



September 20, 2021

Maurene Epps-McNeil
Zoning Hearing Examiner
County Administration Building
Upper Marlboro, MD 20772

RE: A-9973-02 - WOODSIDE VILLAGE

Dear Ms. Epps-McNeil:

On September 16, 2021, after review of the technical staff report, the Prince George's County Planning Board approved the transmittal of the recommendation. Therefore, the application is hereby transmitted directly to the District Council/Zoning Hearing Examiner, and the technical staff's recommendation constitutes the Planning Board's recommendation.

Very truly yours,

James R. Hunt, Chief
Development Review

Enclosure

cc: Persons of Record



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

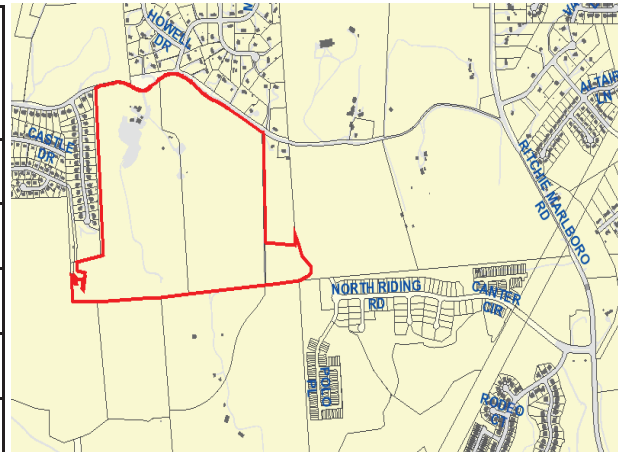
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Zoning Map Amendment Woodside Village

A-9973-02

REQUEST	STAFF RECOMMENDATION
Amendment to divide a single basic plan into two basic plans. This application concerns the Yergat Property and Case Property.	APPROVAL with conditions

Location: On the southern side of Westphalia Road, approximately 2,000 feet west of its intersection with Ritchie-Marlboro Road.	
Gross Acreage:	158.11
Zone:	R-M/M-I-O
Gross Floor Area:	N/A
Lots:	0
Parcels:	2
Planning Area:	78
Council District:	06
Election District:	15
Municipality:	N/A
200-Scale Base Map:	205SE09
Applicant/Address: Woodside Development, LLC 919 North Market Street, Suite 950 Wilmington, Delaware 19810	
Staff Reviewer: Tom Sievers Phone Number: 301-952-3994 Email: Thomas.Sievers@ppd.mncppc.org	



Planning Board Date:	09/16/2021
Planning Board Action Limit:	N/A
Staff Report Date:	09/09/2021
Date Accepted:	07/14/2021
Informational Mailing:	03/24/2021
Acceptance Mailing:	07/08/2021
Sign Posting Deadline:	08/17/2021

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/. 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

TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board
The Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Section
Development Review Division

FROM: Tom Sievers, Senior Planner, Zoning Section
Development Review Division

SUBJECT: Zoning Map Amendment A-9973-02
Woodside Village

REQUEST: **Amendment to divide a single basic plan into two or more separate basic plans. This application concerns the Yergat Property and Case Property.**

RECOMMENDATION: **APPROVAL with conditions**

NOTE:

The Planning Board has scheduled this application to be reviewed on the agenda date of September 16, 2021. If the Planning Board decides to hear the application, it will be placed on a future agenda. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions on becoming a person of record should be directed to the Zoning Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS

1. **Location and Site Description:** The overall Woodside Village development is 381.95 acres of land with about 4,500 feet of frontage along the south side of Westphalia Road, one-third of a mile southwest of its intersection with Ritchie Marlboro Road, and opposite the Westphalia Woods Subdivision. The property is hatchet-shaped and comprises five contiguous parcels ranging in size from 11 to 149 acres: Parcel 5 (Yergat); Parcel 13 (Wholey), Parcel 14 (A. Bean); Parcel 19 (Case); and Parcel 42 (Suit) on Tax Map 82. A rectangular-shaped property wedges into the site from Westphalia Road and divides the frontage into two parts. The property is adjacent to the Smith Home Farms development to the west, and Marlboro Ridge (Villages of Clagett Farm) to the east. The southern boundary is the Cabin Branch stream. The Woodside Development, LLC, (applicant) is the owner and/or contract purchaser of the Yergat and Case properties, totaling 158.11 acres (leaving 223.84 acres from the initial basic plan area of 381.95 acres). The applicant is requesting to divide Zoning Map Amendment (Basic Plan) A-9973 into two plans; one containing the Yergat and Case properties (applicant's subject area) and the other containing the remaining properties within the basic plan area.

2. **History:** The 1994 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78)* (Melwood-Westphalia Master Plan and SMA) retained the property in the Residential-Agricultural (R-A) Zone. The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA) rezoned the property from R-A to Residential Medium Development (R-M).

A Certified Nonconforming Use (CNU 6730-88-U) for a trash hauling operation exists on the westernmost portion of the property on Parcel 19, operating under the name PG Trash.

In 2006, the Prince George's County Planning Board recommended approval of A-9973, which requested rezoning from R-A to R-M.

On July 13, 2006, the Zoning Hearing Examiner (ZHE) approved A-9973, but the Prince George's County District Council remanded the decision back to the ZHE on September 26, 2006, pending the Council's consideration of the Westphalia Sector Plan and SMA. On February 6, 2007, the District Council approved the Westphalia Sector Plan and SMA (CR-2-2007). A-9973 was included within the Council's approval of the SMA.

In 2008, the Planning Board approved Comprehensive Design Plan CDP-0601, requesting approval of 1,496 residential dwelling units (1,276 attached and detached single-family units and 220 multifamily units) in the R-M Zone.

3. **Neighborhood:** Significant natural features or major roads usually define neighborhoods. The following roadways define the boundary of this neighborhood:

- North—** Ritchie Marlboro Road;
- South—** MD 4 (Pennsylvania Avenue);
- East—** Ritchie Marlboro Road; and
- West—** I-95/I-495 (Capital Beltway)

Surrounding Uses and Roadways: The following uses and roadways immediately surround the site:

- North—** Single-family residential dwellings in the Residential-Estate (R-E) Zone, and vacant land in the R-A Zone;
- South—** Vacant land in the R-M and Mixed Use-Transportation Oriented Zones, and single-family residential dwellings in the R-M Zone;
- East—** Single-family residential dwellings and vacant land in the R-E Zone; and
- West—** Single-family residential dwellings in the Rural Residential Zone, and vacant land in the Townhouse Zone.

4. **Request:** The applicant is seeking approval of an amendment to A-9973 to divide the basic plan into two separate plans. The amendment requires approval by the District Council after a hearing held by the ZHE. The Planning Board is required to submit any comments on the application to the District Council, the ZHE, the applicant, and all persons of record in the original zoning map amendment application.

5. **General and Master Plan Recommendations:**

2007 Approved Westphalia Sector Plan

The basic plan is in the Developing Tier, 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 sector plan recommends a low-density residential land use for the property (map 4, page 19). There are no design or density recommendations for low-density residential land uses within the sector plan.

