it becomes available.

- Include older neighborhoods in plans to extend new public utilities into the area, such as natural gas lines and digital or fiber-optic telecommunication lines.
- Encourage new neighborhood homeowners associations to allow residents of nearby neighborhoods to utilize private recreation and community facilities.

**Policy 6**

Protect existing homeowners and businesses from displacement to the greatest extent possible.

**Strategies**

- Avoid public acquisition of property needed for proposed public improvements by condemnation under the power of eminent domain where it would displace existing residents or businesses.
- Evaluate the effectiveness of, and consider possible revisions to, the state tax code, such as the Homestead or Homeowners Property Tax Credit programs, to protect existing homeowners from a substantial rise in residential property assessments and taxes resulting from any rapid increase in neighborhood property values.

**Policy 7**

Enhance the safety and security of residents through design and maintenance of neighborhoods.

**Strategies**

- Incorporate Crime Prevention Through Environmental Design (CPTED) principles in the design and review of all new development, redevelopment of infill sites, and infrastructure improvements.
- Conduct a joint survey of problem neighborhoods with residents and agency officials from the county's Police Department, the Department of Environmental Resources, and the Department of Housing and Community Development to identify existing features that may facilitate criminal activity, such as lack of visibility, poor access control, poorly delineated spaces and territorial boundaries, or lack of activity. Recommend corrective actions that can be implemented by residents, businesses, or public agencies.
- Target police patrols and enforcement programs to address concerns about neighborhood crime as it occurs.

## **CR-2-2007 ATTACHMENT C**

### **Economic Development Element (New)**

#### **Vision**

The Westphalia area is a diverse, educated, culturally enriched, and economically competitive community of neighborhoods anchored by a dynamic town center featuring a vibrant urban environment and abundant job opportunities. The high quality of life attracts people from throughout the region to live, work, shop, and play in this community.

#### **Goals**

- Successful creation and sustainable growth of the Westphalia town center to include quality commercial development and upper income, high value-added employment opportunities.
- The attraction, development, and expansion of viable neighborhood, community, and region-serving businesses throughout the Westphalia sector plan area.
- The development of a diverse, skilled, and educated workforce system that is ready to meet the needs of incoming businesses.

#### **Policy 1**

Focus on effectively coordinating and organizing county and state economic development efforts toward generating regionally marketed retail and office employment uses in high-density, transit-oriented development (TOD) patterns within the Westphalia town center.

#### **Strategies**

- Increase coordination and build effective partnerships for economic development of the town center:
  - Create a Westphalia Town Center Coordinating Council to increase coordination between federal, state, county, and community stakeholders in moving town center economic development projects forward.
  - Work with the Maryland Department of Business and Economic Development and county economic development officials to meet the current and future needs of Andrews Air Force Base.
  - Consider developing a Business Improvement District to maintain and improve the town center in which property and business owners elect to make a collective contribution to the maintenance, development and promotion of the Westphalia town center core.
  - Appoint a high-level government official to champion development projects, reduce development obstacles, and facilitate the process of acquiring development approvals.
- Study, explore, and consider utilizing various financial incentives for real estate, business, cultural, and workforce development within the town center:
  - A Tax Increment Finance district to finance public infrastructure in a manner that is timely and that adds value and distinction to the town center development.
  - Parking or transportation districts that can subsidize structured parking in the town center.
  - Land write-downs to facilitate contiguous expansion, or single ownership of additional town center land, if needed.
  - County bonds to assist in the construction or maintenance of public infrastructure for the town center.

- Reduction of development or operating costs through reductions in property taxes or taxes on sales of construction materials.
- An Arts and Entertainment District within the Westphalia town center to provide special tax incentives that will benefit artists, art enterprises, and developers who construct spaces for the arts.
- Strategically target and attract commercial development and businesses to the Westphalia town center:
  - Develop and implement a branding strategy for the town center that capitalizes on the town center's unique potential and maximizes its recognition.
  - Identify and attract key employers and commercial development based on preferred industry sectors and established county economic development strategies.
  - Attract economic development through comprehensive marketing tools and programs that include strategies such as direct mail advertising, newsletters, public relations, trade shows, special events, and prospecting trips.

## **Policy 2**

Focus county and state economic development efforts on attracting, retaining, and expanding community and neighborhood-serving nonresidential development throughout the extent of the sector plan area.

### **Strategies**

- Promote and support small business and entrepreneurial development and expansion:
  - Provide outreach and assistance to existing small businesses through the county's Small Business Initiative.
  - Promote county-sponsored entrepreneur assistance, business classes, and formal training offered through the county's Economic Development Commission's Small Business Initiative.
  - Promote the development and expansion of small technology-based businesses through the use of the county's Small Technology Business Revolving Loan Fund.
  - Provide comprehensive management, technical assistance, and business training to support growth of small business.
- Facilitate the rehabilitation and upgrade of existing vacant or underutilized commercial and office buildings:
  - Promote the development and expansion of existing buildings with the use of the Commercial Building Loan Fund offered by the county's Redevelopment Authority.
  - Create competitive loans or "challenge grant" programs that offer façade/canopy/ streetscape improvement grants.
- Provide Tax Increment Financing on a project by project, or site specific, basis for projects that meet the plan's goals and strategies.

## **Policy 3**

Promote the development and expansion of minority-owned business enterprises.

### **Strategies**

- Develop a special initiative to recruit additional prominent, minority-owned businesses to the Westphalia sector plan area.
- Develop programs that promote the participation, training, employment, and mentoring of locally based minorities and the establishment of new minority-owned business enterprises in all phases of the sector plan area's business development.
- Establish a model "Minority Participation Initiative" program to encourage participation in the land development and construction business in a way that creates legacy wealth and expands capacity among locally based minorities. Incorporate the following criteria:

- Minimum *goals* should be attached to all phases of the development project for minority participation.
- Minimum *requirements* for minority participation should be attached to at least two phases of a project:
  - Predevelopment/entitlement
  - Development
  - Vertical construction
  - Sales and leasing
- Penalties for projects that fail to meet established minimum goals or requirements.
- Incentives for projects that meet or exceed the minority participation goals.
- A variety of methods to achieve targeted percentage ranges including, but not limited to:
  - Equity participation
  - Fee equivalent as a percentage of the project
  - Contracting or subcontracting
  - Employment, mentoring, training, internships, incubators and scholarships
- Additional incentives for equity participation, such as:
  - Additional credits toward participation goals
  - Additional credits toward community benefit requirements
  - Increased public financing
  - Fee equivalent as a percentage of the project
- A formal implementation and enforcement mechanism.

## CR-2-2007 ATTACHMENT D

### Environmental Infrastructure Element (Revised)

#### Policy 1

Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area.

#### Strategies

- Use the sector plan designated green infrastructure network to identify opportunities for environmental preservation and restoration during the review of land development proposals.
- Preserve 480 or more acres of primary management area (PMA) as open space within the developing areas.
- Preserve or restore the regulated areas within the sector plan, both within and outside the designated green infrastructure network and those designated through the development review process.
- [Place preserved sensitive environmental features within the park and open spaces network to the fullest extent possible.]
- Consider legislated revisions that, subject to appropriate legislative authority, allow a variation process to address thresholds below current requirements for designated General Plan Centers in order to encourage an urban character of development.
- Evaluate current policies and ordinances to consider providing the option of woodland conservation credit for stream restoration, for the removal of invasive plant species, and to consider credit for the planting of a community tree grove or arboretum.
- Allow street trees within the designated town center to count towards woodland conservation requirements where the trees have been provided sufficient root zone space to ensure long-term survival and sufficient crown space that is not limited by existing or proposed overhead utility lines.
- Enhance regulated areas by concentrating required woodland conservation adjacent to regulated areas and in an inter-connected manner.
- Evaluate current policies and ordinances to consider allowing plantings on slopes of rubblefills and class III fills to count towards woodland conservation requirements.
- Place sensitive environmental areas within conservation easements to ensure preservation in perpetuity.
- Protect primary corridors (Cabin Branch) during the review of land development proposals to ensure the highest level of preservation and restoration possible. Protect secondary corridors (Back Branch, Turkey Branch, and the PEPCO right-of-way) to restore and enhance environmental features, habitat, and important connections.
- Limit overall impacts to [the primary management area] sensitive environmental areas to those necessary for infrastructure improvements such as road crossings and utility installations.
- Evaluate and coordinate development within the vicinity of primary and secondary corridors to reduce the number and location of [primary management area] impacts to sensitive environmental areas.
- Develop flexible design techniques to maximize preservation of environmentally-sensitive areas.

#### Policy 2

Restore and enhance water quality and quantity of receiving streams that have been degraded and preserve water quality and quantity in areas not degraded.

**Strategies**

- Remove agricultural uses along streams and establish wooded stream buffers where they do not currently exist.
- Require stream corridor assessments using Maryland Department of Natural Resource protocols and include them with the submission of a natural resources inventory as development is proposed for each site. Add stream corridor assessment data to countywide catalog of mitigation sites.
- [Coordinate the road network between parcels to limit the need for stream crossings and other environmental impacts. Utilize existing farm crossings where possible.]
- Follow the environmental guidelines for bridge and road construction as contained in the transportation section of this sector plan.
- [Encourage] Construct shared public/private stormwater facilities as site amenities using native plants and natural landscaping.
- [Ensure the u]Use [of] low-impact development (LID) techniques such as green roofs, rain gardens, innovative stormwater outfalls, underground stormwater management, green streets, cisterns, rain barrels, grass swales, and stream restoration, to the fullest extent possible during the development review process with a focus on the core areas for use of bioretention and underground stormwater facilities under parking structures and parking lots.

**Policy 3**

Reduce overall energy consumption and implement [more] environmentally-sensitive building techniques.

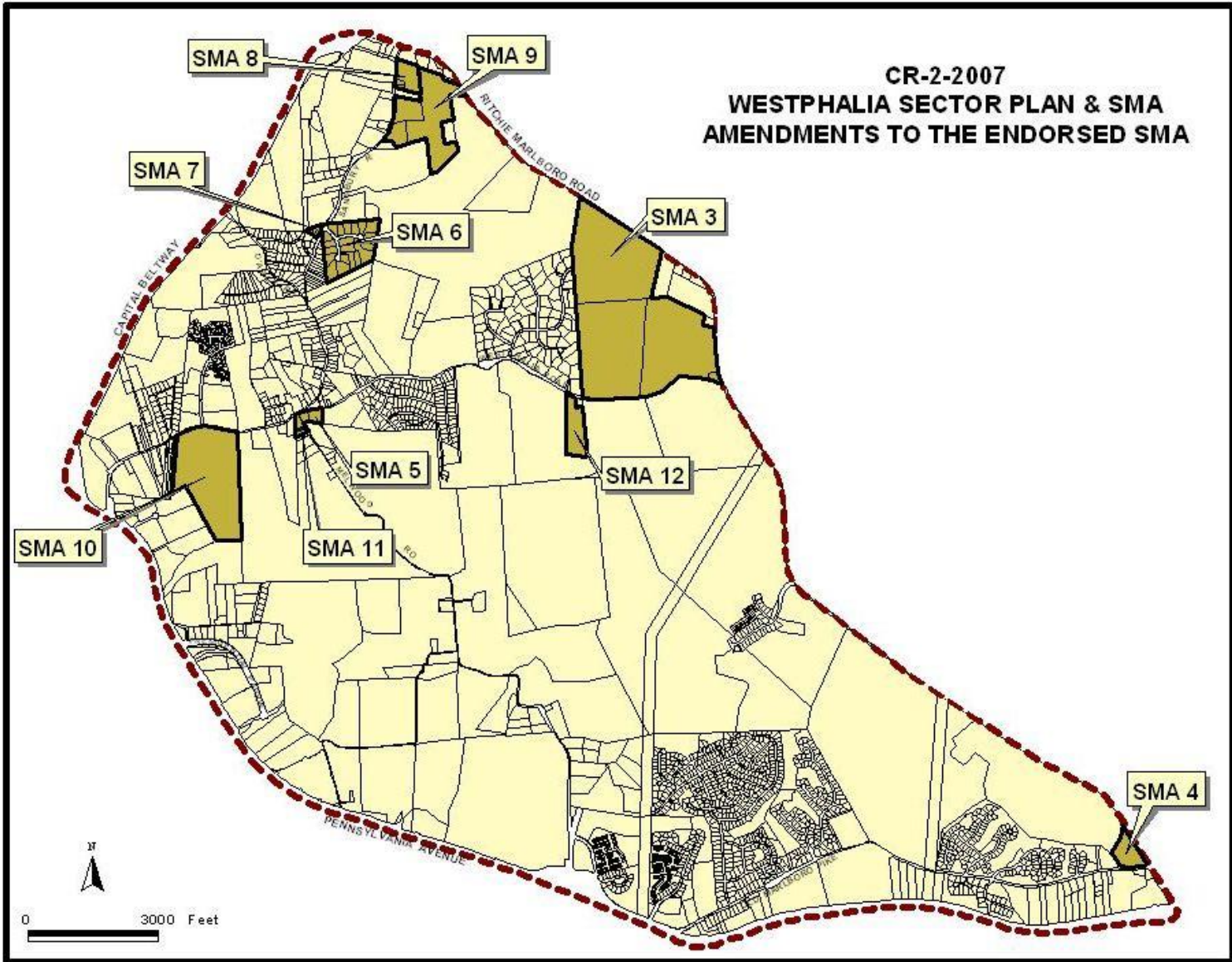
**Strategies**

- [Encourage the u]Use [of] green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.
- [Encourage the u]Use [of] alternative energy sources such as solar, wind, and hydrogen power. Provide public examples of uses of alternative energy sources.

Underscoring indicates language added to existing text.

[Brackets] indicate language deleted from existing text.





**Statement of Justification  
for Impacts to Regulated Environmental Features  
Woodside Village  
Case/Yergat  
CDP-0601-01  
January 19, 2022  
Revised March 18, 2022**

Applicant:

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301-794-7555  
Contact: David Bickel

## **Woodside Village-Case/Yergat, CDP-0601-01**

### **Description and Location of the Subject Property:**

The subject property is composed of existing parcel 5 (Yergat) and parcel 19 (Case), Tax Map 91. The project is a tract of land located on the southern side of Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie-Marlboro Road and containing approximately 158.28 acres in the R-M (Residential-Medium Development) Zone. The subject property is located within Planning Area 78 and Council District 6.

### **Description of Proposed Use:**

The nature of the proposed application is a single-family detached residential development. Specifically, the site is intended for development of approximately 626-661 units. In order to provide an excellent recreation opportunity with a recreation trail, the removal of existing structures, master plan road crossings, utility infrastructure such as sewer, stormdrain, and adequate storm drain outfalls, ten (10) impact areas to the PMA are needed. The impacts are total 204,029 square feet of PMA impacts, which mainly relate to the stream buffer.

### **Description of Proposed Use:**

The site contains a total of approximately 24.25 acres of PMA. The PMA comprises 7,390 linear feet of regulated streams and associated 75-foot-wide buffers. Pockets of wetlands are located on the property and 2.07 acres of floodplain is present on site. The PMA is generally located within the central stream valley, which run north & south and bisect the site. Two separate stream systems are located in the southeast corner and southwest corner of the property. The PMA contains a mix of forested and non-forested areas. The woodland is part of forest stand 1, which community type is mainly Tulip poplar. The existing PMA is approximately 15% of the total site area.

### **Description of Applicable Code:**

Sec. 24-130(b)(5): Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the Preliminary Plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.

Sec. 27-462 Regulations does not contain regulations regarding minimum net lot area.

### **Description of Proposed Impacts and Justification of Avoidance and minimization:**

In order to provide an excellent recreation opportunity with a recreation trail, the removal of existing structures, master plan road crossings, utility infrastructure such as sewer, stormdrain, and adequate storm drain outfalls, ten (10) impact areas to the PMA are needed.

Impacts areas 1 to 10. Each of the ten impact areas may have more than one impact type. Since this site is 158.28 acres, it has multiple drainage areas which create the need for multiple outfalls. This need is created by the current SWM regulations. In addition, on-site infrastructure such as water loops and sewer laterals need to serve the site in a practical, efficient, and economical way.

**Impact 1** is 35,209 square feet of PMA and stream buffer disturbance for the construction of a road crossing for Master Plan Road P616, existing and proposed sewer, stormwater management easement, and grading. The required right of way is 60 ft wide and the location of the road is set by the Master Plan and by the adjoining development. Impacts to the PMA are greater because of the distance needed to construct the culvert crossing increase because of the depth of soil cover needed for the culvert. In addition there is an existing sewer, WSSC R/W L.3973 F. 257 that runs along the stream corridor. This sewer line is one of the main sewer laterals in the area and the development of this site depends on being able to connect to this sewer. In addition there is a recorded SWM easement L34656 F. 201 that will be used to provide stormwater management for the construction of the road. There is a small 750sf disturbance associated with grading. The grading of this area is the preferred solution instead of proposing a retaining wall. By allowing this area to be graded to match the existing grade instead of a wall creates an opportunity to provide an area for reforestation while a wall would prohibit it. This part of the PMA is currently not forested. We believe this is the best approach to restore this area to a natural setting. The naturally graded site in addition to the reforestation plantings will create a natural buffer for the stream.

**Impact 2** is 35,807 square feet of PMA and stream buffer disturbance for the construction of a road crossing for an internal road connection, a water loop and sewer lateral connection, and a site wide recreation trail. This connection is needed to provide adequate infrastructure connections and a secondary connection within the site for life safety purposes. In Impact area 2 there is no existing forest that is being disturbed to construct this trail. The trail was designed to follow the existing contours and uses the cartways that exist on the site currently. The existing structures and development within the PMA will also need to be razed and removed. After construction of the crossing and the trail, there is ample opportunity to reforest these formerly developed areas. The stream is part of Reach 1A in the Stream Assessment Study provided and is in generally good condition at the head of the stream. As the stream continues downstream within Reach 1 it begins to degrade because of natural and manmade causes. The stream becomes more incised downstream. There was also had signs of debris, junk, and concrete foundations. At a certain point the stream goes subterranean for approximately 200 feet via a pipe and resurfaces near the receptacle storage yard. A detailed description and photos can be found for this section of the stream in the Stream Assessment Study dated January 2022. Please also see Appendix A below for additional pictures.

**Impact 3** is 9,894 square feet of PMA and stream buffer disturbance for the construction of a site wide recreation trail. In Impact area 3 there is no existing forest that is being disturbed to construct this trail. The trail was designed to follow the existing contours and therefore no grading will be needed to construct this section of the trail.

