

May 24, 2022



Woodside Development, LLC
3907 Greenway
Baltimore, MD 21218

Re: Notification of Planning Board Action on
Comprehensive Design Plan CDP-0601-01
Case Yergat (Woodside Village)

Dear Applicant:

This is to advise you that, on **May 19, 2022**, the above-referenced Comprehensive Design Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-523, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

Very truly yours,
James R. Hunt, Chief
Development Review Division

By: Henry Zhang
Reviewer

Attachment: PGCPB Resolution No. **2022-50**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

RESOLUTION

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

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

WHEREAS, the subject property is within the Legacy Comprehensive Design (LCD) Zone (prior Residential Medium Development (R-M) Zone) and the Military Installation Overlay (M-I-O) Zone; and

WHEREAS, pursuant to Section 27-1703 of the Zoning Ordinance, development applications submitted and accepted as complete before April 1, 2022, but still pending final action as of that date, may be reviewed and decided in accordance with the Zoning Ordinance in existence at the time of submission and acceptance of the application; and

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

WHEREAS, in consideration of evidence presented at a public hearing on April 28, 2022, regarding Comprehensive Design Plan CDP-0601-01 for Case Yergat (Woodside Village), the Planning Board finds:

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)
Gross tract area	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)

The Planning Board 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 herein, requiring the applicant to provide a fire engine turning radius exhibit at the 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. The Planning Board 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 this resolution.

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 this resolution, 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 the 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:**

Total Area	158.28 acres
Land in the 100-year floodplain*	2.07 acres
Adjusted gross area: (152.28 acres less than half in 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 dus/ac)	566 dwelling units
Maximum residential density (5.7 dus/ac)	896 dwelling units

Proposed Land Use Types and Quantities	
Residential: 157.25 gross acres @3.98-4.205 dus/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

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 the 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 the 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, ($661 \text{ dwelling units} \div 100 = 6.61$; $6.61 \times 3.5 = 23.14$). 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
	40	226

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 Planning Board has reviewed the proposed development standards, as discussed in Finding 6 above, and requires revisions that have been conditioned in this resolution.

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, the Planning Board made adjustments to the standards, such as minimum yard area for single-family attached lots. The Planning Board approves 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 this resolution.

- (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;**

Based on the referral submitted by the Transportation Planning Section (Burton to Zhang, March 28, 2022), the Planning Board finds that the proposed development will not be an unreasonable burden on available transportation facilities.

The Planning Board reviewed comments submitted by the Special Projects Section (Thompson to Zhang, March 21, 2022) on water and sewer category, fire and rescue, police facilities, and public schools, and finds that the development proposed in this application will not be an unreasonable burden on 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 Planning Board reviewed the Environmental Planning Section's evaluation of the CDP's conformance with approved Type 1 Tree Conservation Plan, TCP1-006-2022, and finds that the CDP is in conformance, subject to three conditions that have been included in this resolution.

- (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 Planning Board 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 approves this CDP with conditions that have been included in this resolution.

- (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.**

Development standards for townhouse development of the site have been provided and the Planning Board approves 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. The Planning Board finds that 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 required 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 the 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. The Planning Board supports 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 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**—The Planning Board adopts a memorandum dated March 31, 2022 (Rowe to Zhang), which 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**—The Planning Board adopts a memorandum dated March 25, 2022 (Conner to Zhang), which 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 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 resolution.
- c. **Environmental Planning**—The Planning Board adopts a memorandum dated March 31, 2022 (Kirchhof to Zhang), which provided a review of this CDP application. Relevant findings have been included in this resolution 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. No specimen trees are approved for removal with this application. Removal of specimen trees will be further analyzed at the 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 Planning Board approves CDP-0601-01, with conditions that have been included in this resolution.

- d. **Historic Preservation**—The Planning Board adopts a memorandum dated March 16, 2022 (Stabler and Smith to Zhang), which 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**—The Planning Board adopts a memorandum dated March 28, 2022 (Burton to Zhang), which provided a comprehensive review of the application's conformance with the requirements of the previous approvals, the Zoning Ordinance, the Westphalia Sector Plan and SMA, the 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.

The Planning Board 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:

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
Total new trips		98	391	489	379	203	582

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
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/842 A/697
Westphalia Road and D’Arcy Road* Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	161.9 seconds >100 vehicles A/929	>200.0 seconds >100 vehicles 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
Ritchie Marlboro Road and Westphalia Road-Orion Ln* Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	>200.0 seconds >100 vehicles B/1126	>200.0 seconds >100 vehicles C/1273
MD 4 and Suitland Parkway-Presidential Parkway MD 4 SB Ramps and Suitland Parkway MD 4 NB Ramp and Presidential Parkway	- A/728 A/585	- A/598 A/527
D’Arcy Road and Sansbury Road* Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	74.7 seconds >100 vehicles A/798	143.3 seconds >100 vehicles 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, the Planning Board is in general agreement with its overall conclusions and recommendations. The TIS was referred to the Maryland State Highway Administration (SHA), as well as DPIE. As of this writing, the Planning Board has not received comments from either agency. Regarding the street layout on the proposed site, there is a design issue that is not supported by the Planning Board.

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. The Planning Board requires the realigning of Westphalia Road, prior to the release of any building permits for any phase of this development, and further requires 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 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 Planning Board concludes that the CDP meets the finding of Section 27-521, if the application is approved with conditions that have been included in this resolution.

- f. **Special Projects**—The Planning Board adopts a memorandum dated March 21, 2022 (Thompson to Zhang), which found that the subject application will not be an unreasonable burden on available public facilities, including water and sewer, police, school, and fire and rescue. Further adequate public facilities tests for the proposed development will be carried out at the time of PPS review.

The Planning Board also reviewed 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)**—The Planning Board adopts a memorandum dated March 28, 2022 (Yu to Zhang), in which 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)**—The Planning Board adopts a memorandum dated March 7, 2022 (Giles to Zhang), in which 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 preparation of this resolution, the Police Department did not offer comments on the subject application.
- j. **Prince George's County Health Department**—The Planning Board adopts a memorandum dated March 3, 2022 (Adepoju to Zhang), in which 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 herein, requiring the applicant to include the last two comments as site plan notes on the CDP.

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

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 1 Tree Conservation Plan TCP1-006-2022, and further APPROVED Comprehensive Design Plan CDP-0601-01 for the above-described land, 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.

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 percent of the single-family attached sticks of units shall be a combination of 20, 22, or 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 approval of a 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.

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 improvement 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.
7. At the time of preliminary plan of subdivision, 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 2009 *Approved Countywide Master Plan of Transportation*. Required rights-of -way shall be dedicated at the time of final plat.


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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Shapiro voting in favor of the motion, with Commissioner Doerner temporarily absent, and with Commissioner Washington absent at its regular meeting held on Thursday, April 28, 2022, in Upper Marlboro, Maryland.

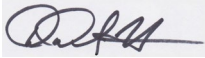
Adopted by the Prince George's County Planning Board this 19th day of May 2022.

Peter A. Shapiro
Chairman


By Jessica Jones
Planning Board Administrator

PAS:JJ:HZ:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: May 12, 2022