2014 Plan Prince George's 2035 Approved General Plan

The basic plan is in the Established Communities growth policy area, as defined by the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035). The vision for Established Communities is context-sensitive infill and low- to medium-density development. The Generalized Future Land Use Map in Plan 2035 recommends a residential low land use for the property. Plan 2035 defines residential low land use as primarily single-family detached residential areas with a maximum density of up to 3.5 dwelling units per acre.

The property is not within a regional transit district, a local center, or an employment area, as defined in Plan 2035.

Plan 2035 established the following policies and strategies that are relevant to the basic plan.

Policy 8 (page 115): Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.

As previously indicated, Plan 2035 recommends a maximum residential density of up to 3.5 dwelling units per acre. However, the R-M Zone permits a residential density of 3.6 to 5.8 dwelling units per acre. In 2007, the District Council approved the R-M Zone on the property in the SMA. The statement of justification (SOJ) indicates that the applicant plans to construct between 626 and 661 single-family attached and detached dwellings in the applicant's subject area that would roughly equal between 3.95–4.18 dwelling units per gross acre.

6. **Environmental Review:** This finding is provided to describe the existing site features on the property and the impact of the requested amendment to A-9973-02, as it pertains to environmental conformance.

Existing Conditions/Natural Resources Inventory

A natural resources inventory (NRI) is not required as part of a zoning amendment application; however, expired NRI-158-05-03, covering the land area included in the application, was included in the package. No further information is needed at this time. An updated NRI will be needed for future Development Review cases.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George's County Code that came into effect on September 1, 2010, and February 1, 2012, because the development proposal will be required to file an amended CDP and a new preliminary plan of subdivision (PPS) application to reflect changes proposed under the basic plan amendment.

Site Description

The subject property is a 381.95-acre site in the R-M Zone, located on the south side of Westphalia Road and west of Ritchie-Marlboro Road. There are streams, wetlands and 100-year floodplains, and associated areas of steep slopes. Marlboro clay is found to occur along the southern property line of Parcel 48, which now belongs to the Maryland-National Capital Park and Planning Commission (M-NCPPC). No sensitive species project review areas are indicated or mapped on the site. Furthermore, no rare, threatened, or endangered species are indicated as present on-site. Westphalia Road is a designated historic road affected by this development. This property is located in the Western Branch watershed in the Patuxent River basin. The site is currently located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. The site contains regulated areas and evaluation areas, as designated on the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan). The subject property is in the Westphalia Sector Plan and SMA.

Master Plan Conformance

The Westphalia Sector Plan and SMA, approved by the Prince George's County District Council, is the current master plan for this area. This master plan included environmentally related policies and their respective strategies in the Environmental Infrastructure section.

Below in **BOLD** are the primary policies relating to the site. More detail regarding the strategies can be found in the Westphalia Sector Plan and SMA.

Policy 1 – Green Infrastructure

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

This policy has been addressed under the Green Infrastructure Plan analysis.

Policy 2—Water Quality and Quantity

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

As part of Policy 2, environmental site design will be required for stormwater management (SWM) control to ensure that water quality and quantity is protected to the fullest extent practical, as required by the County. A SWM plan reviewed by the Prince George’s County Department of Permitting, Inspections and Enforcement will be required at the time of PPS.

Green Infrastructure Plan

The site is mapped within the Green Infrastructure Network, as delineated in accordance with the Green Infrastructure Plan. The regulated area is mapped along the streams and other regulated environmental features, and the evaluation area is mapped on the remainder of the site, due to the existing forest contiguous to the streams. The plans, as submitted, generally show the preservation of the regulated areas; however, more detailed information will be evaluated during subsequent applications. Prior to acceptance of any future development applications, an updated NRI is required to confirm the regulated features on the site and to establish the primary management area. The amended basic plan can be found in conformance with the Green Infrastructure Plan.

Woodland Conservation

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George’s County Code that came into effect on September 1, 2010, and February 1, 2012. The woodland conservation threshold (WCT), per A-9973, shall be 25 percent with the WCT requirements being met on-site. There is an approved Type I Tree Conservation Plan (TCPI-006-08) on the overall development, and a TCPII (TCPII-223-92) for Parcel 19. All future applications will require a revision to the TCPIs.

- 7. **Zoning Requirements:** The District Council cannot approve an application to divide an existing basic plan unless it finds that the entire development meets the criteria for approval, as set forth in Section 27-197(b) of the Prince George’s County Zoning Ordinance, as follows.
 - (b) **An amendment of an approved basic plan, which results in dividing a single approved basic plan into two or more separate basic plans may be approved by the District Council where significant changes in circumstances with regard to the approved basic plan have created practical difficulties for the applicant to the extent that, unless the basic plan is amended to separate a specified amount of land area, the applicant will be unable to proceed to the CDP phase. An amendment will not be granted where the practical difficulty is self-created or self-imposed, or where the applicant had knowledge of, and control over, the changing circumstances and the problems bringing about the practical difficulty at the time the basic plan was approved. The following**

procedures shall apply to consideration of any such amendment in lieu of the requirements of Subsection (c), below:

The basic plan amendment proposes the division of A-9973 into two parcels: the applicant's subject area consisting of the Yergat and Case properties and the remaining area.

The applicant argues that practical difficulties require an amendment to A-9973, in order to allow "for the appropriate development of the Case and Yergat parcels." In other words, the applicant is not currently able to proceed to the comprehensive design phase.

The practical difficulties cited by the applicant are multiple ownership of properties within the existing basic plan area and M-NCPPC's purchase of property within the basic plan area.

According to the applicant, the lack of common ownership makes the implementation of A-9973 a "practical impossibility." Staff agrees with the applicant because the implementation of the original basic plan was predicated by a cohesive land development scheme, which has since been compromised by the lack of common ownership. The basic plan should be amended to reflect the loss of the Suit property, which occurred after the approval of A-9973. Therefore, some of the conditions set forth in the original basic plan are no longer feasible, due to the lack of common ownership with this parcel and are further complicated by the fact that the fee-simple purchase of the land by M-NCPPC included a much larger area than what was approved in A-9973.

The applicant argues that M-NCPPC's purchase of property within the basic plan area "prevents the Applicant from conforming to the land use requirements for a park/school site mandated by Conditions 1 and 4(e)." Condition 1 requires the basic plan area contain 56.0 acres of public open space consisting of 26.0 acres of minimum parkland, 10 acres minimum for an elementary school, and 20 acres minimum for a middle school. Condition 4(e) requires the dedication of the 56 acres of public open space to the Prince George's County Board of Education and M-NCPPC, respectively. Staff agrees with the applicant because the acquisition of these parcels by M-NCPPC significantly alters the development patterns approved in A-9973 and necessitates the division of the basic plan area to allow for the appropriate development of the Case and Yergat properties controlled by the applicant. The original development pattern required the dedication of parkland within the Suit property, which was possible at the time because said parcel was held in common ownership and was a viable site to be used for dedication of parkland. Since M-NCPPC acquired the property, it is no longer available to be dedicated, as indicated by Condition 4(e). Therefore, the original development pattern is impaired by the lack of common ownership and the remaining parcels should be amended as a standalone basic plan.