**Impact 4** is 13,497 square feet of PMA and stream buffer disturbance for the construction of a site wide recreation trail. In Impact area 4 there is no existing forest for 2/3rds of this disturbance. The trail was designed to follow the existing contours and therefore no grading will be needed to construct this section of the trail. In the area where forest does exist, it will only be cleared if necessary, but the intent is to leave as much as possible. It will be counted as cleared in the TCP2. There will be a need to clear the underbrush and smaller trees.

**Impact 5** is 18,037 square feet of PMA and stream buffer disturbance for the construction of a storm drain outfall and a site wide recreation trail. Because of the surrounding slopes, the outfall must be designed to be closer to the stream so that it will not be the source of future erosion. Since by its very nature, an outfall must discharge into a naturally occurring watercourse, avoiding a stream and its associated buffer and subsequent PMA is impossible. The outfall has been designed and the LOD set so as to minimize the area to be disturbed. The pipe runs directly through the PMA rather than diagonally across, thus reducing the length and square footage of the disturbance. The trail has been designed to integrate and minimize the disturbances with the proposed outfall. In Impact area 5 there is limited existing forest to disturb. The trail was designed to follow the existing contours and therefore no grading will be needed to construct this section of the trail. In the area where forest does exist, it will only be cleared if necessary, but the intent is to leave as much as possible. It will be counted as cleared in the TCP2. There will be a need to clear the underbrush and smaller trees. The trail also takes advantage of an existing culvert crossing.

**Impact 6** is 45,390 square feet of PMA and stream buffer disturbance for the construction of a road crossing for Master Plan Road P617, storm drain outfall and a site wide recreation trail. The required right of way is 60 ft wide and the location of the road is set by the Master Plan and by the adjoining development. Impacts to the PMA are greater because of the distance needed to construct the culvert crossing increase because of the depth of soil cover needed for the culvert. In addition, the proposed outfall contributes to the impact. Because of the surrounding slopes, the outfall must be designed to be closer to the stream so that it will not be the source of future erosion. Since by its very nature, an outfall must discharge into a naturally occurring watercourse, avoiding a stream and its associated buffer and subsequent PMA is impossible. The outfall has been designed and the LOD set so as to minimize the area to be disturbed. The pipe runs directly through the PMA rather than diagonally across, thus reducing the length and square footage of the disturbance. The trail has been designed to integrate and minimize the disturbances with the outfall and the road crossing. Because of the cover soil needed for the culvert crossing, this section of the trail will need to be graded from the proposed road grade for a short distance back to the existing graded. In the area where forest does exist, it will only be cleared if necessary, but the intent is to leave as much as possible. It will be counted as cleared in the TCP2. There will be a need to clear the underbrush and smaller trees.

**Impact 7** is 16,685 square feet of PMA and stream buffer disturbance for the construction of a storm drain outfall and a site wide recreation trail. Because of the surrounding slopes, the outfall must be designed to be closer to the stream so that it will not be the source of future erosion. Since by its very nature, an outfall must discharge into a naturally occurring watercourse, avoiding a stream and its associated buffer and subsequent PMA is impossible. The outfall has been designed and the LOD set so as to minimize the area to be disturbed. The pipe runs directly through the PMA rather than diagonally across, thus reducing the length and square footage of the disturbance. The trail has been designed to integrate and minimize the disturbances with the proposed outfall. In Impact area 5 there is limited existing forest to disturb. The trail was designed to follow the existing contours but some additional grading is required to make the trail accessible. In the area where forest does exist, it will only be cleared if necessary, but the intent is to leave as much as possible. It will be counted as cleared in the TCP2. There will be a need to clear the underbrush and smaller trees.

**Impact 8** is 15,440 square feet of PMA and stream buffer disturbance for the construction of 2 storm drain outfalls and a site wide recreation trail. Because of the surrounding slopes, the outfalls must be designed to be closer to the stream so that it will not be the source of future erosion. Since by its very nature, an outfall must discharge into a naturally occurring watercourse, avoiding

a stream and its associated buffer and subsequent PMA is impossible. The outfall has been designed and the LOD set so as to minimize the area to be disturbed. The pipe runs directly through the PMA rather than diagonally across, thus reducing the length and square footage of the disturbance. The trail has been designed to integrate and minimize the disturbances with the proposed outfall. In Impact area 5 there is limited existing forest to disturb. The trail was designed to follow the existing contours but some additional grading is required to make the trail accessible. In the area where forest does exist, it will only be cleared if necessary, but the intent is to leave as much as possible. It will be counted as cleared in the TCP2. There will be a need to clear the underbrush and smaller trees.

**Impact 9** is 4,980 square feet of PMA and stream buffer disturbance for the construction of a sewer lateral and a site wide recreation trail. Because of the surrounding slopes, the sewer lateral must be designed to be closer to the stream(low point of the site) so that it will ensure the proper pipe slope and proper flow. The alignment was determined by the location of the existing sewer. The sewer lateral has been designed and the LOD set so as to minimize the area to be disturbed.. The trail has been designed to integrate and minimize the disturbances with the proposed outfall. In The trail was designed to follow the existing contours but some additional grading is required to make the trail accessible. In the area where forest does exist, it will only be cleared if necessary, but the intent is to leave as much as possible. It will be counted as cleared in the TCP2. There will be a need to clear the underbrush and smaller trees.

**Impact 10** is 9,090 square feet of PMA and stream buffer disturbance for the construction of a storm drain outfall and a existing Washington Gas easement L.38614 F. 64. Because of the surrounding slopes, the outfalls must be designed to be closer to the stream so that it will not be the source of future erosion. Since by its very nature, an outfall must discharge into a naturally occurring watercourse, avoiding a stream and its associated buffer and subsequent PMA is impossible. The outfall has been designed and the LOD set so as to minimize the area to be disturbed. The pipe runs directly through the PMA rather than diagonally across, thus reducing the length and square footage of the disturbance. The disturbance in the Washington Gas easement is being accounted for future disturbances and connections

Impact ID	Impact Type	Square Footage of PMA impact
1	Road Crossing, Infrastructure	35,209
2	Road Crossing, Trail	35,807
3	Trail	9,894
4	Trail	13,497
5	Infrastructure, Trail	18,037
6	Road Crossing, Infrastructure, Trail	45,390
7	Infrastructure, Trail	16,685
8	Infrastructure, Trail	15,540

9	Infrastructure, Trail	4,980
10	Infrastructure	9,090
Total PMA impact		204,029

**Conclusion:**

In order to provide an excellent recreation opportunity with a site wide recreation trail, the removal of existing structures, master plan road crossings, utility infrastructure such as sewer, storm drain, and adequate storm drain outfalls, ten (10) impact areas to the PMA are needed. Since this site is 158.28 acres, it has multiple drainage areas which create the need for multiple outfalls, infrastructure connections, and crossings. The Transportation Trails Section has been encouraging more pedestrian opportunities and we believe this trail would be an excellent opportunity for this 600 plus unit development. This impact would benefit the community as a whole. This site connection trail will be approximately 8,060 linear feet or over 1.5 miles. Careful planning and much consideration was used to create a trail that connects the entire community while limiting impacts to the PMA. The trail has been designed to follow the existing contours which greatly reduces the grading needed to construct the trail. For most of the alignment there is no existing trees to remove. In areas where forest exists, there will be limited or selective clearing to accommodate the trail. Specimen trees were avoided. The trail alignment was integrated to correspond to other impact areas such as road crossings, storm drain outfalls and utility connections. Two Master Plan roads, P616 & P617 and an internal road crossing are vital and necessary connections for intra and inter circulation and life safety needs. Crossings were made at areas with the least impact to the PMA. The same can be said with the storm drain outfalls, water loops, and sewer laterals on and off-site. These infrastructure elements are needed to serve the site in a practical, efficient, and economical way. The impacts are both temporary and permanent and total 204,029 square feet of PMA impacts or 2.96% of the total site. Except for the implementation of the trail (95,643 square feet of impacts), the impacts to the environmental regulated features are unavoidable and have been minimized to the fullest extent possible. Therefore we ask for approval of the impacts outlined above.

Sincerely,

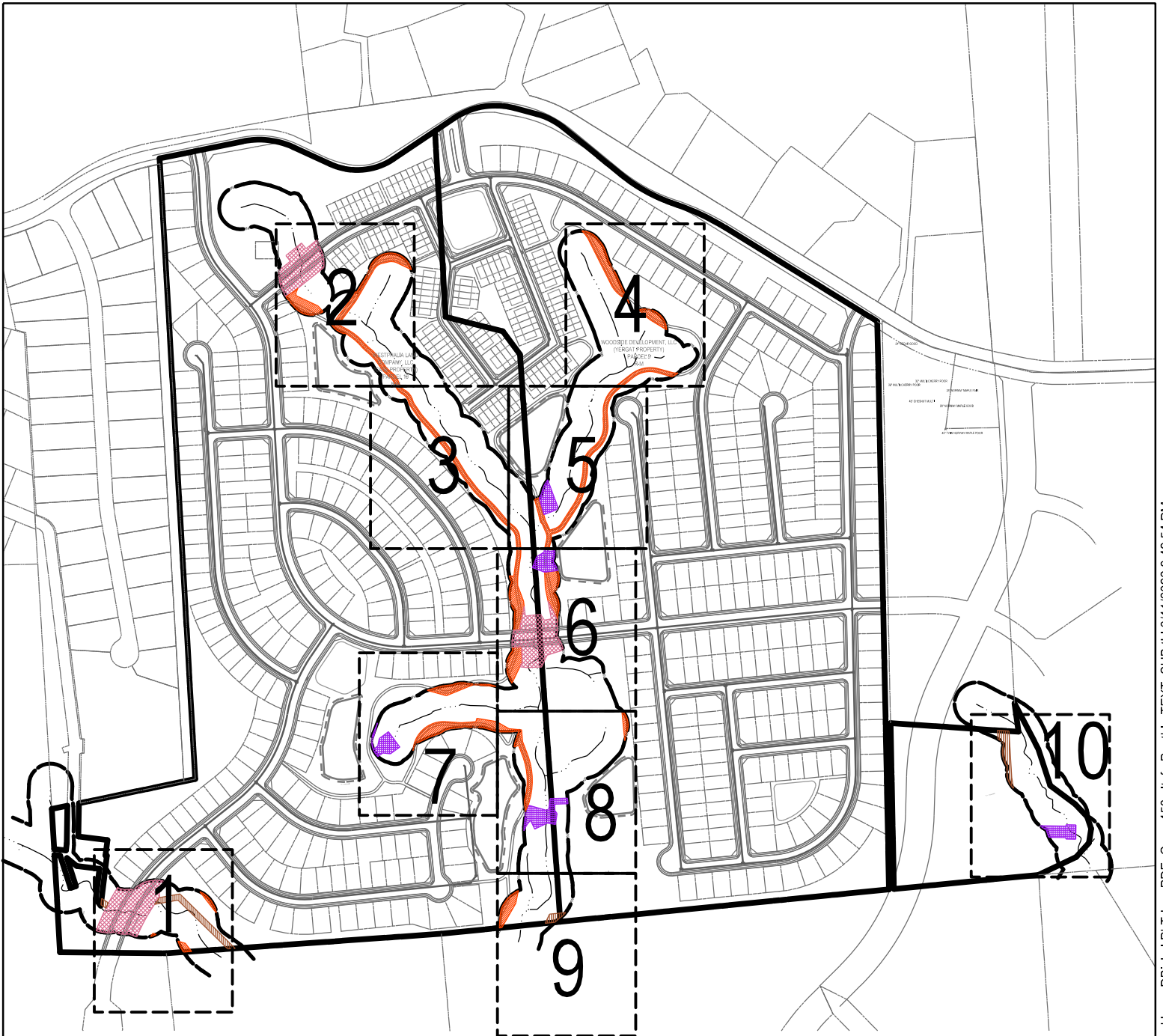
Soltesz, LLC

David Bickel, RLA  
 Director of Planning

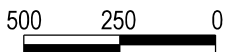
## Appendix A







	ROAD CROSSING	SEWER	SWM	TRAIL	TOTAL
IMPACT #1	27,051SF	7,175SF	983SF	0SF	35,209SF
IMPACT #2	17,815SF	0SF	0SF	17,992SF	35,807SF
IMPACT #3	0SF	0SF	0SF	9,894SF	9,894SF
IMPACT #4	0SF	0SF	0SF	13,497SF	13,497SF
IMPACT #5	0SF	0SF	4,412SF	13,625SF	18,037SF
IMPACT #6	23,230SF	0SF	4,690SF	17,470SF	45,390SF
IMPACT #7	0SF	0SF	4,560SF	12,125SF	16,685SF
IMPACT #8	0SF	0SF	7,990SF	7,450SF	15,440SF
IMPACT #9	0SF	1,390SF	0SF	3,590SF	4,980SF
IMPACT #10	0SF	4,540SF	4,550SF	0SF	9,090SF
TOTAL	68,096SF	13,105SF	27,185SF	95,643SF	204,029SF



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**PMA IMPACTS  
 COVER SHEET  
 CASE/YERGAT**



IMPACT #1  
35,209SF

STORMWATER MANAGEMENT  
EASEMENT  
L. 34656 F. 201

IMPACT #1	35,209SF	TOTAL
	27,051SF	ROAD CROSSING
	7,175SF	EX/PR SEWER
	983SF	SWM ESMT

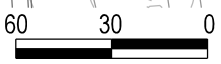
PMA IMPACTS  
IMPACT #1  
CASE/YERGAT



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IMPACT #2  
35,807SF

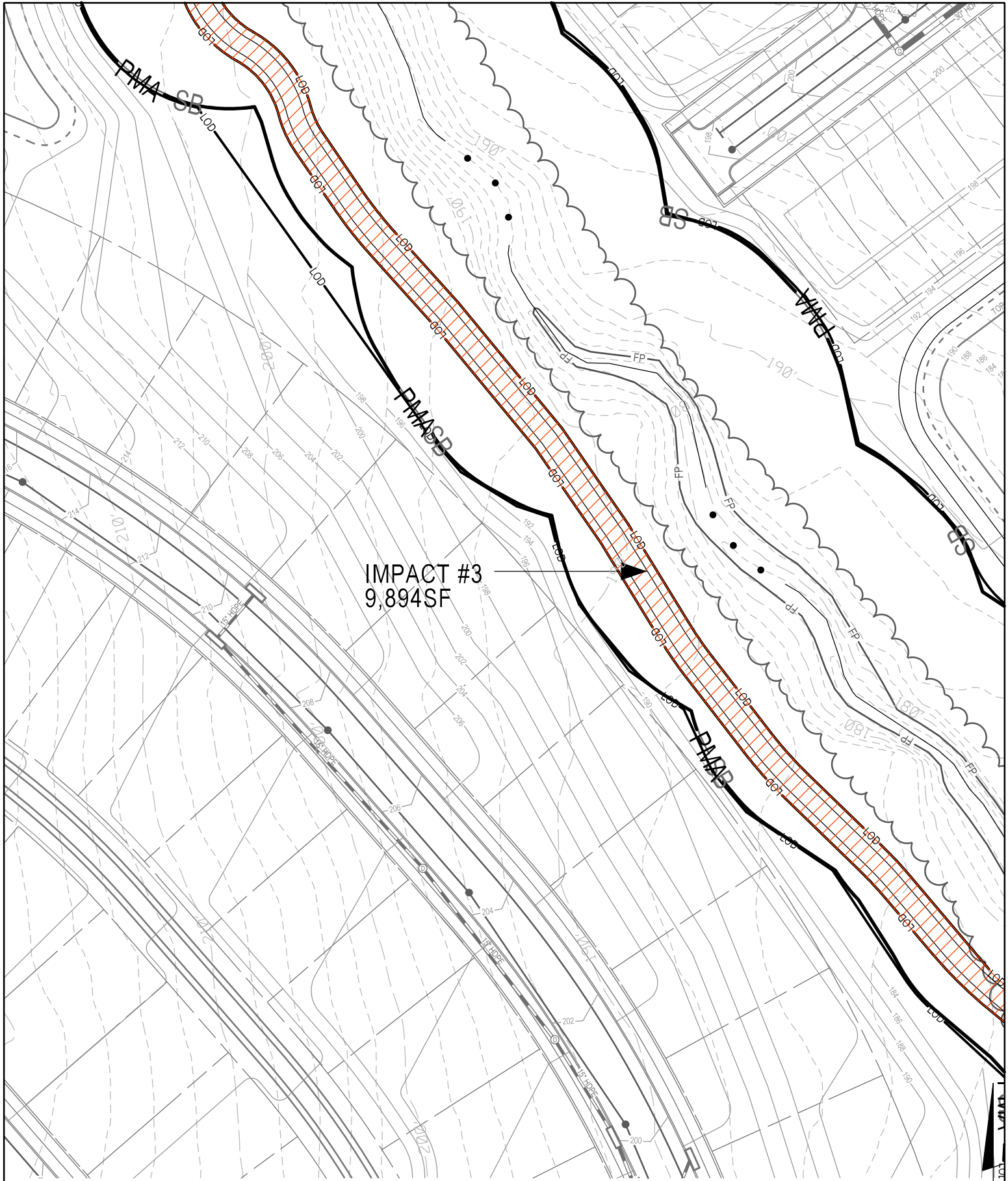


IMPACT #2	35,807SF	TOTAL
	17,815SF	ROAD CROSSING
	17,992SF	TRAIL & EX. STRUCTURES

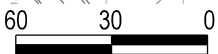
PMA IMPACTS  
IMPACT #2  
CASE/YERGAT



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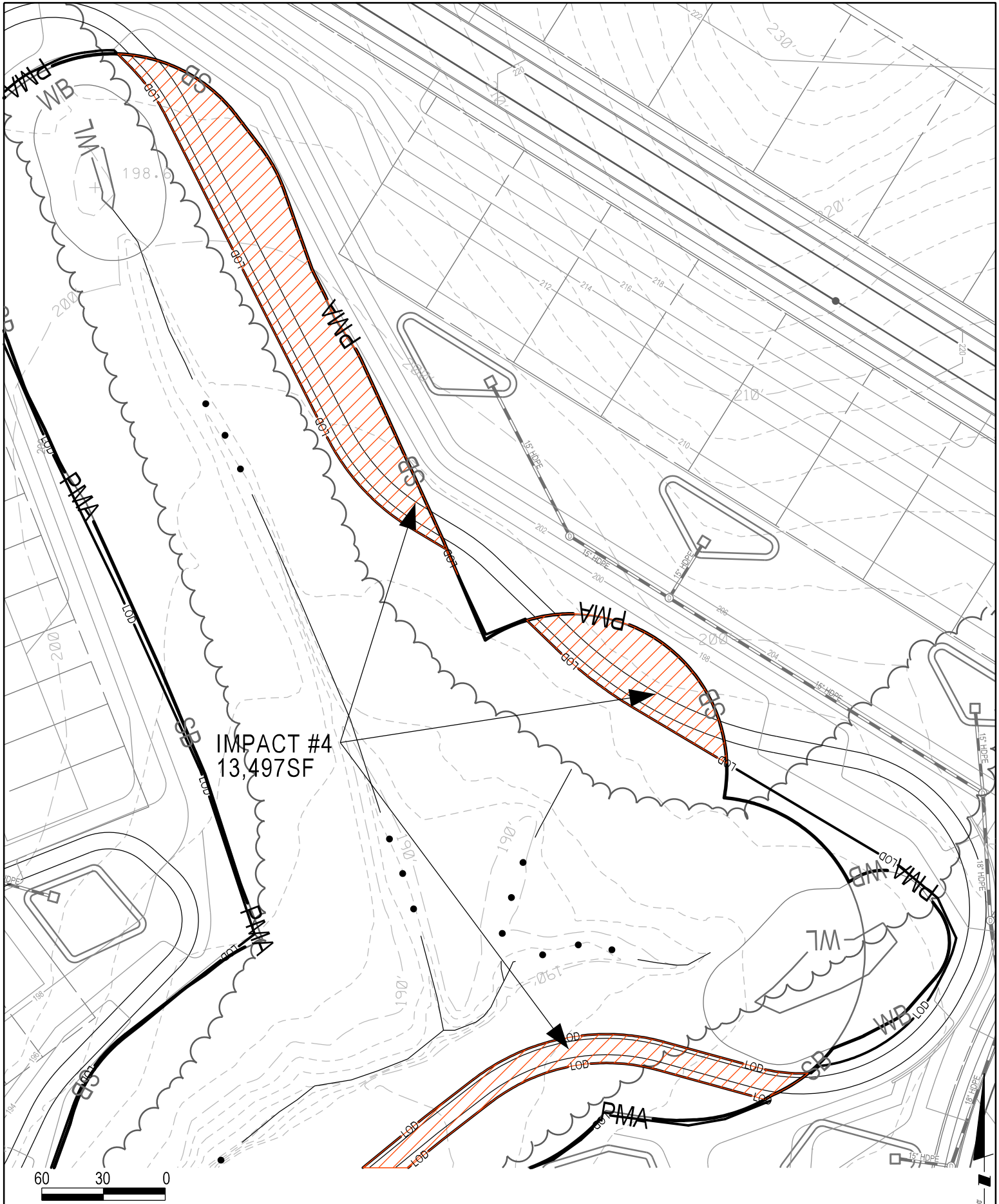
IMPACT #3  
9,894SF



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IMPACT #3	9,894SF	TOTAL
	9,894SF	PROPOSED TRAIL

PMA IMPACTS  
IMPACT #3  
**CASE/YERGAT**



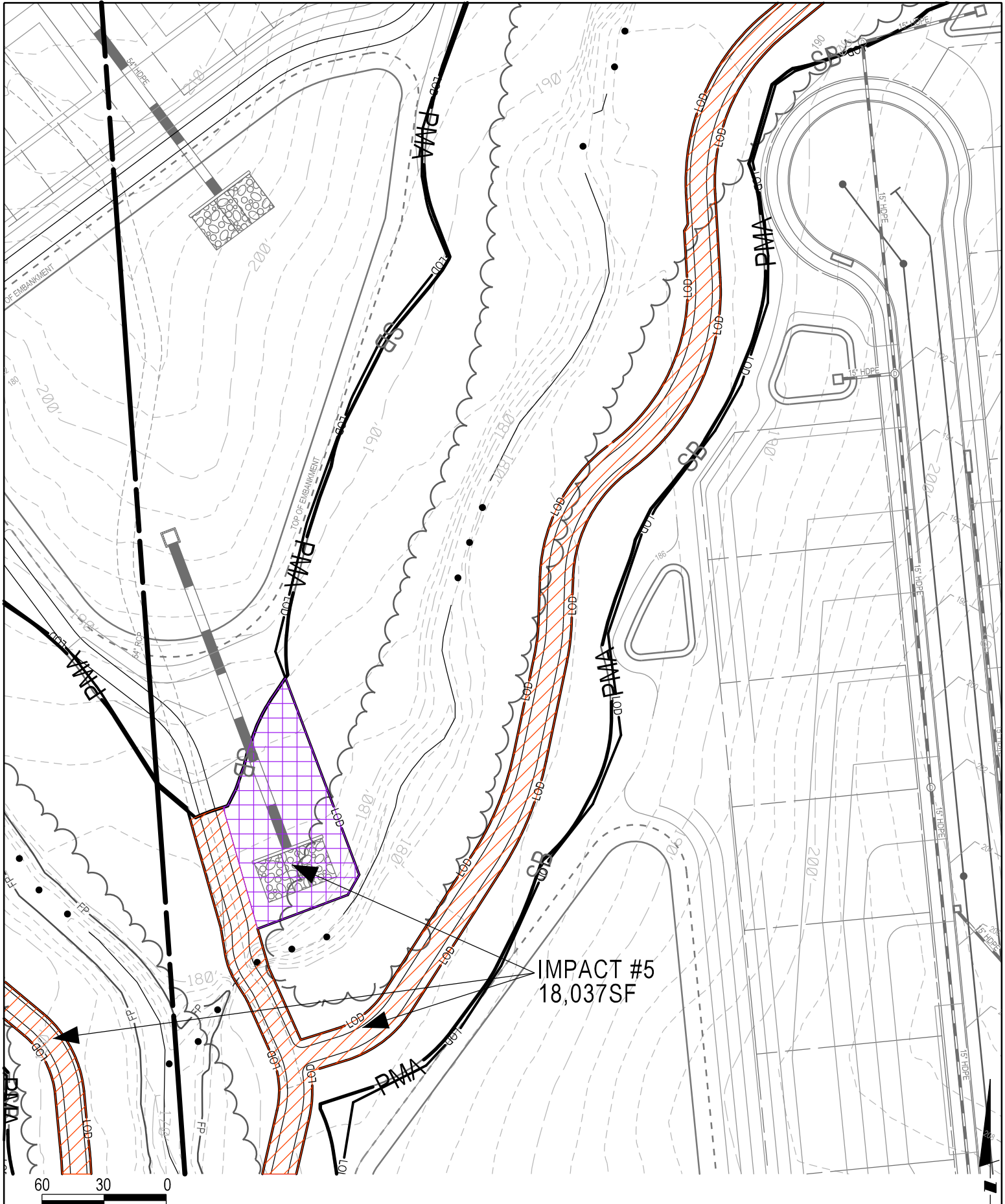
IMPACT #4  
13,497SF

IMPACT #4	13,497SF	TOTAL
	13,497SF	PROPOSED TRAIL

PMA IMPACTS  
IMPACT #4  
CASE/YERGAT



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IMPACT #5	18,037SF	TOTAL
	13,625SF	PROPOSED TRAIL
	4,412SF	SWM OUTFALL

PMA IMPACTS  
 IMPACT #5  
**CASE/YERGAT**



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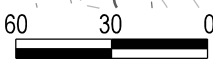
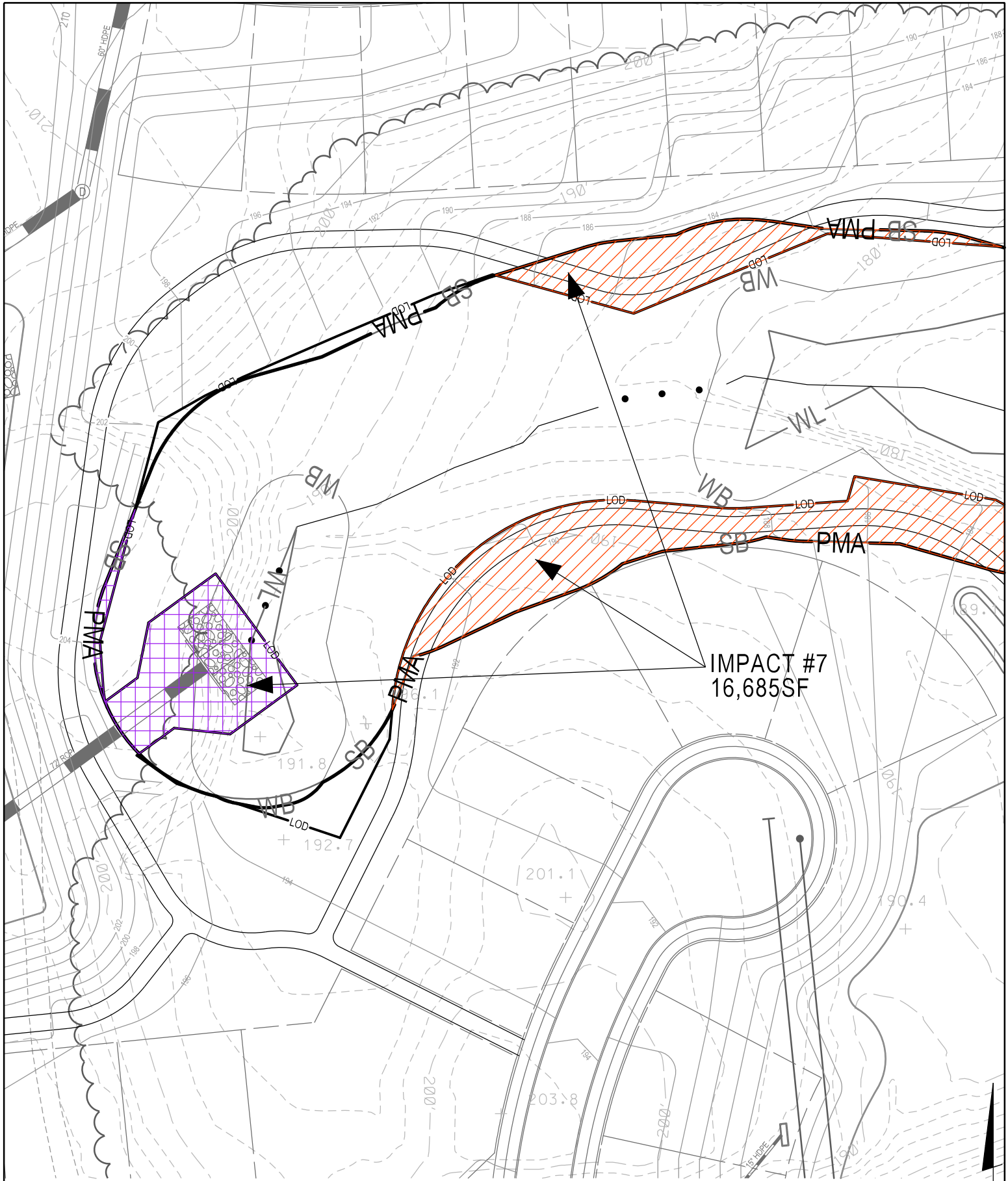
**IMPACT #6**  
45,390SF

IMPACT #6	45,390SF	TOTAL
	23,230SF	ROAD CROSSING
	4,690SF	SWM OUTFALL
	17,470SF	PROPOSED TRAIL

**PMA IMPACTS**  
**IMPACT #6**  
**CASE/YERGAT**



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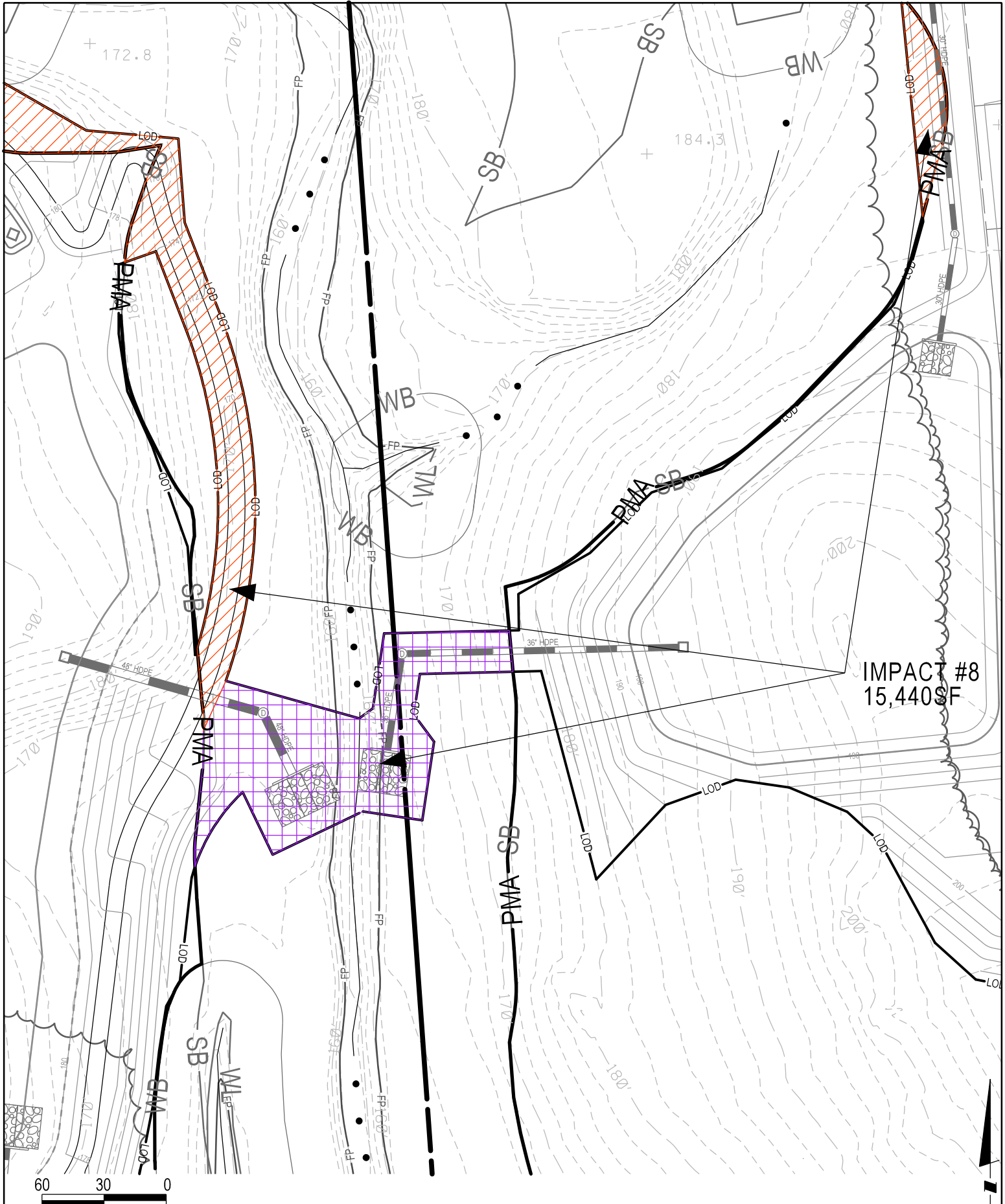
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 www.solteszco.com

IMPACT #7	16,685SF	TOTAL
	4,560SF	SWM OUTFALL
	12,125SF	PROPOSED TRAIL

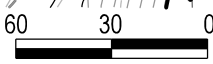
PMA IMPACTS  
 IMPACT #7  
**CASE/YERGAT**

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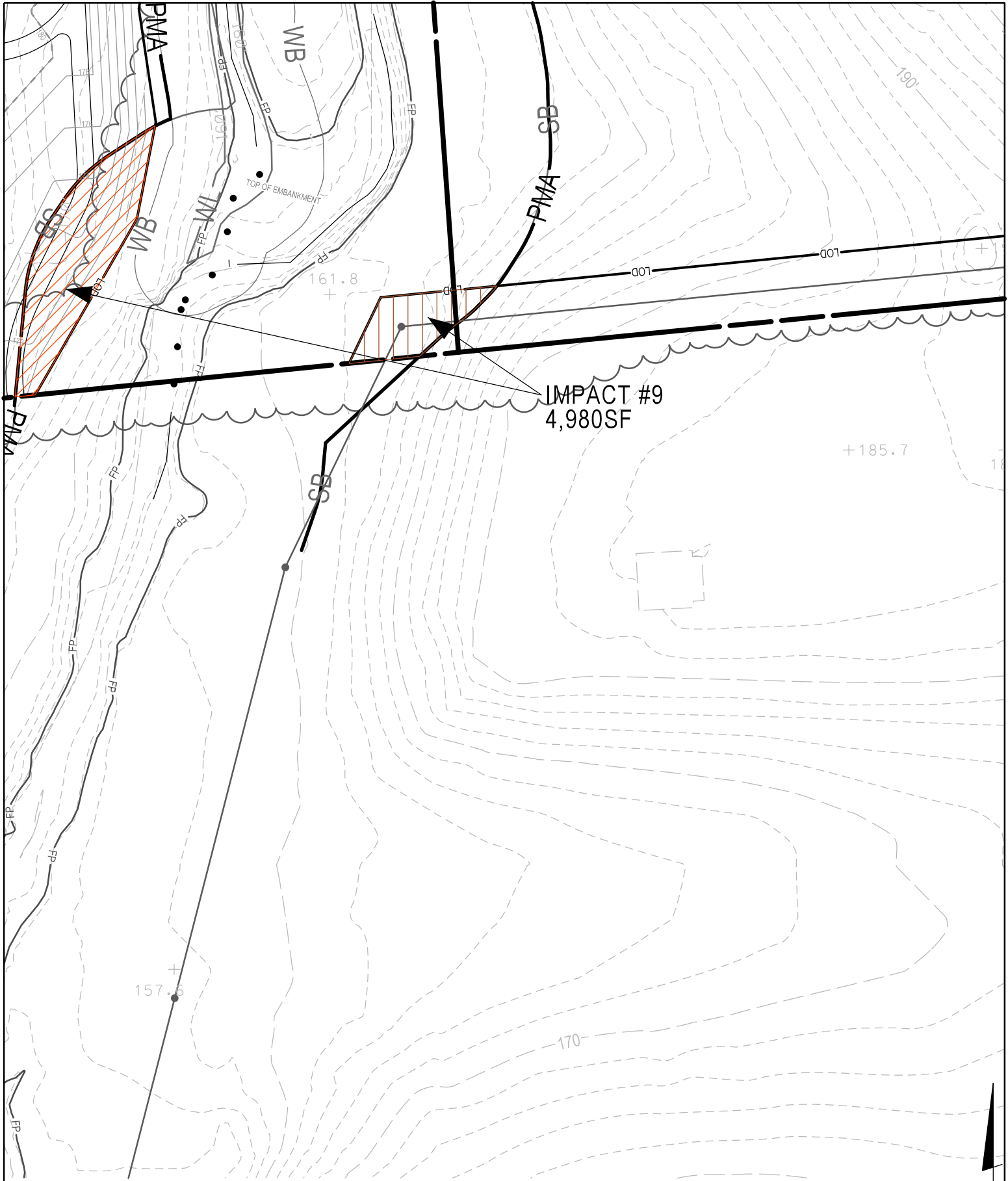
**IMPACT #8**  
15,440SF