The initial basic plan contemplated that Woodside Village would be developed as 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. Although the

Suit and Wholey properties now form part of the land assemblage for the Westphalia Central Park, its ownership by M-NCPPC prevents the applicant from conforming to the land use requirements for a park/school site mandated by Conditions 1 and 4(e) in the initial basic plan, which requires that the applicant dedicate approximately 56 acres for the park/school site on property now owned by M-NCPPC. Further, the residential development designated in A-9973 for the Suit and Wholey properties will no longer be achieved (due to its ownership by M-NCPPC). Again, staff recommends the Case and Yergat properties should be amended as a standalone basic plan.

(4) In approving the petition, the applicant shall establish, and the District Council shall find, that:

(A) The approval of the amended Basic Plan will not result in a change in land area, or an increase in land use density or intensity, for the overall area included in the original, approved Basic Plan;

The proposed basic plan amendment does not involve an increase in the overall density approved for the Woodside Village development, set forth in A-9973. The central purpose of this basic plan amendment is to divide the basic plan area by separating the Yergat and Case properties from the total assemblage of properties in A-9973. The Yergat and Case properties are controlled by the applicant and will stand on their own as a separate basic plan. The residential development of Woodside Village would not exceed the total 1,497 dwelling units approved in A-9973. Specifically, the applicant proposes a maximum aggregate density of 661 dwelling units for the Case and Yergat properties. This leaves a density of 836 remaining units that were approved in the basic plan and can be allocated to the 63.30-acre Bean property, (the only other remaining privately held property within the original Woodside Village assemblage). As such, this basic plan amendment is eligible to be processed under the condensed review procures set forth in Section-27-197(b).

On August 31, 2021, the applicant provided further justification concerning density and bonus density, stating that “The R-M Zone has a base residential density of 3.6 dwelling units per acre (which equates to 569 dwelling units on the subject property). The R-M Zone has a maximum density of 5.7 dwelling units per acre (which equates to the potential for 901 dwelling units).” The maximum density the applicant proposes is 661 dwelling units, which is 92 units over the base density (or a 16.2 percent density increase). At the time of CDP, the applicant must justify any increase over the 569 unit base density, with bonus increment features. This case will require a CDP amendment, at which time the applicant will demonstrate how the project earns the additional 16.2 percent over the base residential density. The applicant further explained that “The case (via CDP-0601) received a 10% increment for the

previously proposed community building on the park/school site. This project is now proposing a community building within the boundaries of A-9973-02 (and should remain eligible for the 10% bonus increment)." CDP-0601 also established a 25 percent increment for open space land, which this application is eligible for by proposing 37 acres of open space. Staff concurs with the applicant's justification.

- (B) The approval of the amended Basic Plan will not significantly impair the character of the original, approved Basic Plan with respect to land uses, density ranges, unit types, circulation, accessibility, public facilities, public benefit features, and open space;**

The basic plan amendment will not impair the character of the originally approved basic plan. The land use, density ranges, circulation patterns, and amenities proposed for the Yergat and Case properties are consistent with those approved in the initial basic plan.

- (C) The proposed amended Basic Plan conforms to the requirements of Section 27-195(b);**

This basic plan amendment conforms to the requirements of Section 27-195(b) of the Zoning Ordinance, as detailed in the finding below.

- (D) The separate Basic Plans that result will be capable of standing by themselves as individual, cohesive developments;**

This basic plan amendment will be capable of standing alone as an individual development. There is currently a separate application for the Bean property, A-9973-01, proposing residential development, which will be cohesive with this development, made up of the Case and Yergat properties. Both developments will be cohesive with the remaining portions of Woodside Village, which are owned by M-NCPPC.

- (E) Any staging of development that was required in the approval of the original Basic Plan, and that is still appropriate, is included as part of the amended Basic Plan; and**

There is no staging required in A-9973.

- (F) No owner of any land which is included in the original, approved Basic Plan will, by the approval of the proposed amended Basic Plan, be denied reasonable use of his property.**

No owner(s) of land included in the original basic plan will be denied reasonable use of their property. The Suit and Wholey properties are

owned by M-NCPPC and abut other M-NCPPC land for the Westphalia Central Park. The subject area will stand on its own as a separate basic plan. The residential development will not exceed the total 1,497 dwelling units approved in A-9973. Specifically, the applicant proposes a maximum aggregate density of 661 dwelling units. This leaves a density of 836 remaining units that were approved in the basic plan and can be allocated to the 63.30-acre Bean property, which is the only other remaining privately held property within the original Woodside Village assemblage. The remaining 836 dwelling units are sufficient for the reasonable development of the Bean property, as only a maximum 367 dwelling units could be developed on the Bean property, resulting in 469 less units than the original basic plan.

Section 27-195 – Map Amendment approval.

(b) Criteria for approval.

(1) Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

(A) The proposed Basic Plan shall either conform to:

- (i) The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text that address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact that the development may have on the environment and surrounding properties;**
- (ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses;**
- (iii) The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code. The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;**

In order to approve the requested amendment, the District Council must find, among other things, that the proposed amendment conforms to either Section 27-195(b)(1)(A)(i), (ii), or (iii).

Section 27-195(b)(1)(A)(i) is drafted in the disjunctive, providing two alternative bases for approval, separated by a semi-colon. With respect to the first, the basic plan conforms to the specific recommendations of the general map plan, the area master plan map, or the urban renewal plan map.

2014 Plan Prince George's Approved General Plan

Plan 2035's Future Land Use Map (page 101), classifies the property as residential low, and this land use is appropriate for primarily single-family detached dwellings up to 3.5 dwelling units per acre. The Westphalia Sector plan rezoned the property to the R-M Zone, which is a Comprehensive Development Plan Zone. The R-M Zone permits a residential density of 3.6 to 5.8 dwelling units per acre. In 2006, the Planning Board approved A-9973 that rezoned the property from R-A to R-M. The SOJ indicates that the property owner plans to construct between 626 and 661 single-family attached and detached dwellings in this portion of the Woodside Village development. These dwelling units would roughly equal between 3.95–4.18 dwelling units per gross acre.

The property is within the Established Communities category on the Growth Policy Map (Map 11), and the vision for the Established Communities is to create the most appropriate and context sensitive infill for low-to medium density development (page 20).

2007 Westphalia Sector Plan and Sectional Map Amendment

The Westphalia Sector Plan and SMA recommends a low-density residential land use for the property (map 4, page 19). The SMA also placed the development within the R-M Zone and prescribed the recommended density of 3.5–5.8 dwelling units per acre. There are no design or density recommendations for low-density residential land uses within the sector plan. Therefore, this basic plan amendment conforms to the sector plan.

With respect to the criteria requiring conformance to the “urban plan map,” there is no such map applicable to this application.