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IMPACT #8	15,440SF	TOTAL
	7,990SF	SWM OUTFALL
	7,450SF	PROPOSED TRAIL

PMA IMPACTS  
IMPACT #8  
**CASE/YERGAT**

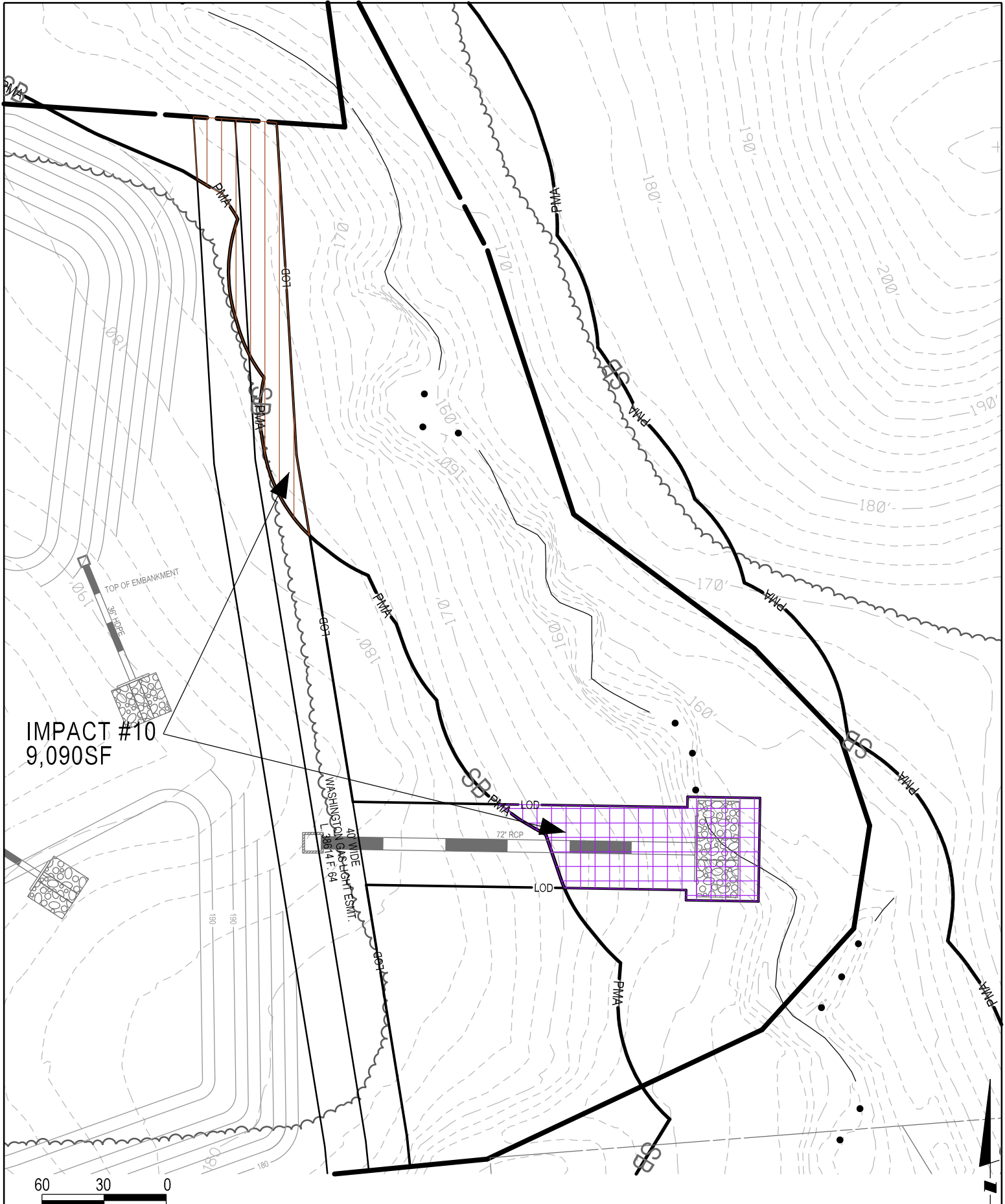


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IMPACT #9	4,980SF	TOTAL
	1,390SF	PROPOSED SEWER
	3,590SF	PROPOSED TRAIL

**PMA IMPACTS  
 IMPACT #9  
 CASE/YERGAT**

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IMPACT #10  
9,090SF

IMPACT #10	9,090SF	TOTAL
	4,540SF	EX GAS ESMT.
	4,550SF	SWM OUTFALL

PMA IMPACTS  
IMPACT #10  
**CASE/YERGAT**



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Russell W. Shipley  
Arthur J. Horne, Jr.\*  
Dennis Whitley, III \*  
Robert J. Antonetti, Jr.

Bradley S. Farrar  
L. Paul Jackson

\*Also admitted in the District of Columbia

January 17, 2022

**VIA HAND DELIVERY**

Ms. Jill Kosack, Acting Supervisor  
Urban Design Section  
Development Review Division  
Prince George's County Planning Department  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

**RE: WOODSIDE VILLAGE (Parcels 5 and 19)  
Comprehensive Design Plan (CDP-0601-01)  
Statement of Justification**

Dear Ms. Kosack:

On behalf of our client, **The Atkinson trust, L.L.C.** and **Woodside Development, LLC** (collectively the "Applicant"), Robert J. Antonetti, Jr., and Shipley and Horne, P.A. submits this statement of justification in support of Comprehensive Design Plan, CDP-0601-01. The Woodside Village project as a whole is a tract of land located on the southern side of Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie-Marlboro Road and containing approximately 381.95 acres in the R-M (Residential-Medium Development) Zone. The subject property is located within Planning Area 78 and Council District 6.

Woodside Village was previously the subject of basic plan application, A-9973 approved by the District Council on February 13, 2007 as part of the *2007 Westphalia Sector Plan and Sectional Map Amendment* (the "Sector Plan") rezoning the subject property from the R-A Zone to the R-M Zone, (See Page 18, SMA 12 of CR-2-2007 (DR-2)). The initial basic plan application, as originally submitted, included four contiguous parcels ranging in size from 63 to 149 acres: Parcel 5 (Yergat); Parcel 14 (A. Bean); Parcel 19 (Case); and Parcels 42 (Suit). The District Council's approval of CR-2-2207 (with amendments) added an additional 11.66-acre abutting parcel (Parcel 13) to the basic plan boundaries. The Applicant is the owner of Parcel 19 and Parcel 5 totaling approximately 158.28 acres (leaving approximately 223.67 acres from the initial basic plan area of 381.95 acres).

An amendment to the basic plan was filed by the Applicant and accepted by the Clerk of the Counsel's Office on July 14, 2021, (A-9973-02). A hearing before the Zoning Hearing Examiner was held on September 29, 2021. Basic Plan A-9973-02 was approved by the District

Council on November 15, 2021. This approval established a separate Basic Plan only for Parcel 19 and Parcel 5. It should also be noted that a separate Basic Plan Amendment, A-9973-01, was filed by the owners of Parcel 14 of the original Woodside Village assemblage. Neither of the two aforementioned basic plan amendments include portions of Woodside Village that have since been acquired by M-NCPPC which totals approximately 160.36 acres and includes Parcels 13, 42, & 48.

Comprehensive Design Plan, CDP-0601 was approved by the Planning Board on July 31, 2008, for the entire 381.95-acre Woodside Village tract, (PGCPB No. 08-121). The prior approved CDP included 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. On September 22, 2008, the District Council waived their right to review CDP-0601 and affirmed the Planning Board’s prior approval with conditions on February 9, 2009.

For purposes of clarity, this CDP amendment **only includes Parcel 5 and Parcel 19** from the originally approved comprehensive design plan for Woodside Village. The status of the parcels contained in the original Woodside Village comprehensive design plan assemblage can be further explained as follows:

**Woodside Village Parcel Status**

<b>Property Name/Parcel Identification:</b>	<b>Acreage:</b>	<b>Status:</b>
Parcel 5 (Yergat)	78.91 acres	Included in A-9973-02 & CDP-0601-01
Parcel 19 (Case)	79.37 acres	Included in A-9973-02 & CDP- 0601-01

Parcel 14 (A. Bean);	63.30 acres	<b><u>Not</u></b> included in A-9973-02 & CDP-0601-01  (Subject of pending A-9973-01)
Parcels 42 & 48 (Suit Property)	148.7 acres	<b><u>Not</u></b> included in A-9973-02 & CDP-0601-01  (Owned by M-NCPPC)
Parcel 13	11.66 acres	<b><u>Not</u></b> included in A-9973-02 & CDP-0601-01  (Owned by M-NCPPC)

The subject application proposes an amendment to CDP-0601 to allow changes only to Parcel 19 and Parcel 5 out of the total assemblage of properties originally approved with CDP-0601. This amendment is necessary because the total assemblage of properties in CDP-0601 is no longer under common ownership, (as was the case when CDP-0601 was approved), thus making the implementation of the initial comprehensive design plan a practical impossibility. The 63.30-acre Bean Property (Parcel 14), the 148.7-acre Suit Property, (which today contains two separate tracts known as Parcel 42 & 48), and the 11.66-acre Parcel 13 that were previously included in CDP-0601 are not included in the subject comprehensive design plan amendment. More importantly, the 148.7-acre Suit Property (Parcels 42 & 48), and the 11.66-acre Parcel 13 are currently owned by M-NCPPC and are intended to be included as part of the forthcoming Westphalia Central Park.

The acquisition of these parcels by M-NCPPC significantly alters the development

patterns approved in CDP-0601 and necessitates the amendment of the comprehensive design plan area to allow for the appropriate development of Parcel 19 and Parcel 5 controlled by the Applicant. This application is also brings the project into alignment with the recent approval of basic plan amendment A-9973-02 (establishing a separate basic plan for Parcel 19 and Parcel 5). Further, this application will also allow for appropriate amendments to the conditions of approval in CDP-0601, as further described herein.

**A. Neighboring Properties Use and Zoning:**

The property subject to this amendment consists of 158.28 acres in the R-M/MIO (Residential-Medium Development, Military Installation Overlay) Zone. The property in this application is bounded in all directions by existing or proposed residential development in the R-M/MIO. To the southeast is the Marlboro Ridge development, to the southwest is the Parkside development, and to the north is the proposed Villages at Westphalia development. The subject property is located within Planning Area 78 and Council District 6.

**B. Previous Approvals**

The specific approvals for the Woodside Village development include the following:

<b>Development Review Case:</b>	<b>Associated TCP(s):</b>	<b>Authority:</b>	<b>Status:</b>	<b>Action Date:</b>	<b>Resolution Number:</b>
CNU-6730-88-U (Trash Hauling Operation) - on western portion of Parcel 19 (Case Property)	N/A	District Council	Approved	1988	Unknown
A-9973	TCPII/223/92 (Includes portion of	District Council	Approved	Planning Board <u>6/1/2006</u>	PGCBP No. 06-112

	Property as part of a grading permit)			Zoning Hearing Examiner <u>7/13/2006</u> District Council 2/6/2007	N/A  CR-2-2007 (DR-2)
NRI-158-05	N/A	Environmental Planning Section	Approved	7/10/2006	N/A
CDP-0601	TCPI/006/08	District Council	Approved	Planning Board <u>9/11/2008</u> District Council 2/9/2009 (Affirmed with conditions)	PGCBP No. 08-121
NRI-158-05-01	N/A	Environmental Planning Section	Approved	10/04/2012	N/A
A-9973-02 (Parcel 19 and Parcel 5)	TCPI/006/08 TCPII/223/92	District Council	Approved	Planning Board 9/16/2021 ZHE 10/29/2021 District Council 11/15/2021 (Approved)	N/A
A-9973-01 (63.30-acre Bean Property)	N/A	N/A	Submitted for pre-acceptance review on 3/17/2021	N/A	N/A



NRI-158-05-03	N/A	Environmental Planning Section	Approved	September 16, 2021	N/A
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**C. Purposes of Request**

The purposes of this Comprehensive Design Plan amendment are as follows:

1. To proposed amendments to CDP-0601 applicable only to the Parcels 5 and 19 pursuant to Section 27-524 of the Zoning Ordinance.
2. To revise the approved land use quantities in CDP-0601 and establish an appropriate residential density and density increments for the 158.28 acres (Parcels 5 and 19) included in the subject Application.
3. To amend prior approved conditions in CDP-0601, as appropriate, to facilitate the residential development proposed for Parcels 5 and 19.
4. To designate appropriate on-site recreational facilities and the timing of construction for same.
5. To establish a staging plan for the overall development as well as lot standards for the single-family attached and detached residential dwelling units within Parcels 5 and 19 of the Woodside Village project.

**D. Proposed Development Concept**

From its inception, the vision for Woodside Village has been to create an attractive and highly amenitized residential community that will be complementary to other residential developments within the Westphalia Sector Plan area. The proposed residential development quantities, unit types, and locations shown as part of this Comprehensive Design Plan will remain largely consistent with the spirit of the initial Comprehensive Design Plan, CDP-0601. This application will also allow for appropriate modifications to CDP-0601 to facilitate the development of Parcels 5 and 19. The development contemplated in this Comprehensive Design Plan amendment also represents a high-

quality residential community which will serve as an appropriate transition and linkage between the adjacent Parkside and Marlboro Ridge subdivisions.

The recreational amenities proposed for this project includes the following:

**PROPOSED AMENITIES**

STAGE	SFA LOTS	SFD LOTS	TOTAL LOTS	REC. FACILITY
STAGE 1	0	150	280	CLUBHOUSE/ POOL**
STAGE 2	130	0		
STAGE 3	0	160	160	TRAIL NORTH OF P-617
STAGE 4	0	100	100	OPEN PLAY AREA
STAGE 5	0	121	121	OPEN PLAYAREA & TRAIL SOUTH OF P-617
STAGE 6	0	N/A	N/A	INFRASTRUCTURE
TOTAL	130	531	661	

\*\*BONDING AND CONSTRUCTION SHALL BE DETERMINED AT THE TIME OF THE PRELIMINARY PLAN OF SUBDIVISION AND WILL BE BASED ON THE TOTAL NUMBER OF UNITS IN THE PROJECT.

**E. Development Data Summary**

<b>Woodside Village Development Data Summary (CDP-0601-01)</b>	
Zone:	R-M/MIO (Residential-Medium Development, Military Installation Overlay)
Case Property, (Parcel 19)	79.37 acres
Yergat Property, (Parcel 5)	78.91 acres
Total Gross Tract Area:	158.28 acres
100-Year Floodplain:	2.07 acres
Adjusted gross area (158.28 acres less half the floodplain)	157.25 acres
Density permitted under the R-M (Residential Medium Zone)	3.6 - 5.7 du/ac
Base residential density (3.6 du/ac)	566 du's
Maximum residential density (5.7 du/ac) <sup>1</sup>	896 du's

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<sup>1</sup> The Adopted Planning Board Resolution for prior approved CDP-0601, (PGCPB No. 08-121), lists the maximum residential density for Woodside Village as 5.8 du/ac. In accordance with Section 27-509(a), the maximum residential density (for Residential Medium 3.6) development in the R-M Zone is 5.7 du/ac. This appears to be unintentional error that occurred during the prior application. For the purposes of the current CDP Amendment, the Applicant is utilizing 5.7 du/ac as the maximum residential density in accordance with Section 27-509(a).

<b>Density Calculations</b>	
<p><b><u>Prior Approved Density (CDP-0601):</u></b>            (PGCPB Resol. No. 08-121), 381.95 acres:</p>	<p>1,422 to 1,496 du's            (including 1,276 single-family units (attached and detached) &amp; 220 multifamily units)</p>
<p><b><u>Density Permitted in the R-M Zone:</u></b>            Base Residential Density –            157.25 acres @ 3.6 du/ac:            Maximum Residential Density            157.25 acres @ 5.7 du/ac:</p>	<p>566 du's            896 du's</p>
<p><b><u>Density Proposed (CDP-0601-01):</u></b>            157.25 acres @ 3.98 to 4.205 du/ac</p>	<p><sup>2</sup>626 to 661 du's            (including 110 to 130 single-family attached units &amp;            516 to 531 single-family detached units)</p>

<sup>2</sup> The total number of units proposed (661) is above the base density of 3.6 du/ac or 566 units, but below the maximum density of 5.7 du/ac or 896 units permitted in the R-M Zone. A mix of public benefit features will be used

**F. Compliance with Zoning Map Amendment (Basic Plan) A-9973**

Basic Plan Amendment A-9973-01 was approved for the subject property by the District Council on November 15, 2021. This CDP amendment satisfies the conditions in A-9973-01 as follows:

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

<b>Total Area</b>	<b>158.28 acres</b>
Land in the I00-year floodplain*	2.07 acres
Adjusted gross area: (158.28 acres less half floodplain)	157.25 acres
Density permitted under the R-M (Residential Medium) Zone	3.6 - 5.7 dwelling units/acre
Base residential density (3.6 du/ac)	566 dwelling units
Maximum residential density (5.7 du/ac)	896 dwelling units

<b>Proposed Land Use Types and Quantities</b>	
Residential: 157.25 gross acres @ 3.98-4.205 du/ac	626 - 661 dwelling units
Number of the units above the base density:	60-95 dwelling units
Density proposed in the R-M (ResidentialMedium) Zone	3.98 -4.205 dwelling units/acre
Permanent open space: (23 percent of original site area) (Includes environmental, recreational,and HOA areas)	37 acres

**COMMENT:** The Applicant’s request in this CDP amendment is wholly consistent

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to establish the density increment factor for the 95 units that are above the base density.

approved land use types and quantities approved in A-9973-02. It should be noted that the 63.30-acre Bean Property (Parcel 14), the 148.7-acre Suit Property (Parcels 42 & 48), and the 11.66-acre Parcel 13 that were previously included in Basic Plan Amendment A-9973 are not included in the subject CDP amendment application. Both the 148.7-acre Suit Property (Parcel 42 & 48), and the 11.66-acre Parcel 13 are currently owned by M-NCPPC. It should also be noted that the Adopted Planning Board Resolution for prior approved CDP-0601, (PGCPB No. 08-121), lists the maximum residential density for Woodside Village as 5.8 du/ac. In accordance with Section 27-509(a), the maximum residential density (for Residential Medium 3.6) development in the R-M Zone is 5.7 du/ac. This appears to be an unintentional error that occurred during the prior application. For the purposes of the current CDP Amendment, the Applicant is utilizing 5.7 du/ac as the maximum residential density in accordance with Section 27-509(a).

2. ***Prior to certification of the basic plan, the plan shall be modified as follows:***
  - a. ***Add bearings and distances for the boundaries of the subject property (on Sheet 2).***
  - b. ***In the Development Data column on Sheet 2, specify that Parcel 5 and Parcel 19 each consist of two parcels. List the individual acreage of each of the four parcels.***
  - c. ***In the Approved Land Use Types and Quantities table on Sheet 2, include a line item showing the land area to be dedicated to master-planned roadways (other than Westphalia Road).***
  - d. ***In the Approved Land Use Types and Quantities table on Sheet 2, correct the gross acreage to match that given in the Development Data table.***
  - e. ***Remove "to be dedicated to MNCPPC" from the southeast section of Parcel 5.***

- f. In the Subject Property table, show the Liber/Folio number of each property's deed reference in addition to the tax account number.*

**COMMENT:** The Applicant concurs with the above condition.

- 3. Prior to approval of any preliminary plan of subdivision, the applicant shall provide a final report detailing the Phase II investigations on sites 18PR898, 18PR900, and 18PR901, and shall ensure that all artifacts are curated to Maryland Historic Trust standards.*

**COMMENT:** The Applicant concurs with the above condition.

- 4. Prior to approval of a specific design plan, if an archeological site has been identified as significant and potentially eligible to be designated as an historic site or determined eligible to the National Register of Historic Places, the applicant shall provide a plan for:
  - a. Avoiding and preserving the resource in place; or*
  - b. Phase III Data Recovery investigations and interpretation.**

**COMMENT:** The Applicant concurs with the above condition.

- 5. If required, prior to approval of a specific design plan or the area including the cemetery and the archeological sites, the applicant's Phase III Data Recovery plan shall be approved by the Maryland-National Capital Park and Planning Commission staff archeologist. The Phase III (Treatment/Data Recovery) final report shall be reviewed for compliance with the Guidelines for Archeological Review before any ground disturbance or before the approval of any grading permits within 50 feet of the perimeter of the archeological site(s) identified for Phase III investigation.*

**COMMENT:** The Applicant concurs with the above condition.

6. *Prior to approval of a specific design plan, the applicant shall provide a plan for any interpretive signage to be erected (based on the findings of the Phase I, Phase II, or Phase III archeological investigations). The location and wording of the signage shall be subject to approval by the Historic Preservation Commission and the Maryland-National Capital Park and Planning Commission staff archeologist. Installation of the signage shall occur, prior to issuance of the first building permit for development.*

**COMMENT:** The Applicant concurs with the above condition.

7. *Prior to approval of a specific design plan for the area including the cemetery and any archeological sites, the applicant shall provide for buffering of the Dunblane (Magruder/McGregor family) cemetery and/or any archeological site designated as an historic site, in compliance with the 2010 Prince George's County Landscape Manual.*

**COMMENT:** The Applicant concurs with the above condition.

8. *Prior to approval of the first building permit for development, the applicant shall provide for a permanent wall or fence to delineate the Dunblane (Magruder/McGregor family) cemetery boundaries and provide for the placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant shall submit the design of the wall or fence and proposed text for the marker for review and approval by the Historic Preservation Commission.*

**COMMENT:** The Applicant concurs with the above condition.



**9. Provide the below master plan facilities, designed to be consistent with the 2012 AASHTO Guide for the Development of Bicycle Facilities, as part of subsequent applications and shown prior to their acceptances, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence:**

- a. Minimum 10-foot-wide path along Westphalia Road (C-626)**
- b. Shared roadway pavement markings and signage along P-616**
- c. Minimum 10-foot-wide path along P-617**
- d. Minimum 10-foot-wide path along MC-631**

**COMMENT:** The Applicant concurs with the above condition and the above facilities will be reflected on the appropriate entitlement plans, unless modified by DPIE (with written correspondence).

**10. Internal streets and shared-use paths are to follow the 2009 Approved Countywide Master Plan of Transportation Complete Streets Policies and Principles and include traffic calming measures, as well as a bicycle boulevards network. These will be reviewed as part of subsequent applications.**

**COMMENT:** The Applicant concurs with the above condition and the appropriate street sections will be reflected on the subsequent preliminary plan and specific design plan(s).

**11. All sidewalks within the subject site shall be a minimum of 6 feet in width, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**

**COMMENT:** The Applicant concurs with the above condition and the appropriate sidewalk width will be reflected on the subsequent preliminary plan and specific design plan(s), unless modified by DPIE (with written correspondence).

***12. 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 2007 Approved Westphalia Sector Plan and Sectional Map Amendment. The Maryland-National Capital Park and Planning Commission (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 the central park and/or the other parks that will serve the Westphalia Sector Plan area.***

***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 M-NCPPC. 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 Prince George's County Land Records by the applicant, prior to final plat approval.***

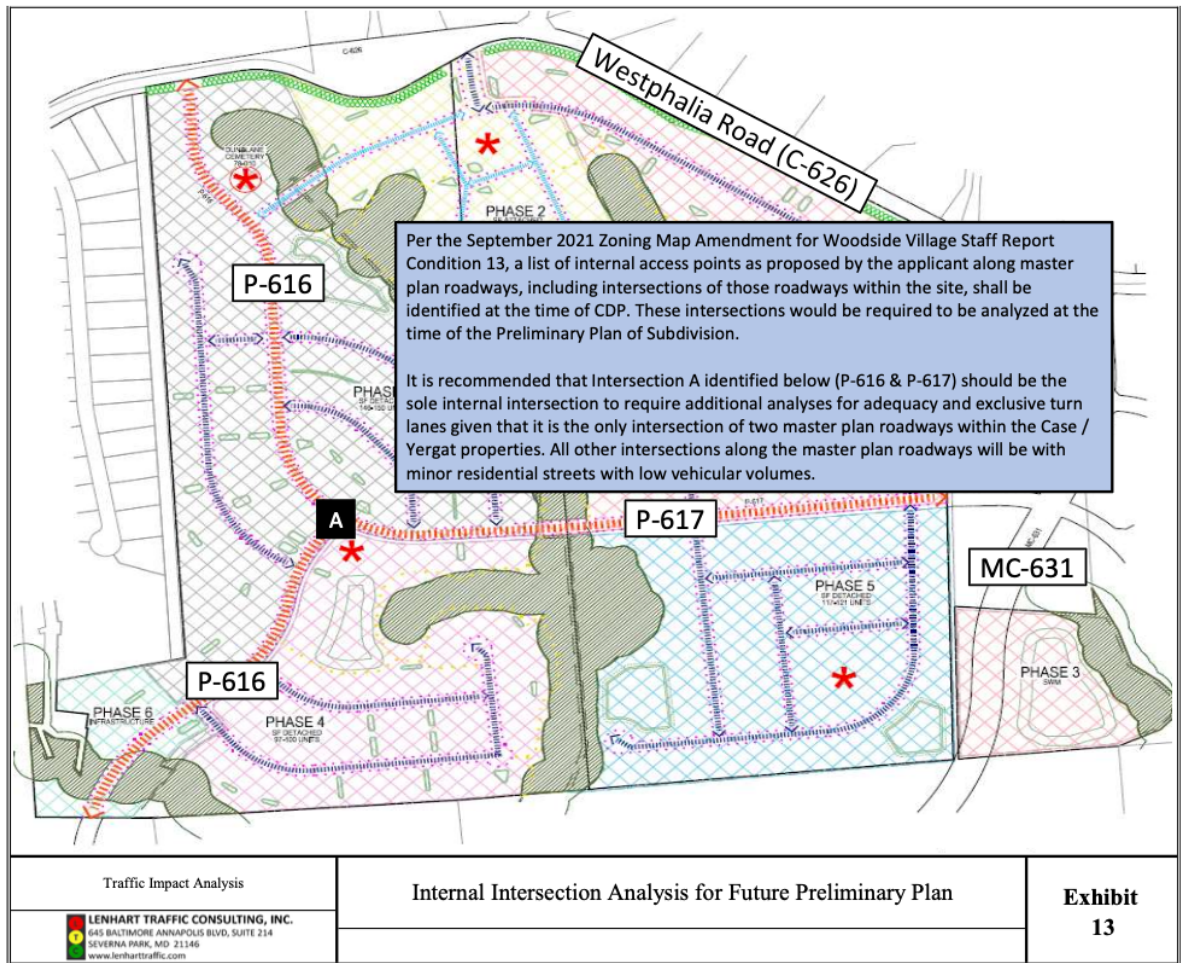
**COMMENT:** The Applicant concurs with the above condition.

***13. The following shall be required as part of the comprehensive design plan submittal package:***

- a. The Transportation Planning staff shall review the list of significant internal accesspoints 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.***

**COMMENT:** The Applicant concurs with the above condition and will work with the Transportation Planning Section to determine an appropriate list of internal access points to be studied as part of the preliminary plan of subdivision for the property. The

Applicant's traffic study (submitted with application), identifies such intersections in Exhibit 13 (p. 30) as shown below:



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- b. Provide a description of the general type, amount, and 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.*

**COMMENT:** The Applicant is in agreement with the above condition. The recreation facilities are described in Section D of this Statement of Justification.

***14. At the time of preliminary plan of subdivision and/or prior to the first plat of subdivision, the applicant shall:***

- a. Submit hydraulic planning analysis to the Washington Suburban Sanitary Commission (WSSC) to address access to adequate water storage facilities and water service to be approved by WSSC to support the fire flow demands required to serve all site development.***
- b. Submit a letter of justification for all proposed primary management area impacts, in the event disturbances are unavoidable.***

**COMMENT:** The Applicant concurs with the above condition.

***15. Prior to submittal of any grading or building permits, the applicant shall demonstrate that the Dunblane (Magruder/McGregor family) cemetery shall be preserved and protected, in accordance with Section 24-135.02 of the Prince George's County Subdivision Regulations, including:***

- a. An inventory of existing cemetery elements.***
- b. Measures to protect the cemetery during development.***
- c. Provision of a permanent wall or fence to delineate the cemetery boundaries, and placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant shall submit for review and approval by the Historic Preservation staff, the design of the wall and design and proposed text for the marker at the Dunblane (Magruder/McGregor family) cemetery.***
- d. Preparation of a perpetual maintenance easement to be attached to the legal deed (i.e., the lot delineated to include the cemetery). Evidence of this easement shall be presented to and approved by the Prince George's County Planning***

*Board or its designee, prior to final plat.*

**COMMENT:** The Applicant concurs with the above condition.

**G. Compliance with Comprehensive Design Plan, CDP-0601**

Comprehensive Design Plan, CDP-0601, and Type I Tree Conservation Plan, TCPI/006/08, were approved by the Planning Board on September 11, 2008 via Resolution PGCPB No. 08-121 and affirmed by the District Council February 9, 2009 for 1,496 residential dwelling units in the R-M Zone, (to include 1,276 attached and detached single-family units and 220 multifamily units), subject to 21 conditions. The following conditions are applicable to the review of the subject CDP. Revisions that are requested to these conditions are listed as “**COMMENT/REVISION**”.

1. ***Prior to signature approval of the subject CDP, the applicant shall revise the plans as follows and/or provide the specified documentation:***
  - a. ***Provide documentation that the Department of Parks and Recreation staff shall review and approve the revised comprehensive design plan that shows approximately 61 acres of parkland dedication.***

**COMMENT/REVISION:** This condition was addressed prior to certification of CDP-0601 and should be removed. Further, as mentioned previously in the statement of justification, this condition cannot be satisfied by the Applicant because M-NCPPC purchased the Suit property subsequent to the approval of A-9973. The Suit property contained the area designated to be dedicated for public parkland as part of the initial basic plan. The Applicant’s property perimeter is adjacent to this central public parkland. In addition, the Applicant plans to provide private trails and private recreational facilities to supplement public amenities. As such, this condition should be deleted in its entirety.

- b. ***Provide the master plan Hiker-Biker-Equestrian Trail along the subject site’s entire portion of the Cabin Branch Stream Valley subject to Department of Parks and Recreation coordination and approval.***
- c. ***Provide an eight-foot-wide side path or wide sidewalk along the subject property’s entire frontage of Suitland Parkway extended (MC-631), unless modified by DPW&T.***

- d. Provide an eight-foot-wide side path or wide sidewalk along the subject site's entire road frontage of Westphalia Road (C-626), unless modified by DPW&T.*
- e. Provide bicycle and pedestrian accommodations along P616, unless modified by DPW&T. The exact nature of accommodations will be determined at time of specific design plan approval.*
- f. Provide an eight-foot-wide side path or wide sidewalk along the subject site's entire road frontage of P-619, unless modified by DPW&T.*
- g. Provide standard sidewalks along both sides of all internal roads (excluding alleys), unless modified by DPW&T.*
- h. Provide the internal connector trails as conceptually shown on the submitted landscape and recreation plan.*

**COMMENT/REVISION:** The above condition needs to be revised to correspond with the roadways that are contained within the revised property boundaries shown with the current CDP plan.

- i. The lighter orange color utilized on the comprehensive design plan graphic shall be included in the legend for the plan and correctly identified as a single-family detached use and the spelling of the adjacent Marlboro Ridge development shall be corrected.*

**COMMENT/REVISION:** This condition was addressed prior to certification of CDP-0601 and is no longer applicable to the current application. As a result, this condition should be deleted in its entirety.

- j. A note shall be added to the subject comprehensive design plan document stating that:*
  - 90 percent of all single-family detached models shall have a full front façade (excluding gables, bay windows, trim, and door) of brick, stone, stucco, or other masonry treatment. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.*
  - At least 90 percent of all single-family attached units shall have a full front façade (excluding gables, bay windows, trim and door) of brick,*

*stone, stucco, or other masonry treatment. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.*

- *All chimneys shall be of masonry or stone.*
- *Every side elevation on a corner lot that is visible from the public street shall display significant architectural features as provided in one of the following options:*
  1. *Full brick, stone, stucco, or other masonry treatment (excluding gables, bay windows, trim and door) combined with at least three windows, doors, or other substantial architectural features: or*
  2. *Brick, stone, stucco, or other masonry treatment (excluding gables, bay windows, trim and door) with at least four windows, or one side entry door. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.*
- *Architecture for the condominium buildings shall be of a balanced and harmonious design and shall include at least 80 percent brick, stone, stucco, or other masonry treatment. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.*
- *Specific architecture for the project shall be approved at time of specific design plan approval for the project.*

**COMMENT/REVISION:** This condition should be revised to reflect the housing types and architecture to be developed on the property. Since the approval of the initial CDP, there has been a continual evolution in architectural styles and materials used to build residential communities within the County and the region. Specifically, modern home designs have seen a departure from strict Federal or Georgian style architecture. Said architecture stylings typically featured plainer and more monolithic front and side elevations utilizing singular material types such as siding or brick. In the alternative, modern residential communities have seen an increase in neo-classical and craftsman-type architectural design which create interest and diversity by relying more on numerous architectural features/materials such as gables, dormers, cantilevers, large front doors (with various glass elements), use of vinyl and/or cementitious siding, covered porches,

various sized windows and shutters, vertical siding, brick, stone, etc. It should also be noted that cementitious siding (as an alternative to brick, stone, or stucco) is a newer masonry material being implemented in the construction of many new homes in the region. While this material is similar to stucco, it is more durable than stucco. Unlike aluminum siding, cementitious siding retains its appearance, does not dent or warp, and has insulative qualities. Notwithstanding, the Applicant (and the ultimate builder of the homes within Woodside Village) will also incorporate attractive and high-quality vinyl siding in various elevations (to be finally determined at time of specific design plan). The Applicant intends to incorporate many of these design elements in the housing types to be offered within Woodside Village. In response to the aforementioned architectural trends, other developing projects within the Westphalia Sector Plan area have obtained entitlement approvals requiring different/lesser minimum requirements for the percentage of brick, stone, or stucco for front facades of units. For example, the neighboring Parkside community has development approvals conditioned with a minimum of 70% single-family detached and 60% single-family attached units having full front facades of brick, stone, or stucco. As such, the Applicant proposes the following changes to condition 1(j):

**Revised condition** (~~Strikethrough~~ represents deleted language; underline reflects new language):

- j. *A note shall be added to the subject comprehensive design plan document stating that:*
- *70 ~~90~~ percent of all single-family detached models shall have a full front façade (excluding gables, bay windows, trim, and door) of brick, stone, stucco, or other masonry treatment (including Hardie Plank or equivalent cementitious siding). At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.*
  - *At least 60 ~~90~~ percent of all single-family attached units shall have a full front façade (excluding gables, bay windows, trim and door) of brick, stone, stucco, or other masonry treatment (including Hardie Plank or equivalent cementitious siding). At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.*



- *All chimneys shall be of masonry or stone.*
  - *Every side elevation on a corner lot that is visible from the public street shall display significant architectural features as provided in one of the following options:*
    1. *Full brick, stone, stucco, or other masonry treatment such as Hardie Plank or equivalent cementitious siding (excluding gables, bay windows, trim and door) combined with at least three windows, doors, or other substantial architectural features: or*
    2. *Brick, stone, stucco, or other masonry treatment such as Hardie Plank or equivalent cementitious siding (excluding gables, bay windows, trim and door) with at least four windows, or one side entry door. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.*
  - ~~*Architecture for the condominium buildings shall be of a balanced and harmonious design and shall include at least 80 percent brick, stone, stucco, or other masonry treatment. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.*~~
  - *Specific architecture for the project shall be approved at time of specific design plan approval for the project.*
- k.** *All wood specified for the project to be used for benches and other amenities shall be replaced by a durable, non-wood, low sheen construction material to be approved more particularly at time of approval of specific design plan(s) for the project.*

**COMMENT:** The Applicant concurs with the above condition. The specifics of the materials used for private recreational facilities will be further evaluated at the time of SDP.