Environmental

As for the second half of Section 27-195(b)(1)(A)(i)—the principles and guidelines of the plan text that address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact that the development may have on the environment and surrounding properties—which is drafted in the conjunctive (i.e., and), the relevant portion is “the impact the development may have on the environment and surrounding properties.”

The Environmental Planning Section determined that the requested zoning amendment can be found in conformance with the Woodlands, Wildlife and Habitat Policy of the Environmental Infrastructure Section within the master plan for the reasons outlined above. Therefore, the requested amendment would not have a significant negative impact on the environment, and it

aligns with the master plan’s goals of protecting the environmental features within the Westphalia Sector Plan and SMA.

The District Council could also approve the basic plan if it meets Section 27-195(b)(1)(A)(ii)—that is if it finds that the proposed basic plan conforms to the “principles and guidelines described in the plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses.” Much of the discussion for Section 27-195(b)(1)(A)(i) could apply to this criterion as well. The basic plan requests a density that conforms to the master plan’s recommended density and satisfies this criterion. Specifically, the basic plan conforms to the principles and guidelines with respect to the number of dwelling units for residential low areas based on the approved rezoning of the property from the R-A to the R-M Zone.

Section 27-195(b)(1)(A)(iii) allows approval of a basic plan if “The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code.” This criterion is inapplicable because the property is not currently zoned R-S or developed with uses permitted in the E-I-A Zone, as authorized, pursuant to Section 27-515(b) of the Zoning Ordinance.

(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;

The application does not contain a proposal for retail commercial development. Therefore, an economic analysis is not required for this application.

(C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;

To meet the legal threshold cited above, the applicant has provided staff, with an April 2021 traffic impact study. 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 “2010 Transportation Review Guidelines, Part 1.” The table below shows the intersections deemed to be critical, as well as the levels of service representing existing

conditions. The following represents the intersections deemed critical for the proposed development:

EXISTING CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	A/627	A/833
Ritchie Marlboro Road and Whitehouse Road	A/580	A/815
MD 4 and Westphalia Road-Old Marlboro Pike	A/860	C/1293
Westphalia Road and D'Arcy Road*	11.0 seconds	18.8 seconds
Ritchie Marlboro Road and Westphalia Road*	12.7 seconds	23.1 seconds
MD 4 and Suitland Parkway	B/1093	E/1591
D'Arcy Road and Sansbury Road*	10.3 seconds	11.3 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 16 background developments whose impact would affect some or all of the study intersections. In addition, a growth of 0.5 percent over six years was also applied to the traffic volumes. A second analysis was done, depicting background conditions. Those results are as follows:

BACKGROUND CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	A/794	D/1333
Ritchie Marlboro Road and Whitehouse Road	A/655	A/951
MD 4 and Westphalia Road-Old Marlboro Pike		
MD 4 SB Ramps and Old Marlboro Pike	A/461	A/839
MD 4 NB Ramps and Westphalia Road	A/361	A/597
Westphalia Road and D'Arcy Road*		
Tier 1 - HCM Delay Test	233.9 seconds	1182.5 seconds
Tier 2 - Minor Street Volume Test	>100	>100
Tier 3 - CLV Test	A/906	B/1064
Ritchie Marlboro Road and Westphalia Road *	28.7 seconds	20.2 seconds
MD 4 and Suitland Parkway		
MD 4 SB Ramp and Suitland Parkway	B/1119	A/917
MD 4 NB Ramp and Presidential Parkway	A/795	A/744
D'Arcy Road and Sansbury Road*		
Tier 1 - HCM Delay Test	56.8 seconds	105.7 seconds
Tier 2 - Minor Street Volume Test	>100	>100
Tier 3 - CLV Test	A/856	A/878

*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:

Table 1 - Trip Generation							
		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Single Family homes (county rates)	574	86	345	431	336	181	517
Townhouse (county rates)	87	12	49	61	46	24	70
Total new trips		98	394	492	382	205	587

The table above indicates that the proposed development will be adding 492 and 587 trips during the AM and PM peak hours, respectively. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	A/799	D/1338
Ritchie Marlboro Road and Whitehouse Road	A/656	A/953
MD 4 and Westphalia Road-Old Marlboro Pike MD 4 SB Ramps and Old Marlboro Pike MD 4 NB Ramps and Westphalia Road	A/463 A/361	A/850 A/597
Westphalia Road and D'Arcy Road* <i>Tier 1 - HCM Delay Test</i> <i>Tier 2 - Minor Street Volume Test</i> <i>Tier 3 - CLV Test</i>	272.9 seconds >100 A/927	1265.3 seconds >100 B/1086
Westphalia Road and West Site Access	12.8 seconds	13.4 seconds
Westphalia Road and East Site Access	11.1 seconds	9.5 seconds
Westphalia Road and Main Site Access	11.9 seconds	11.0 seconds
Ritchie Marlboro Road and Westphalia Road * <i>Tier 1 - HCM Delay Test</i> <i>Tier 2 - Minor Street Volume Test</i> <i>Tier 3 - CLV Test</i>	29.8 seconds	66.3 seconds >100 B/1029
MD 4 and Suitland Parkway MD 4 SB Ramp and Suitland Parkway MD 4 NB Ramp and Presidential Parkway	B/1121 A/797	A/921 A/746
D'Arcy Road and Sansbury Road* <i>Tier 1 - HCM Delay Test</i> <i>Tier 2 - Minor Street Volume Test</i> <i>Tier 3 - CLV Test</i>	59.9 seconds >100 A/858	120.2 seconds >100 A/892

*Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study.

The results under total traffic conditions show that the intersections will all operate adequately. It is worth noting that while the intersection of MD 4 and Westphalia Road-Old Marlboro Pike is projected to operate adequately, the analysis was predicated on an interchange being built at the current location. Pursuant to CR-66-2010, the cost of the construction of that interchange will be borne by developers whose development traffic will pass through that intersection. This matter will be dealt with in greater detail at the PPS phase of this development.

- (D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;**

The public facilities which are either existing, under construction, or fully funded within the County's Capital Improvement Program (CIP), will be adequate for residential uses proposed in this application. Moreover, it should be noted that the residential units proposed in this development will be subject to all appropriate school and public safety surcharges imposed by the County.

The applicant's property is also subject to the provisions of CR-66-2010, and the applicant is required to pay a share of the cost for the planning, engineering, and construction of the Westphalia Road/MD 4 intersection/interchange.

- (E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.**

As previously mentioned, the request has been found in conformance with the environmental regulations set forth in the Westphalia Sector Plan and SMA. Therefore, the requested amendment satisfies Section 27-195(b)(1)(E).

Section 27-487 – Housing Provisions

All Comprehensive Design Zone proposals shall contain provisions for housing to serve all income groups.

The applicant proposes a variety of residential options at price points targeted at the middle market segment of the County. The variety ranges from economic mid-group townhouses to larger-end townhouses, and small lot single-family products to larger lot single-family products. A greater mix of housing types should be considered in the overall development. The lack of low income housing this development should be addressed. The mix of housing types should be further analyzed at the time of CDP.