- l.** *A continuous buffer of green space/open area shall be provided at the periphery of the project. Exceptions to this requirement will be along the shared property line with the Sun Valley Estates subdivision to the west, and where roads and/or sidewalks or trails cross the site's boundaries and along the southeastern*

***boundary where it is intended to provide a lotting pattern/street network that will dovetail with that of a replatted Marlboro Ridge.***

**COMMENT/REVISION:** The above condition needs to be revised to correspond with the revised property boundaries shown with the current CDP plan. The revised CDP boundaries do not share a common boundary line with Marlboro Ridge.

- m. A note shall be added to the plans stating that the homeowners association park site be completed prior to the issuance of the 748th building permit for the project. In the interim, the applicant will coordinate a program by which the residents may use the community center and pool in the adjacent Marlboro Ridge development until the homeowner's association park site can be completed.***

**COMMENT/REVISION:** The Applicant is not proposing a homeowner's association park as part of this application. It should also be noted the Applicant will be making a monetary contribution or provide in-kind services for the development operation and maintenance of Westphalia Central Park. As a result, the above condition should be deleted in its entirety.

- n. A note shall be added to the plans that the following design guidelines should be adhered to for development of the townhouse lots:***

- That no more than 60 percent of the units included in the development be townhouse/two over two units.***
- That no townhouse (with the exception of rear loaded townhouses) yard shall measure smaller than 800 square feet if the unit does not have a deck and no less than 500-square feet if a deck is provided.***
- That a maximum of 15 percent of the townhouse/two over two units measure a minimum of 16 feet wide, with the remainder of the townhouse/two over two units measuring a minimum of 18 feet wide.***

**COMMENT/REVISION:** condition should be revised to reflect standards that correspond with houses to be developed on the on the property. As such the Applicant proposes the following changes to condition 1(n):

**Revised condition** (~~Strikethrough~~ represents deleted language; underline reflects new language):

- n. *A note shall be added to the plans that the following design guidelines should be adhered to for development of the townhouse lots:*
- *That no more than 60 percent of the units included in the development be townhouse/two over two units.*
  - ~~*That no townhouse (with the exception of rear loaded townhouses) yard shall measure smaller than 800 square feet if the unit does not have a deck and no less than 500 square feet if a deck is provided.*~~
  - *That no townhouse (with the exception of a rear loaded townhouse) yard shall measure smaller than 600 square feet if the unit does not have a deck and no less than 300 square feet if a deck is provided.*
  - *That a maximum of 15 percent of the townhouse/two over two units measure a minimum of 16 feet wide, with the remainder of the townhouse/two over two units measuring a minimum of 18 feet wide.*
2. ***Prior to approval of a preliminary plan for the subject site:***
- a. ***The applicant shall prepare a draft perpetual maintenance easement for the Magruder Family Cemetery to be attached to the legal deed (i.e., the lot or parcel delineated to include the cemetery). Evidence of this easement shall be presented to and approved by the Planning Board or its designee prior to final plat.***
- b. ***The applicant shall demonstrate that the Dunblane (Magruder family) Cemetery (Historic Resource #78-010) shall be preserved and protected in accordance with Section 24-135.02 of the subdivision regulations including:***
- (1) ***An inventory of existing cemetery elements which shall be provided to Historic Preservation staff for review and approval.***
  - (2) ***Measures to protect the cemetery during development, which shall be provided to Historic Preservation staff for review and approval.***

- (3) *An appropriate fence or wall constructed of stone, brick, metal or wood shall be maintained or provided to delineate the cemetery boundaries. The design of the proposed enclosure and a construction schedule shall be reviewed and approved by Historic Preservation staff.*

**COMMENT:** The Applicant concurs with the above condition.

- c. *The applicant shall be conditioned to dedicate all rights-of-way for Westphalia Road as identified by the Planning Department.*

**COMMENT:** The Applicant concurs with the above condition.

- d. *The TCPI shall be revised to conceptually show the proposed stormwater management ponds as amenities and be labeled as such.*

**COMMENT/REVISION:** There are no stormwater management ponds shown on the submitted CDP that are proposed to be used as amenities. As a result, this condition should be deleted.

- e. *The Primary Management Area shall be preserved to the greatest extent possible. Protection and restoration of these areas is a priority. Impacts shall be limited to necessary road crossings, installation of sanitary sewer lines and connections, creation of a lake, a portion of which may be located on the subject property and stormwater management outfalls. PMA impacts for the trails and future lake on property to be dedicated to M-NCPPC will be evaluated at time of preliminary plan and subsequent specific design plan review*

**COMMENT/REVISION:** While the Applicant concurs with the majority of this condition, there are no trails of future lakes proposed on the property to be dedicated to M-NCPPC. As a result, the above condition should be amended or deleted accordingly.

3. *Prior to the acceptance of a specific design plan application (or applications) for the area including 18PR894, 18PR898, 18PR900, 18PR901 or the cemetery:*
- a. *The applicant shall provide a final report detailing the Phase II investigations on sites 18PR894, 18PR898, 18PR900, and 18PR901, and shall ensure that all artifacts are curated to MHT standards.*

- b. If an archeological site has been identified as significant and potentially eligible to be listed as a Historic Site or determined eligible to the National Register of Historic Places, the applicant shall provide a plan for:***
  - 1. Avoiding and preserving the resource in place; or***
  - 2. Phase III Data Recovery investigations and interpretation.***
- c. The applicant's Phase III Data Recovery plan, if required, shall be approved by The M-NCPPC staff archeologist. The Phase III (Treatment/Data Recovery) final report, if required, shall be reviewed for compliance with the Guidelines for Archeological Review before any ground disturbance or before the approval of any grading permits within 50 feet of the perimeter of the archeological site(s) identified for Phase III investigation.***
- d. The applicant shall provide for buffering of the Magruder/McGregor Family Cemetery and/or an archeological site designated as a Historic Site, in compliance with the Prince George's County Landscape Manual.***
- e. The applicant shall provide a plan for any interpretive signage to be erected (based on the findings of the Phase I, Phase II, or Phase III archeological investigations). The location and wording of the signage shall be subject to approval by the Historic Preservation Commission and M-NCPPC staff archeologist.***

**COMMENT/REVISION:** The above condition should be revised, as only sites 18PR898, 18PR900, and 18PR901 are within the boundaries of the subject CDP application. It should also be noted that the Applicant has recently commissioned a Phase II study which identifies that 2 of the 3 abovementioned sites do not require further historical investigation.

- 4. Prior to the issuance of the first building permit for the development, the applicant shall:***
  - a. The applicant and the applicant's heirs, successors and/or assignees, shall pay a pro-rata share of the cost of construction of an interchange at MD 4 and Old Marlboro Pike-Westphalia Road. The pro rata share shall be payable to Prince George's County (or its designee), with evidence of payment provided to the Planning Department with each building permit application. The pro rata share shall be \$522.47 per dwelling unit x (Engineering News Record Highway***

*Construction Cost Index at the time of building permit application) / (Engineering News Record Highway Construction Cost Index for the second quarter 2006).*

- b. The applicant shall have the option to obtain approval of a Transportation Facilities Mitigation Plan (TFMP) at time of preliminary plan, pursuant to the 2002 Guidelines for the Analysis of the Traffic Impact of Development Proposals in lieu of providing a pro-rata contribution pursuant to condition 4(a).*
- c. The above improvement shall have full financial assurances through either private money and/or full funding in the CIP, in a SCRCP, (which requires the Planning Board to adopt a resolution establishing the SCRCP) State CTP, Public Financing Plan approved by the Council.*
- d. Prior to the issuance of any building permits within the subject property, except model homes within the subject property, the following road improvements or sections of roads 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:*
  - (1) Sansbury Road/Ritchie Marlboro Road intersection (signalized)**
    - Install a third westbound and eastbound through lane on Ritchie-Marlboro Road.*
  - (2) White House Road/Ritchie-Marlboro Road intersection**
    - Restripe the three approach lanes of northbound Ritchie-Marlboro Road to provide double left and a shared left-thru-right-turn lane.*
    - Provide a third through lane along westbound Ritchie-Marlboro Road to receive traffic from three left-turn lanes.*
  - (3) Westphalia Road/ MD 4 intersection**
    - Provide a pro-rata contribution pursuant to conditions 4(a) and 4(c), or fully fund the improvement(s) approved in a TFMP.*

**(4) D’Arcy Road and Westphalia Road**

- *Conduct a signal warrant study and install signal if deemed necessary by DPW&T.*

**(5) D’Arcy Road and Sansbury Road**

- *Conduct a signal warrant study and install signal if deemed necessary by DPW&T.*

**COMMENT/REVISION:** The above conditions were established with the prior CDP application which proposed 1,496 residential dwelling units in the R-M Zone. The subject application proposed a maximum of 661 dwelling units. A traffic study has been submitted with this application which demonstrates adequacy for the maximum density proposed with the CDP application. The Transportation Planning Section will establish new conditions with the current CDP application that will replace the above conditions. As a result, the above transportation conditions above which were intended for a much larger property and a much higher residential density amount should be deleted in their entirety.

*e. Prior to the initial SDP for residential units a timetable for the phasing, construction, and financing of the following road improvements shall be determined:*

**(1) Westphalia Road**

- *Construct a standard collector section along the south side of Westphalia Road along the property frontage*

**(2) Westphalia Road and Ritchie Marlboro Road**

- *Conduct a signal warrant study and install signal if deemed necessary by DPW&T. The timing for the installation of a signal shall be determined by DPW&T prior to the first SDP.*

**COMMENT:** The Applicant concurs with the above condition.

**5. *Prior to approval of the final plat that includes the park/school site acreage, the applicant shall dedicate approximately 61 acres parkland to M-NCPPC as shown on Department of Parks and Recreation Exhibit “A”, which shall be conveyed to M-***

***NCPPC subject to the conditions of DPR's Exhibit "B", included as plat notes on the final plat.***

**COMMENT/REVISION:** The 148.7-acre Suit Property (Parcels 42 & 48), and the 11.66-acre Parcel 13 that were originally included in the Woodside Village project are currently owned by M-NCPPC and are intended to be included as part of the forthcoming Westphalia Central Park. As a result, no additional parkland dedication needed, and there is no school site being proposed by the Applicant. As a result, the above condition should be deleted in its entirety.

6. ***Prior to issuance of each building permit for a residential unit, per the applicant's proffer, the applicant and the applicant's heirs, successors and/or assignees shall make a monetary contribution or provide in-kind services in the amount of \$3,500 per dwelling unit in 2006 dollars. The applicant may make a contribution to the "park club" or provide an equivalent amount of recreational facilities. The choice between a monetary contribution and the provision of in-kind services shall be at the sole discretion of the Department of Parks and Recreation. Notwithstanding the above, DPR acknowledges that it prefers that the applicant provide in-kind services (such as park improvements, trails, crossing, etc.) and that DPR's approval of said services shall not be unreasonably withheld. The value of the recreational facilities shall be reviewed and approved by the Department of Parks and Recreation staff. Monetary contributions may be used for 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 the Department of Parks and Recreation.***

**COMMENT:** The Applicant is agreement with the above condition and will pay the required fee prior to the issuance of a building permit for residential units. On-site recreational facilities will also be provided within the subject Property.

7. ***Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into an account administered by M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined by the DPR staff based on a cost estimate to be provided by the applicant. If not previously determined, the agreement also shall establish a schedule for payments and/or a schedule for park construction. The payment shall be adjusted from the base year of 2006 pursuant to Consumer Price Index (CPI) to account for inflation. The agreement shall be recorded in the Prince George's Land Records by the applicant prior to final plat approval.***



**COMMENT:** The Applicant concurs with the above condition and will enter into the required agreement prior to the first plat of subdivision.

8. ***The applicant shall develop a specific design plan (SDP) for the portion of Central Park on the Woodside Village Site. The SDP for the Central Park shall be submitted to the Planning Board in conjunction with the SDP containing the 225th dwelling unit for the area covered by CDP-0601. A specific design plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from the Department of Parks and Recreation. Department of Parks and Recreation staff shall review the credentials and approve the selected design consultant, prior to development of the SDP plans. The SDP shall include a phasing plan. Should the applicant seek to have the residential component of CDP-0601 included in a single specific design plan, plans for the approximately 61-acre park/school site shall be included in that plan. The public recreational facilities shall include a ten-foot-wide asphalt master planned trail along the Cabin Branch and a six-foot-wide trail connectors to the neighborhoods. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Department of Parks and Recreation. Grade separated crossings shall be provided for the master planned Cabin Branch Stream Valley Trail at all major road crossings. The SDP for the Central Park shall identify the needed road crossings the value of which shall be credited to the applicant as an in-kind-contribution toward its required per dwelling park fee.***

**COMMENT/REVISION:** The above condition should be deleted in its entirety, as there is no portion of the Central Park within the boundaries of Parcels 5 and 19.

9. ***The recreational facilities to be constructed on dedicated parkland shall be built in phase with development but no later than the issuance of the 748th building permit.***

**COMMENT/REVISION:** As previously stated above, there is no land within the submitted CDP that is proposed to be dedicated parkland. The required land for the Central Park has already been acquired by M-NCPPC. Further, the subject application proposes only 661 dwelling units, so the above trigger of 748 building permits could never be implemented. All of the recreational facilities proposed with the submitted application will be private on-site recreational facilities on land to be dedicated to the future homeowner's association (see Section D herein for further discussion). As a result, the above condition should be deleted in its entirety.

- 10. *Three original, executed recreational facilities agreements (RFA) for the construction of the recreational facilities on dedicated parkland shall be submitted to DPR for its approval, six weeks prior to a submission of a final plat of subdivision for any land adjoining the parkland. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.***

**COMMENT/REVISION:** As previously stated above, there is no land within the submitted CDP that is proposed to be dedicated parkland. The required land for Central Park has already been acquired by DPR. As a result, the above condition should be deleted in its entirety.

- 11. *A performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the Department of Parks and Recreation, shall be submitted to DPR at least two weeks prior to applying for the first grading permit for the Central Park property or the issuance of the 600th building permit whichever comes first.***

**COMMENT/REVISION:** As previously stated, there is no land within the submitted CDP that is proposed to be dedicated parkland. The required land for Central Park has already been acquired by DPR. As a result, the above condition should be deleted in its entirety.

- 12. *At least 35 days prior to any public hearing for specific design plans for each portion of the property containing a stormwater management pond, the stormwater management ponds shall be designed as visual and recreational amenities to the community with features such as utilizing the natural contours of the site, providing extensive landscaping, providing walking trails where appropriate, and may include stormwater management techniques, such as the use of forebays to trap sediment, bioretention, french drains, depressed parking lot islands, and the use of native plants as approved by DPW&T.***

**COMMENT/REVISION:** The one stormwater management pond that is proposed along the eastern edge of the property is not intended to be a recreational amenity. As a result, the above condition is no longer applicable to current application and should be deleted in its entirety.

- 13. *Private recreational facilities for the project, the majority of which shall be located on the centrally-located homeowner's association land, shall consist of the following***

*facilities or alternate facilities of equal value of \$1,853,600± which shall be determined at time of SDP:*

- *2 picnic areas*
- *3 sitting areas*
- *4 tot lots*
- *2 open play areas*
- *2 pre-teen areas*
- *4 tennis courts*
- *1 swimming pool with six lanes (25 meters long) with at least a 30-foot by 30-foot training area and additional area for wading for toddlers*
- *1 volleyball court*
- *1 basketball court*
- *1 community building including a meeting room measuring a minimum of 5,000 square feet in addition to space acquired by pool facilities or as may be increased at the time of consideration and approval of the specific design plan for the subject project that includes the community building.*

*Recreational facilities not located on the centrally-located homeowners' association land shall be distributed throughout the subdivision so that all units have convenient access to a portion of the recreational facilities. Phase 5 of the deployment, which includes the centrally-located homeowners' association land, shall be completed prior to the issuance of the 748th building permits, while the remainder of the private recreational facilities shall be completed as they are included on individual specific design plans and prior to issuance of 50-percent of the building permits for units included on each respective specific design plan. Exact location of all the recreational facilities for the development shall be generally in accordance with Applicant's Exhibit #1 and confirmed at time of specific design plan approval.*

**COMMENT/REVISION:** The above condition was intended for a much larger property and higher residential density amount than the subject application and should be deleted in its entirety. A new condition will be established for the on-site private recreational facilities proposed with the current CDP application. In the alternative, the Applicant proposes the private recreational facilities set forth in Section D, herein. Appropriate

triggers for bonding and construction of the recreational amenities for this project (set forth in Section D) will be established at the time of preliminary plan of subdivision.

- 14. *At least 35 days prior to any Planning Board hearing on the preliminary plan,***
- a. A stream corridor assessment using the Maryland Department of Natural Resources protocol shall be submitted and used to further develop the stormwater management design for the site. Outfalls shall be carefully placed to ensure stream stability. If stream restoration recommendations are appropriate, they shall be included in the report and shown on the specific design plan. Streams shall not be piped unless absolutely necessary to address a water quality or water conveyance problem.***
  - b. The applicant shall coordinate a joint meeting with the staff reviewers of ~~DPW&T, DPR~~ and the Environmental Planning Section of M-NCPPC to evaluate the results of the stream corridor assessment and recommend the final stormwater design for the site.***
  - c. The NRI shall be revised to correctly show the total acreage of the site, total floodplain acreage, and the total wooded acreage in the floodplain for the subject site. Any other figures that need to be corrected as a result of these changes shall also be revised.***

**COMMENT/REVISION:** Since the time the above condition was established in 2006, several revisions to the approved NRI have been approved by the Environmental Planning Section. On September 16, 2021, NRI-158-05-03 was approved by the Environmental Planning Section. Condition 14 (b) above should delete any reference to “DPR” (as the Applicant is not proposing to dedicate any public parkland to DPR through this application) and revise “DPW&T” to read “DPIE” (which is the current County agency responsible for storm water management).

- 15. *Prior to acceptance of the review package of the SDP, it shall be evaluated to ensure that it includes a statement from the applicant regarding how green building techniques and energy conservation methodologies have been incorporated to the greatest extent possible.***

**COMMENT:** The Applicant concurs with the above condition and will provide the requested information prior to SDP.

16. ***The following note shall be placed on all future plans for the project: NOTE: All on-site lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.***

**COMMENT:** The Applicant concurs with the above condition and will provide the requested note on all future plans.

17. ***Prior to certification of the CDP, and at least 35 days prior to any hearing by the Planning Board on the preliminary plan, the TCP 1 shall be revised as follows:***
- a. ***Include the following label on the TCP I for the area of natural regeneration: "Existing shrub/scrub area of natural regeneration."***
  - b. ***Remove woodland preservation located on the school/park site and revise the worksheet unless written permission from the Department of Parks and Recreation has been obtained.***
  - c. ***Have the plan signed and dated by the qualified professional who prepared it.***

**COMMENT/REVISION:** This condition should be deleted in its entirety. The above TCP 1 revisions were completed prior to certification of CDP-0601. The above condition also refers to a school/park site that is not within the current CDP boundaries.

18. ***Prior to acceptance of the preliminary plan application, the package shall be evaluated to ensure that it contains a revised geotechnical report based on the proposed grading of the site. The geotechnical report, prepared following the guidelines established by the Environmental Planning Section and the Prince George's County Department of Environmental Resource, shall state how the grading addresses the proposed 1.5 safety factor on the TCP I. The TCP I shall show proposed grading and the resulting 1.5 safety factor line. The 1.5 safety factor line shall not occur on any proposed residential lots. The report must contain an original signature and date; a signature stamp is not allowed.***

**COMMENT/REVISION:** The above condition should be deleted in its entirety. According to both County soil maps and test borings, there is no Marlboro Clay on the property. As a result, geotechnical information was not requested by the Environmental Planning Section or by DPIE with the companion Basic Plan Amendment, A-9973-02.

19. ***Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland***

*permits, evidence that approved conditions have been complied with, and associated mitigation plans.*

**COMMENT:** The Applicant concurs with the above condition.

20. *Prior to the issuance of a building permit for any lot immediately adjoining a lot or parcel occupied by an archeological site or cemetery, applicant shall:*
- a. *Install all required signage, if any, decided at time of specific design plan approval*
  - b. *Install a permanent wall or fence to delineate the Dublane (McGruder/McGregor Family) cemetery boundaries and provide for the placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant shall submit the design of the wall or fence and proposed text for the marker for review and approval by the Historic Preservation Commission at the time of approval of the SDP that includes the cemetery.*

**COMMENT/REVISION:** New conditions addressing the archeological requirements for the Property have been established with approved Basic Plan Amendment, A-9973-02. These new basic plan conditions have superseded the above condition established in 2008 with CDP-0601, and should be carried forward as part of this CDP amendment.

21. *The following note shall be placed on the final plat of subdivision: Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/006/08), or as modified by the Type II Tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation and Tree Preservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission.*

**COMMENT:** The Applicant is in agreement with the above condition.

**H. Section 27-487: Housing**

This section requires that all Comprehensive Design Zone proposals shall contain provisions for housing to serve all income groups.

**COMMENT:** The density proposal in this Application includes a variety of residential options and price points for the residential market within the County. These range from economical mid-group townhouses to larger-end townhouses, and small lot single-family product to larger lot single-family product with the potential for walk-out basements.

**I. Section 27-507: Purposes of R-M Zone**

This section demonstrates how the amendment to the approved Comprehensive Design Plan will continue to conform and support the purposes of the R-M Zone as follows:

**(a) *The purposes of the R-M Zone are to:***

**(1) *Establish (in the public interest) a plan implementation zone, in which (among other things):***

**(A) *Permissible residential density is dependent upon providing public benefit features and related density increment factors; and***

**(B) *The location of the zone must be in accordance with the adopted and approved General Plans, Master Plan, Sector Plan, public urban renewal plan, or Sectional Map Amendment Zoning Change;***

**COMMENT:** The proposed CDP Amendment conforms to the recommendations of both the 2035 General Plan and the 2007 Westphalia Sector Plan as follows:

**Plan 2035, Approved General Plan:**

According to the approved 2035 General Plan (Map 10. Generalized Future Land Use Map), the site is labeled as designated as a “Residential Medium.” The General Plan further states that the “Residential Medium” designation represents “[r]esidential areas up to 3.5 and 8 dwelling units per acre. Primarily single-family dwellings (detached and attached).” The uses proposed in this CDP Amendment are consistent with the vision, policies and strategies of the 2035 General Plan. Specifically, the subject application proposes 626 to 661 dwelling units in this portion of the Woodside Village project that would roughly equal 3.96- 4.18 dwelling units per gross acre.

**2007 Westphalia Sector Plan and Sectional Map Amendment:**

The 2007 Westphalia Sector Plan and Sectional Map Amendment (Westphalia Sector Plan) recommends a low-density residential land use in the area of this Basic Plan Amendment. Moreover, the Sector Plan recommends that the residential areas outside of the core areas of the Westphalia Town Center consist of “townhomes and small lot single-family homes to add diversity to neighborhoods or as a transition between higher density units and lower family single-family neighborhoods”. (See Sector Plan, Policy 5 – Residential Areas).

The instant CDP Amendment does exactly what the recommendations in the Sector Plan call for. Specifically, the proposal contains single-family attached and detached units to serve as a transitional buffer between the denser Parkside and Westphalia Town Center projects to the south, and the less dense portions of the Sector Plan area to the north and west. The design proposed in this CDP Amendment reflects an efficient and interconnected street system that seamlessly ties in with the adjacent Parkside project, and includes a development pattern that is organized around the public Westphalia Central Park acreage located on the Suit property and Parcel 13, (which has already been acquired by M-NCPPC).

The subject application proposes 626 to 661 dwelling units of the Case and Yergat properties of the Woodside Village project that would roughly equal 3.98-4.205 dwelling units per acre. The residential development of the Case and Yergat (Parcels 19 and 5) portions of Woodside Village would not exceed the total 1,496 dwelling units approved in A-9973.

Specifically, the Applicant proposes a maximum aggregate density of 661 dwelling for the Case and Yergat properties. This leaves a density of 835 remaining units that were approved in the Basic Plan and can be allocated to the 63.30-acre Bean Property (Parcel 14), (the only other remaining privately held property within the original Woodside Village assemblage). The public benefit features necessary to justify the proposed density in this application are provided in Finding J of this report.

- (2) ***Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public urban renewal plans, and Sectional Map Amendment Zoning Changes) can serve as the criteria for judging individual physical development proposals;***



**COMMENT:** The Applicant agrees with this requirement. It should be noted that the development of this project will remain consistent with the applicable planning documents, including, but not limited to, the recommendations of the 2035 General Plan, and the 2007 Westphalia Sector Plan. Upon approval of this Comprehensive Design Plan application, the Applicant will pursue all appropriate amendments to existing entitlement applications as necessary.

- (3) *Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;*

**COMMENT:** As stated earlier in this Statement of Justification, the proposed development will remain consistent and complimentary to existing and proposed surrounding land uses and public facilities, and will also continue to promote the health, safety, and welfare of present and future inhabitants of the County.

- (4) *Encourage amenities and public facilities to be provided in conjunction with residential development;*

**COMMENT:** The Case and Yergat properties (Parcels 19 and 5) that comprise this Application are bounded on two sides by the Westphalia Central Park. Accordingly, this project will be adjacent to significant public recreational facilities. In addition, the Applicant will provide supplemental recreational facilities such as walking trails, playgrounds, and private park areas dispersed conveniently throughout the project. The details of these facilities will continue to be provided as part of future entitlement applications. The Applicant will also contribute fees for the Westphalia Central Park as required by existing conditions of approval.

- (5) *Encourage and stimulate balanced land development; and*

**COMMENT:** The proposed development in this Application will contribute much needed single-family detached homes on the majority of the property to balance the concentration of townhouses in the Westphalia market.

**(6) *Improve the overall quality and variety of residential environments in the Regional District.***

**COMMENT:** The proposed development in this Application will contribute much needed single-family detached homes on the great majority of the property to balance the concentration of townhouses in the greater Westphalia area market.

**J. Public Benefit Features and Density Increment Factors:**

The comprehensive design zone encourages amenities and public facilities in conjunction with density increases. Section 27-509(b) provides the guidelines and criteria for calculating the density increases for the R-M Zone (base residential density 3.6 to 5.7 dwelling units/acre; maximum residential density 5.8 to 7.9 dwelling units/acre). The Woodside Village Application suggests a maximum of 661 dwelling units, (or 4.205 units per acre), which is well within the allowed density range for the R-M Zone.

The following chart includes the public benefit features and density increment factors as stipulated in Section 27-509(b), and demonstrates how the subject project should be allowed to increase their density based on the provision of public benefit features in the development. It should be noted that the Application meets the other general standards in Section 27-509(a) regarding minimum size. The minimum size required for residential development of land in the R-M Zone is ten (10) adjoining acres, the project includes a total of 158.28 acres.

**Section 27-509. - Regulations**

**(b) PUBLIC BENEFIT FEATURES AND DENSITY INCREMENT FACTORS.**

<p><b><u>Base Residential Density for Woodside Village (Per Basic Plan, A-9973-02)</u></b></p> <p><b>157.25 (adjusted acres) @ 3.6 du/acre = 566 dwelling units</b></p>	<p><b>RESIDENTIAL MEDIUM 3.6</b></p>
<p><i>(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</i></p>	<p><i>25% in dwelling units</i></p>

<i>exceed (This open space land should include any irreplaceable natural features, historic buildings, or natural drainage swales located on the property)</i>	
<b>Comment:</b> The Applicant is pursuing this density increment. The Applicant is proposing a total of 661 dwelling units, and in order to qualify for this increment a minimum of 23.14 acres must be provided, (661 du's ÷ 100 = 6.61, 6.61 x 3.5 = 23.14). The Applicant is proposing to provide 37 acres of permanent open space which includes environmental, recreational, and HOA areas.	(566 du's x .25) <b>141.5 du's</b>
<i>(2) For enhancing existing physical features (such as break-front treatment of waterways, sodding of slopes susceptible to erosive action, thinning and grubbing of growth, and the like), an increment factor may be granted, not to exceed</i>	2.5% in dwelling units
<b>Comment:</b> The Applicant is not pursuing this density increment.	N/A
<i>(3) For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed</i>	5% in dwelling units
<b>Comment:</b> The Applicant is pursuing this density increment as it is providing trail connection in various portions of the site that will be separated from the roadway(s).	(566 du's x .05) <b>28.3 du's</b>
<i>(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</i>	10% in dwelling units
<b>Comment:</b> The Applicant is pursuing this density increment. Master Plan trail facilities will be provided along Westphalia Road (C-626), & P-616, P-617 Further, an extensive trail network, landscaping and playground equipment will be provided in open space areas on land to be dedicated to the HOA.	(566 du's x .10) <b>56.6 du's</b>
<i>(5) For public facilities (except streets and open space areas) an increment factor may be granted, not to exceed</i>	30% in dwelling units

<b>Comment:</b> The Applicant is not pursuing this density increment.	N/A
<i>(6) For creating activity centers with space provided for quasi-public services (such as churches, day care centers for children, community meeting rooms, and the like), a density increment factor may be granted, not to exceed</i>	<i>10% in dwelling units</i>
<b>Comment:</b> The Applicant is not pursuing this density increment.	N/A
<i>(7) For incorporating solar access or active/passive solar energy in design, an increment factor may be granted, not to exceed</i>	<i>5% in dwelling units</i>
<b>Comment:</b> The Applicant is not pursuing this density increment.	N/A
<b>Total Bonus Increments Earned/Available =</b>	<b>226.4 &gt; (226) Additional Units</b>
<b><u>Total Density Permitted with Earned Bonus Increments</u></b> 566 du's (Base Density) + 226 du's (Earned Increments) =	<b>782 Units</b>
<b>Total Density Proposed =</b>	<b>661 Units</b>

**Comment:** In accordance with Section 27-509(b) (Regulations-Public Benefit Features and Density Increment Factors) of the Zoning Ordinance, as demonstrated above, it is clear that the subject Application can utilize numerous density increment factors, (for a potential total of 226 additional units over the base density of 566 units), to more than justify a **maximum density of 661 dwelling units**. The 661 dwelling units proposed with the subject CDP Amendment is only 95 units above the base density of 566 units.

**K. Compliance with The Prince George's County Zoning Ordinance**

**Sec. 27-524: Amendment of Approved Comprehensive Design Plan**

*(a) All amendments of approved Comprehensive Design Plans shall be made in accordance with the provisions of this Division for initial approval, except as set*

*forth below.*

**COMMENT:** The subject application proposes an amendment to Comprehensive Design Plan, CDP-0601, to propose specific development for the Yergat and Case properties (Parcels 19 and 5). This amendment is necessary because the total assemblage of properties in CDP-0601 is no longer under common ownership, (as was the case when CDP-0601 was approved), thus making the implementation of the initial comprehensive design plan a practical impossibility. The 63.30-acre Bean Property (Parcel 14) , the 148.7-acre Suit Property, (which today contains two separate tracts known as Parcel 42 & 48), and the 11.66-acre Parcel 13 that were previously included in CDP-0601 are not included in the subject CDP Amendment. More importantly, the 148.7-acre Suit Property (Parcels 42 & 48), and the 11.66-acre Parcel 13 are currently owned by M-NCPPC and are intended to be included as part of the forthcoming Westphalia Central Park. The acquisition of these parcels by M-NCPPC significantly alters the development patterns approved in CDP-0601 and necessitates amendment of the CDP plan area to allow for the appropriate development of the Case and Yergat parcels controlled by the Applicant. Further, this CDP Amendment will also allow for appropriate amendments to the conditions of approval in CDP-0601, as further described herein.

The proposed Amendment to the approved comprehensive design plan includes substantial changes in use, design, and revisions to conditions of approval in CDP-0601 as outlined in Section G above. As such, this application must be evaluated against the criteria of approval set forth in Section 27-521 (See below).

**Section 27-521: Required Findings for Approval**

- (a) ***Prior to approving a Comprehensive Design Plan, the Planning Board shall find that:***
- (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;***

**COMMENT:** The proposed CDP amendment is in general conformance with the Basic Plan, A-9973-02 which has been approved by the District Council.

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

**COMMENT:** The proposed comprehensive design plan will provide for balanced land development that will respect existing environmental condition on the site, while creating the vibrant residential community that is served by private on-site recreational facilities with nearby access to public recreational facilities, (Westphalia Central Park).

- (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;*

**COMMENT:** The approval of the instant CDP amendment is warranted as the proposed program of development includes well-conceived design guidelines (See attached **EXHIBIT A**) and will result in a land use pattern that will include all the necessary facilities to meet the needs of residents and guests of Woodside Village. The approval of the instant CDP amendment will allow for the development of various housing types, including single family detached and single family attached units in the R-M Zone.

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

**COMMENT:** The proposed development is absolutely compatible with existing land uses, zoning, and facilities in the immediate surroundings. The proposed development and street network within Woodside Village will seamlessly integrate with the adjacent Parkside development to the west and south. Basic Plan Amendment, A-9973-01, filed by others for the remaining portion of Woodside Village abuts the subject Property to the east. Once developed, that subdivision, will also connect to the street network within the subject Property as within the Marlboro Ridge Subdivision to the south and east. All abutting properties are located in the R-M Zone and have been approved for residential-medium uses. Additionally, the proposed development plan is in conformance with the principles of the 2007 Westphalia Sector Plan for a planned community in the subject area.

(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;***

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

(C) ***Circulation access points;***

**COMMENT:** The land uses and facilities covered by the comprehensive design plan will be compatible with each other in relation to the amount of building coverage, open space, building setbacks from streets, abutting land uses and circulation access points. The proposed CDP amendment will continue to show a comprehensively planned community with various housing types and facilities and amenities that will be inter-connected by an extensive internal circulation system and an extensive pedestrian network consisting of a stream valley trail system and sidewalks.

The proposed internal street network, and the design guidelines set forth in Exhibit A will allow for the forthcoming residential uses in Woodside Village to be completely compatible with one another both in scale and appearance.

(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;***

**COMMENT:** A staging plan has been provided with the subject application that demonstrates the site will be developed in six separate phases. However, the actual staging will be determined by market demand. The aforementioned staging program is for illustrative purposes only and is subject to change at the time of future entitlement applications.

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

**COMMENT:** Based on the findings in the originally approved CDP, the proposed development will not be an unreasonable burden on public facilities. The requested amendments in this application to the approved CDP will not increase the impacts on

available public facilities that were not otherwise approved in prior entitlement applications.

**(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 distinguishing 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;***

**COMMENT:** This project does not include an adaptive reuse of any Historic Site. Therefore, this criterion does not apply.

**(9) *The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and except as provided in Section 27-521(a)(11), 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);***

**COMMENT:** This application incorporates the applicable design guidelines set forth in Section 27-274. A more detailed discussion is provided below (immediately following discussion of Section 27-521 conformance).

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

**COMMENT:** The instant revision to the CDP requested by the Applicant will be in conformance with the approved tree conservation plan for the project.



- (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).*

**COMMENT:** With the approval of the requested amendment, the CDP for Woodside Village will continue to preserve and/or restore regulated environmental features to the fullest extent possible in accordance with Subtitle 24-130(b)(5).

- (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*

**COMMENT:** This section is not applicable to Woodside Village.

- (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.*

**COMMENT:** This section is not applicable to Woodside Village.

**Section 27-274. - Design guidelines**

- (a) *The Conceptual Site Plan shall be designed in accordance with the following guidelines:*
- (1) *General.*
- (A) *The Plan should promote the purposes of the Conceptual Site Plan.*

**COMMENT:** The amended CDP will promote all the relevant purposes in Sections 27-272 (i.e. purposes of conceptual site plans) as the submitted plan provides for the orderly, planned and efficient development of the property. The submitted plan demonstrates compatibility with surrounding properties and nearby subdivisions and provides ample green space, woodland conservation areas, and the preservation of sensitive environmental features. The plan is in harmony with the site design guidelines established in Section 27-274 and further illustrates general grading, planting, sediment control and stormwater concepts to be employed in the final design of the site, as well the

approximate locations of attached and detached dwelling units, streets, open space areas and other physical features.

- (B) *The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.***

**COMMENT:** The Applicant is not proposing the development of three-family dwellings as part of the subject CDP amendment. The townhouses that are proposed at Woodside Village will be designed to conform the design guidelines set forth in this section. Conformance with these design guidelines will be further demonstrated at the time of SDP.