Section 27-507(a) – Purposes of the Residential Medium (R-M) Zone

Pursuant to Section 27-507(a) of the Zoning Ordinance, the proposed location is consistent with the purposes of the R-M Zone. This analysis is provided for additional context as to the position of this application within the R-M Zone. The complete list of purposes is copied below, followed by comments:

(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.**

As previously noted, the basic plan amendment is requesting a maximum residential density of 3.95–4.18 dwelling units per acre, with the development of between 626 to 661 single-family detached residential units. The residential development of the Case and Yergat portions of Woodside Village would not exceed the total 1,497 dwelling units approved in A-9973. With the requested 661 dwelling units for the Case and Yergat properties, this leaves a density of 836 remaining units that were approved in the basic plan and can be allocated to the 63.30-acre Bean property, (the only other remaining privately held property within the original Woodside Village assemblage). The SOJ has not included any public benefit features with this basic plan amendment.

The location of the R-M Zone on the property is in accordance with the following:

- (1) The residential low land use recommendation from Plan 2035;**

- (2) The residential low land use recommendation from the Westphalia Master Plan and SMA; and
- (3) The minimum WCT for the property conforms to the recommendations of the Green Infrastructure Plan.

(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;

The R-M Zone establishes the density ranges and regulations. The site plan will establish the range, as allowed by the R-M Zone. The CDP will establish an exact density and apply the other R-M Zone regulations. This basic plan amendment conforms to the policies and recommendations of Plan 2035, the Westphalia Sector Plan and SMA, and the Green Infrastructure Plan.

(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;

As an overall use, the proposed single-family attached and detached homes are compatible with the existing and proposed surrounding land uses, with single-family residential land and single-family homes immediately adjacent to the property. The development has access to existing public facilities and services, and needed improvements will be determined at the time of PPS.

(4) Encourage amenities and public facilities to be provided in conjunction with residential development;

The basic plan has incorporated open space areas, passive and active recreational facilities, and trails that create opportunities for an active environment for residents that eases the impact on the public park system.

(5) Encourage and stimulate balanced land development;

The basic plan amendment conforms with the recommendations of Plan 2035, the Westphalia Sector Plan and SMA, and the Green Infrastructure Plan. Therefore, it encourages and stimulates balanced land development for the immediate adjacent areas. There are no commercial uses included on the basic plan for the property.

(6) Improve the overall quality and variety of residential environments in the Regional District; and

As previously indicated, there are single-family residential and large vacant single-family residential lands surrounding the property. The basic plan incorporates between 626 and 661 single-family detached residential units

that could improve the overall quality and variety of residential environments in the regional district. The variety and quality of the residential units proposed for the property will need addressing during the specific design plan stage.

8. Referral Comments: Referral memoranda comments directly related to the request to amend the basic plan on the property were included in the body of this technical report. Referral memoranda were received from the following divisions, all are included as backup to this report, and are incorporated herein by reference:

- a. Transportation Planning Section (Pedestrian/Bicycle), dated August 16, 2021 (Smith to Spradley);
- b. Prince George's County Department of Parks and Recreation, dated August 16, 2021 (Burke to Hurlbutt);
- c. Community Planning Section, dated August 6, 2021 (Gravitz to Spradley);
- d. Environmental Planning Section, dated August 10, 2021 (Rea to Spradley);
- e. Historic Planning Section, dated August 12, 2021 (Stabler to Spradley);
- f. Subdivision Section, dated August 17, 2021 (Diaz-Campbell to Hurlbutt);
- g. Transportation Planning Section, dated August 31, 2021 (Burton to Hurlbutt)

9. Basic Plan A-9973 Conditions

Basic Plan A-9973, as approved by CR-2-2007, contained five conditions. Subdivision Section staff recommends that Conditions 3b, 3j, 4b, 4c, 4d, 4g, and 5(a-d) be carried forward and renumbered (13, 14, and 15) below, as part of the Applicant's Basic Plan Conditions of Approval. Staff also recommends removing Condition 3g(1) because the Cabin Branch stream valley is not located on the subject property, modifying Condition 3m to remove the requirement to provide a multiuse stream valley trail because it is not located on the subject property, and replacing Condition 4g with the language shown in Condition 13 of this staff report because it provides further details on the Park Club agreement.

CONCLUSION

This application meets the requirements of Section 27-197(b) of the Prince George's County Zoning Ordinance. The division of the single basic plan is needed for development to proceed to the comprehensive design plan phase, given that a significant portion of the original development was purchased by the Maryland-National Capital Park and Planning Commission and cannot be dedicated as parkland by the applicant. The amended basic plan will maintain the density of the original basic plan, will be able to stand on its own, and will not impair other development nor deny the use of other land in the original basic plan. The residential character of the Residential Medium Development Zone and the requested basic plan provides an appropriate transition in the density and land uses envisioned in the 2014 *Plan Prince George's 2035 Approved General Plan*, the 2007 *Westphalia Sector Plan and Sectional Map Amendment*, and the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A*

Countywide Functional Master Plan. Consequently, staff recommends APPROVAL of Zoning Map Amendment A-9973-02, Woodside Village, with conditions, to accommodate development of 626 and 661 single-family attached and detached dwelling units, respectively, between the two parcels.

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: (158.28 acres less half the floodplain)	157.25 acres
Density permitted under the Residential Medium Zone	3.6–5.7 dwelling units/acre
Base residential density (3.6 du/ac)	569 dwelling units
Maximum residential density (5.7 du/ac)	901 dwelling units

Proposed Land Use Types and Quantities	
Residential: 157.25 gross acres @ 3.98-4.205 du/ac	626–661 dwelling units
Number of the units above the base density:	57–92 dwelling units
Density proposed in the 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:

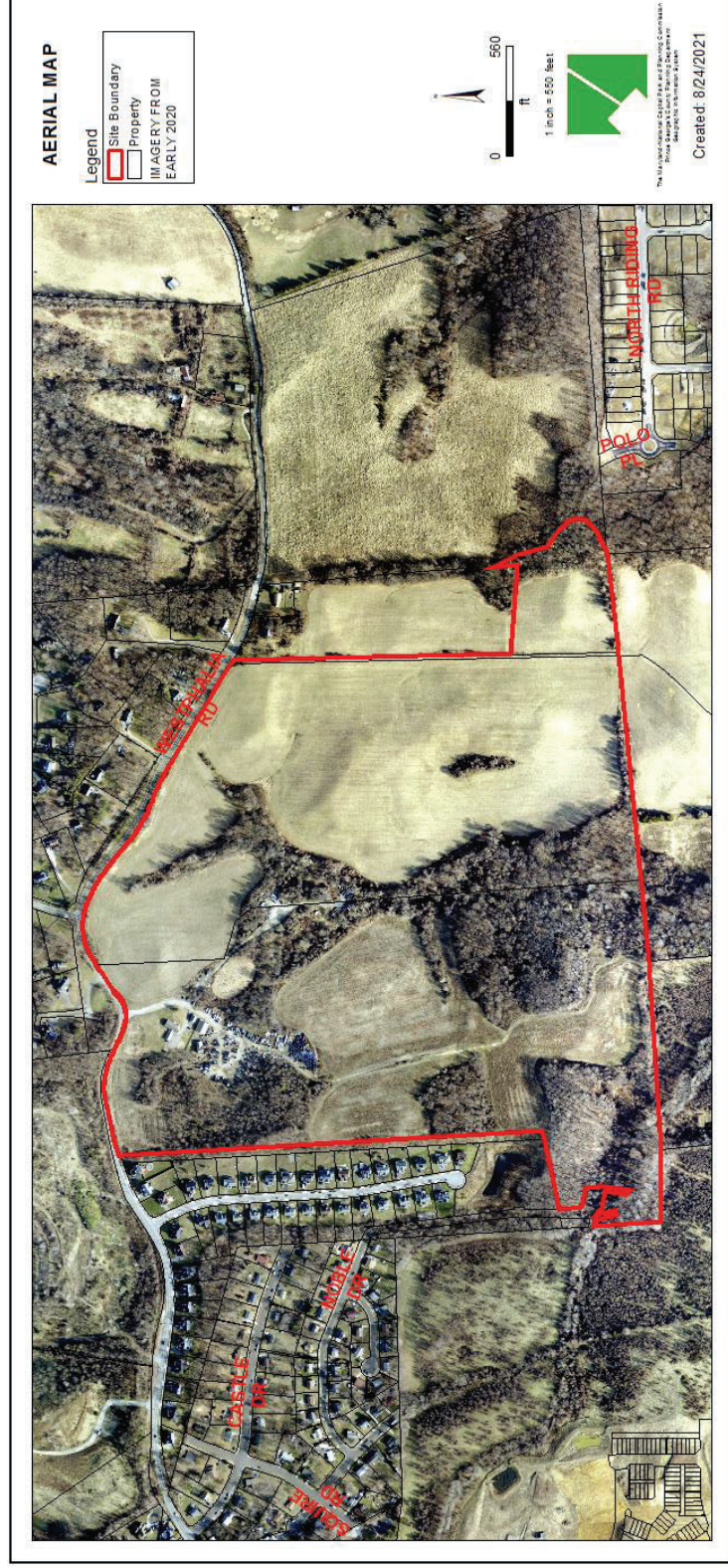
- a. An inventory of existing cemetery elements.
- b. Measures to protect the cemetery during development.
- c. Provision of a permanent wall or fence to delineate the cemetery boundaries, and placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant 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.