**(2) *Parking, loading, and circulation.***

- (A) *Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:***

- (i) *Parking lots should generally be provided to the rear or sides of structures;***
- (ii) *Parking spaces should be located as near as possible to the uses they serve;***
- (iii) *Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;***
- (iv) *Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual,***

*particularly in parking areas serving townhouses; and*

- (v) *Special areas for van pool, carpool, and visitor parking should be located with convenient pedestrian access to buildings.*

**COMMENT:** All surface parking, parking space sizes and driveway aisles have been designed generally in accordance with the requirements of Part 11 of the Zoning Ordinance.

- (B) *Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:*

- (i) *Loading docks should be oriented toward service roads and away from major streets or public view; and*
- (ii) *Loading areas should be clearly marked and should be separated from parking areas to the extent possible.*

**COMMENT:** The residential development proposed at Woodside Village will not require any loading spaces in accordance with Part 11 of the Zoning Ordinance. As a result, this section is not applicable to the review of the CDP amendment.

- (C) *Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:*

- (i) *The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;*
- (ii) *Entrance drives should provide adequate space for queuing;*
- (iii) *Circulation patterns should be designed so that*

*vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;*

- (iv) Parking areas should be designed to discourage their use as through-access drives;*
- (v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;*
- (vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;*
- (vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;*
- (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;*
- (ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;*
- (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and*
- (xi) Barrier-free pathways to accommodate the handicapped should be provided.*

**COMMENT:** The Applicant has included a traffic impact study as part of this application. This traffic impact study clearly demonstrates that all transportation facilities, either existing and/or proposed to be constructed by the Applicant, will be adequate to carry the anticipated traffic generated by the development based on the

maximum proposed density in this application. All internal streets, sidewalks and crosswalks will be identified on future specific design plans and will allow for barrier-free access. Further, driveway entrances will be appropriately located to allow for safe movement of vehicles and pedestrians. All vehicular and pedestrian circulation on the site will be designed in accordance with the above requirements, and will therefore, be safe, efficient, and convenient for both pedestrians and drivers.

**(3) Lighting.**

**(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:**

- (i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;**
- (ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;**
- (iii) The pattern of light pooling should be directed on-site;**
- (iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;**
- (v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and**
- (vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.**

**COMMENT:** The lighting within Woodside Village will be reviewed in detail at the time of specific design plan and will be designed in accordance with the above guidelines. The use of full cut-off optic lighting systems will be implemented and will be directed downward to limit light spill-over.

**(4) Views.**

**(A) *Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.***

**COMMENT:** Woodside Village has been carefully designed to work with the natural contours of the Property and preserve the natural features of the site to the fullest extent practicable. A total of approximately 37 ± acres of open space is proposed on the submitted plan, a majority of which is located within the stream valley in the center of the project. The open space area comprises 23% of the total site area. Further, a buffer will be provided along Westphalia Road, a designated historic collector roadway.

**(5) Green area.**

**(A) *On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:***

**(i) *Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;***

**(ii) *Green area should link major site destinations such as buildings and parking areas;***

**(iii) *Green area should be well-defined and appropriately scaled to meet its intended use;***

**(iv) *Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;***

- (v) *Green area should be designed to define space, provide screening and privacy, and serve as a focal point;*
- (vi) *Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and*
- (vii) *Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.*

**COMMENT:** Woodside Village will have approximately 37 ± acres of open space area, a majority of which is located along the stream valley in the center of the project. The open space area comprises 23% of the total site area. These open space green areas incorporate significant on-site natural features and woodland conservation requirements that will enhance the physical and visual character of the site.

- (B) *The application shall demonstrate 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).*

**COMMENT:** The proposed development envelopes in Woodside Village works with the natural contours of the property and preserves the natural features of the site to the fullest extent practicable. Approximately 37 ± acres of open space will be provided at Woodside Village, a majority of which is located along the stream valley in the center of the project. The open space area comprises 23% of the total site area. The instant revision to the CDP requested by the Applicant will continue to allow the approved CDP to remain in conformance with the approved tree conservation and any subsequent revisions thereto. With the approval of the requested amendment, the CDP for the Woodside Village project will continue to preserve and/or restore regulated environmental features to the fullest extent possible in accordance with Subtitle 24-130(b)(5).

- (6) *Site and streetscape amenities.*

- (A) *Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:*
- (i) *The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;*
  - (ii) *The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;*
  - (iii) *Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;*
  - (iv) *Amenities should be functional and should be constructed of durable, low maintenance materials;*
  - (v) *Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;*
  - (vi) *Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and*
  - (vii) *Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.*

**COMMENT:** The proposed comprehensive design plan will provide for balanced land development that will respect existing environmental condition on the site, while creating the vibrant residential community that is served by private on-site recreational facilities with nearby access to public recreational facilities, (Westphalia Central Park). The project will design any appropriate streetscape amenities in a



manner consistent with the guidelines. Such amenities will be determined at time of specific design plan.

**(7) Grading.**

**(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:**

- (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;**
- (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;**
- (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;**
- (iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and**
- (v) Drainage devices should be located and designed so as to minimize the view from public areas.**

**COMMENT:** The above methods have been incorporated in the overall design and layout of Woodside Village. The grading has been designed to work with the natural contours of the site and to preserve the natural features of the site to the fullest extent practicable. Site Development Concept Plan Number 38822-2021-0 has been submitted to the Department of Permitting, Inspection and Enforcement (DPIE) and is currently pending. All drainage devices have been located and designed so as to minimize the view from public areas.

**(8) Service areas.**

**(A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:**

- (i) Service areas should be located away from primary roads, when possible;**
- (ii) Service areas should be located conveniently to all buildings served;**
- (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and**
- (iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.**

**COMMENT:** The Applicant concurs with the above design guidelines, and if applicable, will address these requirements at the time of specific design plan.

**(9) Public spaces.**

**(A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:**

- (i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;**
- (ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;**
- (iii) Public spaces should generally incorporate sitting**

*areas, landscaping, access to the sun, and protection from the wind;*

- (iv) Public spaces should be readily accessible to potential users; and*
- (v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.*

**COMMENT:** The applicant is not proposing a large-scale commercial (retail), mixed-use, or multifamily development. Therefore, the above criteria is not applicable to the subject application.

**(10) Architecture.**

- (A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.*
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.*
- (C) These guidelines may be modified in accordance with Section 27-277.*

**COMMENT:** The submitted design guidelines for Woodside Village set forth certain standards for the future architecture for attached and detached dwelling units. The specific architectural details for the proposed dwellings at Woodside Village will be reflected in future SDPs.

**(11) Townhouses and three-family dwellings.**

- (A) Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent*

*possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.*

- (B)** *Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.*
- (C)** *Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.*
- (D)** *To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.*
- (E)** *To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse*

*buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.*

*(F) Attention should be given to the aesthetic appearance of the offsets of buildings.*

**COMMENT:** The Applicant concurs with the above criteria and the submitted CDP Amendment has been designed in accordance with the above design elements. Further compliance with the above criteria will be reviewed at the time of preliminary plan of subdivision (PPS) and specific design plan (SDP).

**L. Conclusion**

This Comprehensive Design Plan amendment application meets all requirements for approval as discussed herein. As such, the Applicant respectfully requests that Comprehensive Design Plan 0601-01 be approved.

Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Robert J. Antonetti, Jr.

Enclosure (EXHIBIT A, CDP Design Guidelines)

cc: Woodside Development, LLC  
The Atkinson Trust, L.L.C.  
Arthur J. Horne, Jr., Esq.  
Ken Dunn, P.E.

# Design Guidelines Woodside Village CDP 0601-01 January 20, 2022

## Purpose

The purpose of this chapter is to recommend planning and design guidelines for single-family detached and attached residential development in the planned residential community known as Woodside Village . These guidelines are a means by which the applicant can communicate to the public, professionals (planners and architects), and home builders, its philosophy, standards and intent toward the physical development of this residential community.

## The Illustrative Plan

The Illustrative Plan shows a detailed lotting and amenity layout, which depicts one potential scenario for development under the Comprehensive Design Plan to provide a better understanding of Woodside Village. The development concept proposes a mix of single-family detached and single-family attached units.

Subsequent sections of this document provide additional design guidelines for more specific elements of this Comprehensive Design Plan. The following goals and objectives have served as a guide in the preparation of these Design Standards:

- Pedestrian connections throughout the open and the built areas;
- Orient fronts of homes toward the public streets and parks to avoid views to rear yards;
- Provide a variety of lot sizes and/or lotting patterns intermixing lots with open space;
- Site active and passive recreational facilities at various strategic locations throughout the development to be accessible to each development pod and to accommodate all age groups;
- Preserve sensitive environmental features to provide open space in the central portion of the site and creating buffers between the neighbors and adjacent properties;
- Create internal buffering and landscaping to enhance and provide privacy to the neighborhoods and to provide opportunities to experience natural areas; and
- Connect the trail system linking the residential areas and the recreational facilities

The lotting concept provided achieves all of these objectives while honoring the design restrictions.

## Proposed Bulk Regulations

LOT TYPE	MIN. LOT SIZE	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	MAX HEIGHT	MAX LOT COVERAGE	MIN WIDTH At R/W
SINGLE FAMILY-D	4000 SF	20'	4'	20'	50'	70%*	35'
TOWNHOUSE	1200 SF	10'	0'	15'	50'	70%*	N/A

**\*Justification-** 70% lot coverage is appropriate as these lots and units are not typical in style, design, and size. The units are designed to be a large dwelling unit on a smaller lot to align with modern market preferences. For example one of the smallest single family lot size proposed is 4,050sf or 45' wide by 90'deep. The side yard setback is 4' on each side and 20' in the front and rear. These dimensions push the lot to a higher lot coverage. This type of design allows for the maximum house footprint, a modest yard, and enough room to provide house options to match today's market trends.

\*\*Encroachments into setbacks are permitted for bay windows(3ft), decks(10ft), porches(10ft), chimneys(2ft), stoops(4ft), foundations(4ft), cantilevers(6ft), and sheds(allowed within full rear yard setback.)

### **Parking, loading, and circulation.**

Being a residential site, this project does not propose many large surface parking areas. The community clubhouse will have a smaller surface parking area that will be oriented towards the structure it serves. Parking will also be screened appropriately by either landscape material or by fencing ADA required parking stalls conveniently located and all ADA regulations will be adhered to.

Being most generally a residential subdivision, private loading areas are not anticipated for this project.

Vehicular circulation is limited to the public roadways. A hierarchy of street patterns has been designed that will allow the smaller side streets to feed into the mandated master plans roads including P616 & P617. All publicly dedicated roadways will meet the public standards as mandated by DPIE. Driveway curb cuts are limited to the fee simple lots along the public roadway with the exception of the single-family attached units. SFAs will be located on private roads. Pedestrian passage is designed to meet the public code requirements and are separated from vehicular conflicts except at intersections. Intersections will meet public requirements with infrastructure designed to allow safe passage. In addition to the sidewalks included in the dedicated public streets, pedestrian trails outside of the public rights-of-way are provided as well and are located to minimize vehicular conflict. ADA guidelines will be adhered to.

Street Trees and lighting will be spaced consistently to maintain a sense of continuity throughout the development. While the species of street trees may vary, tree size will be selected in proportion to the street size. Trees that are too large can overwhelm a smaller street while trees that are too small can fail to define the space.

### **Views.**

Where possible, views in and around the site have been designed to demonstrate a well-maintained and lush community. The viewshed will vary depending on the location within the project. Some viewsheds may be able to take advantage of the preserved open/environmental space. Some lots will potentially have views of the community center and open amenities. Others will be directed toward a well-maintained neighborhood that cares about its appearance. Regardless, all the views in and around the project are expected to be designed to emphasize the scenic value they bring to the residents.

### **Green area.**

Green area is a key element of any community. Green area has been provided throughout the community in strategic locations as demonstrated on the plan. However, in addition to formal on site recreational venues and informal green areas sprinkled about the site; there is also adjacent public parkland available. Initially the Case and Yergat sites were a part of the larger CDP action. During that process, a public park was identified and has been subsequently obtained by MNCPPC. The Suit Farm is now owned by MNCPPC and development as a large, public open/green space is ongoing providing significant green infrastructure to the local community. Adjacent to the subject property, MNCPPC also obtained the Wholly property for a similar purpose. Thus, green space/open space is well represented in the local area.

### **Site and streetscape amenities.**

Amenities outside of the public Right-of-Way will be designed to provide a comfortable and pleasant experience. Safety will also be a significant consideration when choosing the various site amenities. Lighting will be provided that satisfies the need for a well-lit environment and yet also is well designed, pleasing to look at, durable and that requires low maintenance. Benches will be placed in locations that are protected from the elements, especially the sun and vehicles; yet still accessible to all. Other amenities such as trash receptacles and bike racks will match in style and be coordinated throughout the property.

Attractive entrance features at the entrance to the project will also be provided. A major entrance feature consisting of brick or stone or a combination will include subdivision identification signage.

### **Landscape and Recreation Design Standards**

Although site specific landscape and recreation elements for Woodside Village will be addressed in detail at the Specific Design Plan phase of the design process, it is the intention of the Landscape and Recreation Plan to provide for some basic concepts and a framework for the appropriate type and distribution of such amenities. The overall theme for planting at Woodside Village will focus on preservation, enhancement, and the utilization of indigenous species to naturalize the development and to emphasize the character of the existing site and its surroundings. Landscape throughout the site will be designed for aesthetic value. Great care will be taken in plant selection so that a feeling of lushness and a blending into the existing woodland will occur. All landscaping proposed will be in compliance with the applicable provisions of the County's Landscape Manual.

### **Signage**

The following design guidelines (which emphasize performance standards rather than specific design concepts) are provided for consideration:

1. All signage components will maintain a coordinated design with respect to color, materials, graphic elements and general appearance. Street signs may utilize the standard DPIE design, or if customized, they shall be coordinated with the overall design of other sign components.
2. In keeping with the character of overall development, the composition, materials, colors and details of signs should emphasize a naturalistic character with understated appearance.
3. Entrance signs should incorporate the character of the development and provide ease of maintenance and long term suitability.



### **Grading.**

Grading has been designed in a manner to minimize the total amount of earth moving on site. Typical street grades have been designed to work with the natural contours of the ground as well as to meet the requirements of the operating agency and safety standards. The road grades set the tone for the remaining earthwork on site. Environmental constraints have been avoided to the fullest extent practicable and the need for retaining walls has been reduced to the minimal amount needed. Existing vegetation is preserved where appropriate.

### **Service areas.**

Due to the single-family nature of the development, traditional “back of house” service areas do not exist and are not requested.

### **Public spaces.**

As a residential single-family subdivision public spaces serve several purposes foremost among them, is the creation of recreational activities. The subject property has several such public spaces that have been designed to accommodate traditional public space activities such as a community center. The community center is oriented so that it is centrally located. It is also conveniently located to all the lots within the project. The location accommodates both pedestrian and vehicular visitors and incorporates sitting areas, landscape, and access to the sun and shelter from the elements. The scale and size is appropriate for a residential neighborhood.

### **Architecture.**

Architectural will be designed to ensure harmony, compatibility and continuity of architectural character. Recognizable character and diversity of design elements are the goals. Design flexibility is desirable to allow each builder its own interpretation of the architectural objectives. The architecture that will ultimately be presented for review at the time of the Specific Design Plan will demonstrate a high level of quality and will include the option for masonry material, including cementitious siding on the façade. The look will be uniform and the materials and style will be harmonious with the the surrounding area. “Green Building” Features will be provided such as energy efficient appliances and other in-home features that will reduce the carbon footprint of the home.

It is anticipated that a variety of building facades, both horizontally and vertically, will be provided. Such variation will promote visual interest both within the community and from the internal public right of way.

### **Townhouses**

Single family attached homes, or Townhomes, are contemplated for this development. The units have been placed in a manner sensitive to the environmental constraints so that the townhouses receive the benefit of nearby local mature forest. The townhouse strings will be graded with berms and landscaping will be provided where appropriate to ensure that large expanse of townhouse s are merged with the surrounding area to blend harmoniously into the environment. No two alike townhouses will be adjacent to each other and offsets will be used to address the need for vertical

and horizontal architectural articulation to create interest and reduce monotony across the townhouse portion of the project.

**Green Building Techniques.**

The development and building for the subject property is committed to working towards a greener development. Green measures prescribed in many of the various green building and development manuals will be considered and implemented where possible. Stormwater Management practices will be designed to meet Environmental Site Design guidelines and erosion and sediment control practices will be diligently applied and maintained during construction activities. Forest cover will be maintained as allowed and landscape will be planted to create lush, green supplements to the existing tree cover on site.

Energy efficient appliances, HVAC systems, insulation, and building materials and techniques will be considered in order to contribute to a greener habitat than might be found elsewhere.

**Additional Back-up**

**For**

**CDP-0601-01**

**Case Yergat (Woodside Village)**

# Woodside Village (Case/Yergat) (CDP-0601-01)

## Revised Conditions

3. This development is governed by the following design standards:

### **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 four feet in depth, shall be a standard feature.~~

Highly visible end units for dwelling units require additional design and finish treatments, that will be decided 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 three feet, porches 10 feet, chimneys two feet, stoops four feet, foundations four feet, cantilevers six feet into the setbacks, and sheds are allowed anywhere in the rear yard.

\*\*\*The minimum width is 16 feet for interior units and 22 feet or larger for end units. At least 25 ~~80~~ percent of the single-family attached sticks of units ~~lots~~ shall be a combination of 20, 22, or ~~and~~ 24 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 review of the specific design plans.

4. Prior to the approval of preliminary plan of subdivision, the applicant shall:

~~d. Provide a revised primary management area (PMA) impact statement and exhibits to address the following:~~

~~Strikethrough~~ represents deleted language 1  
Underline represents added language

~~(1) Provide additional justification for the proposed PMA impact crossing south of the Dunblane Cemetery site to preserve this area to the greatest extent practicable.~~

~~(2) Separate out the proposed trail system PMA impacts from the other utility impacts.~~

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:

a. 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 the Prince George's County Department of Permitting, Inspections and Enforcement.

~~b. Westphalia Road Frontage Improvements per the 2009 Approved Countywide Master Plan of Transportation (MPOT)~~

~~Realign Westphalia Road along the property frontage per the requirements of the MPOT and Prince George's County Department of Permitting, Inspections and Enforcement.~~

7. At time of preliminary plan, the applicant shall reflect dedication for its portions of Westphalia Road (C-626), P-617, P-616, and MC-631 per the requirements of the MPOT. Required rights-of-way shall be dedicated at the time of final plat.