WOODSIDE VILLAGE

Basic Plan Amendment

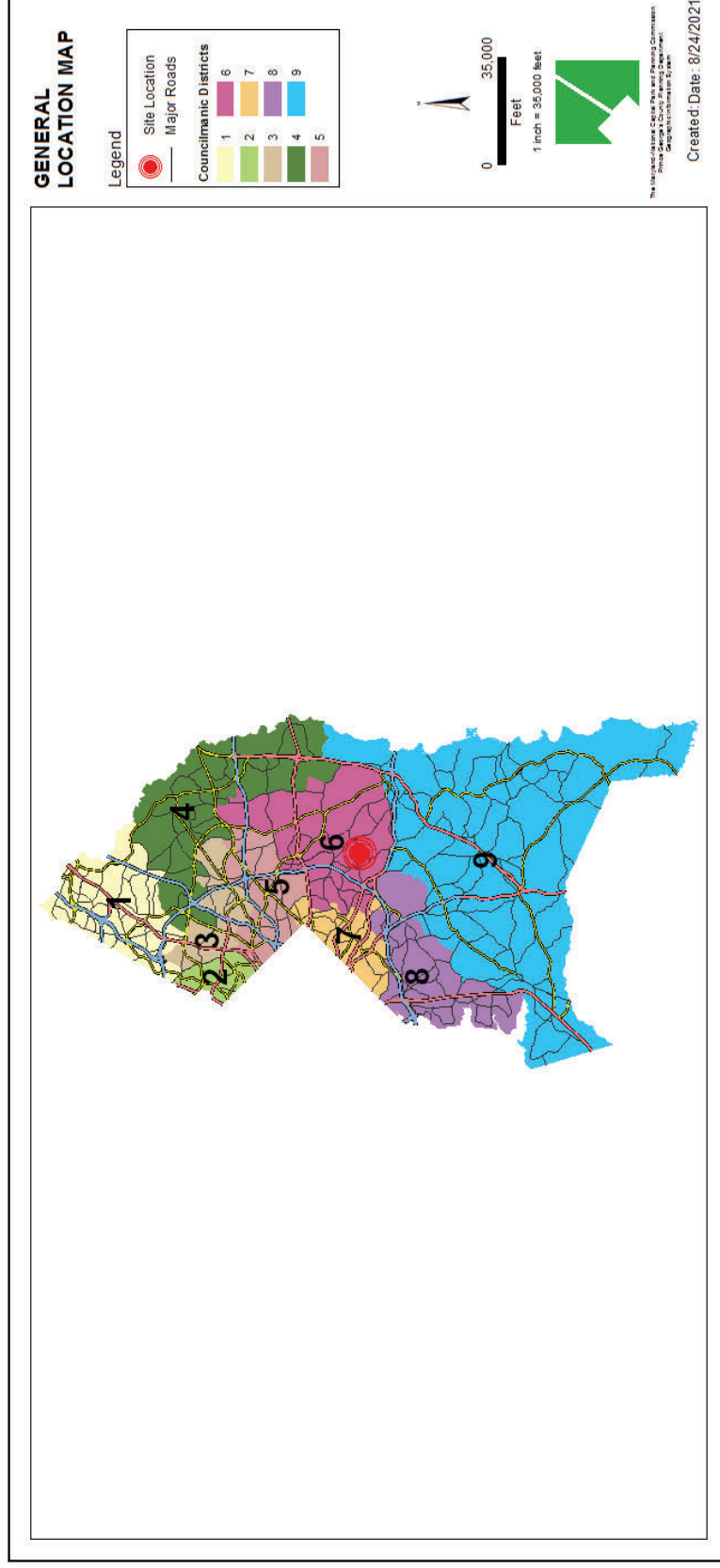
Parent Case: A-9973

Staff Recommendation: APPROVAL with conditions

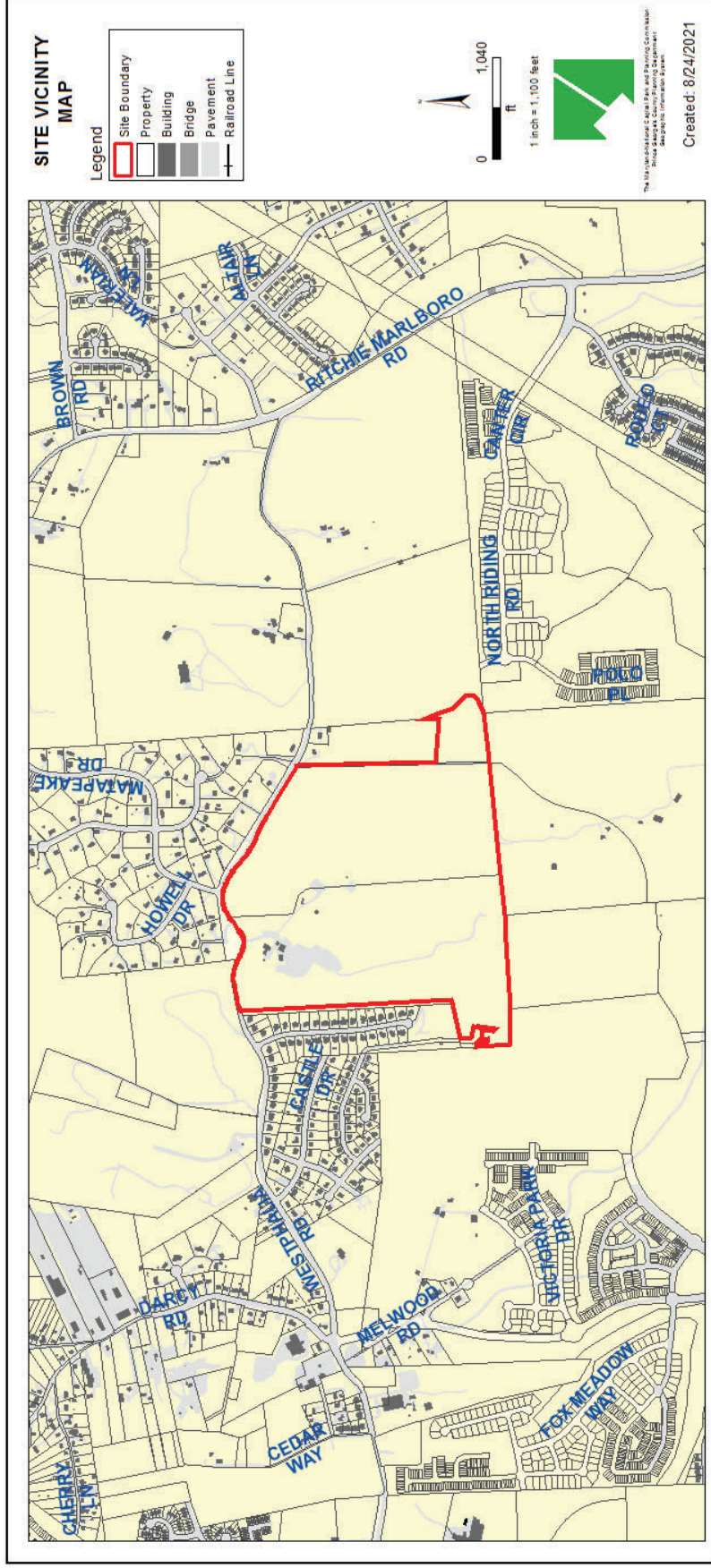


GENERAL LOCATION MAP

Council District: 06
Planning Area: 78

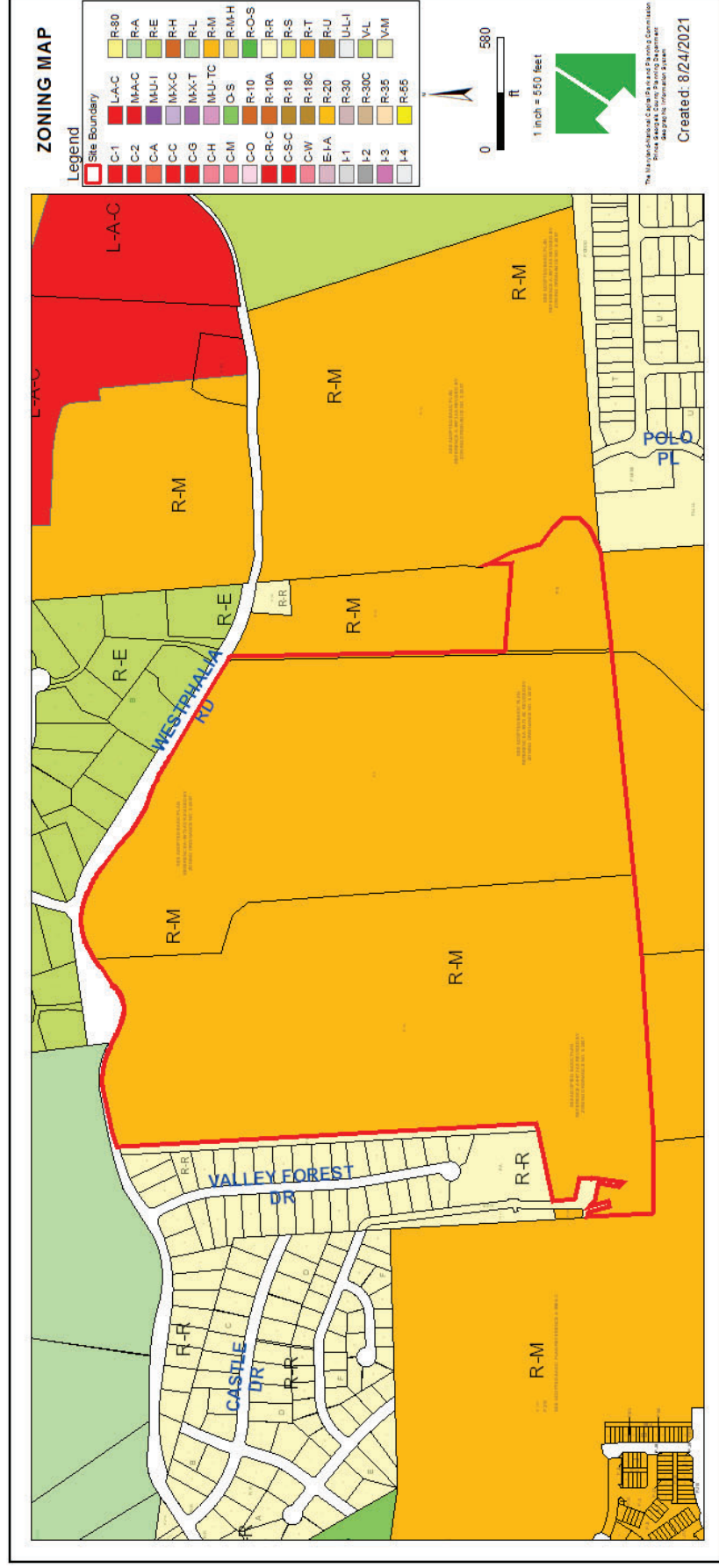


SITE VICINITY MAP

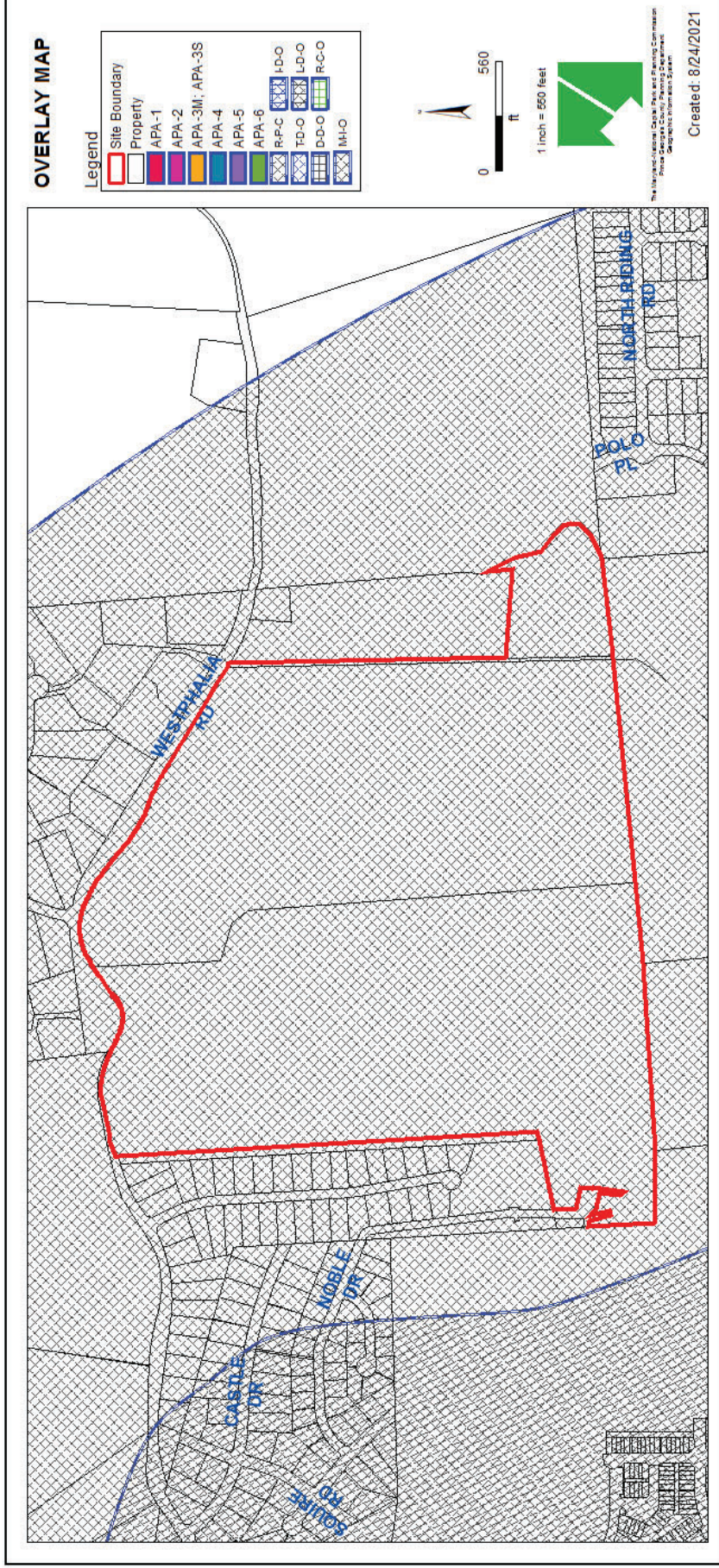


ZONING MAP

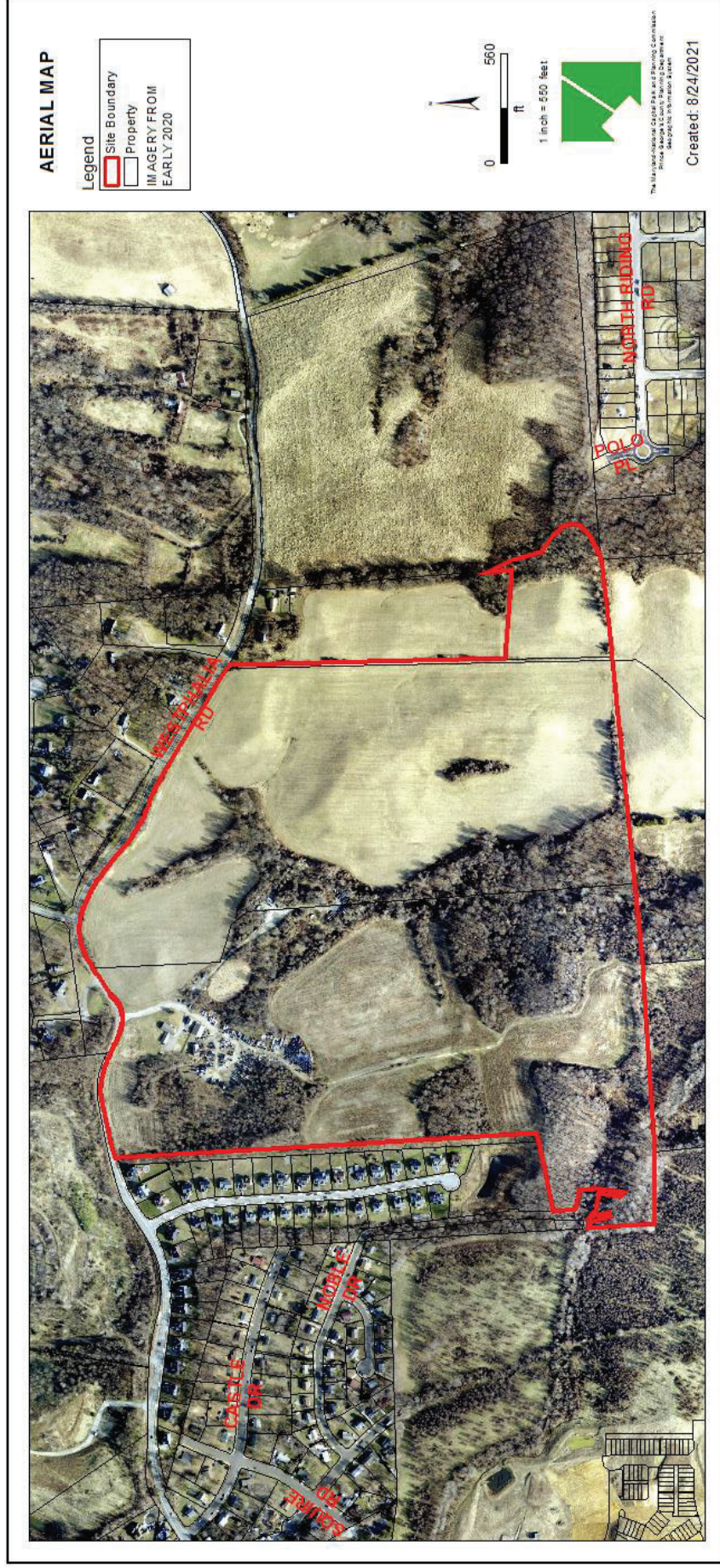
Property Zone: R-M/M-I-O



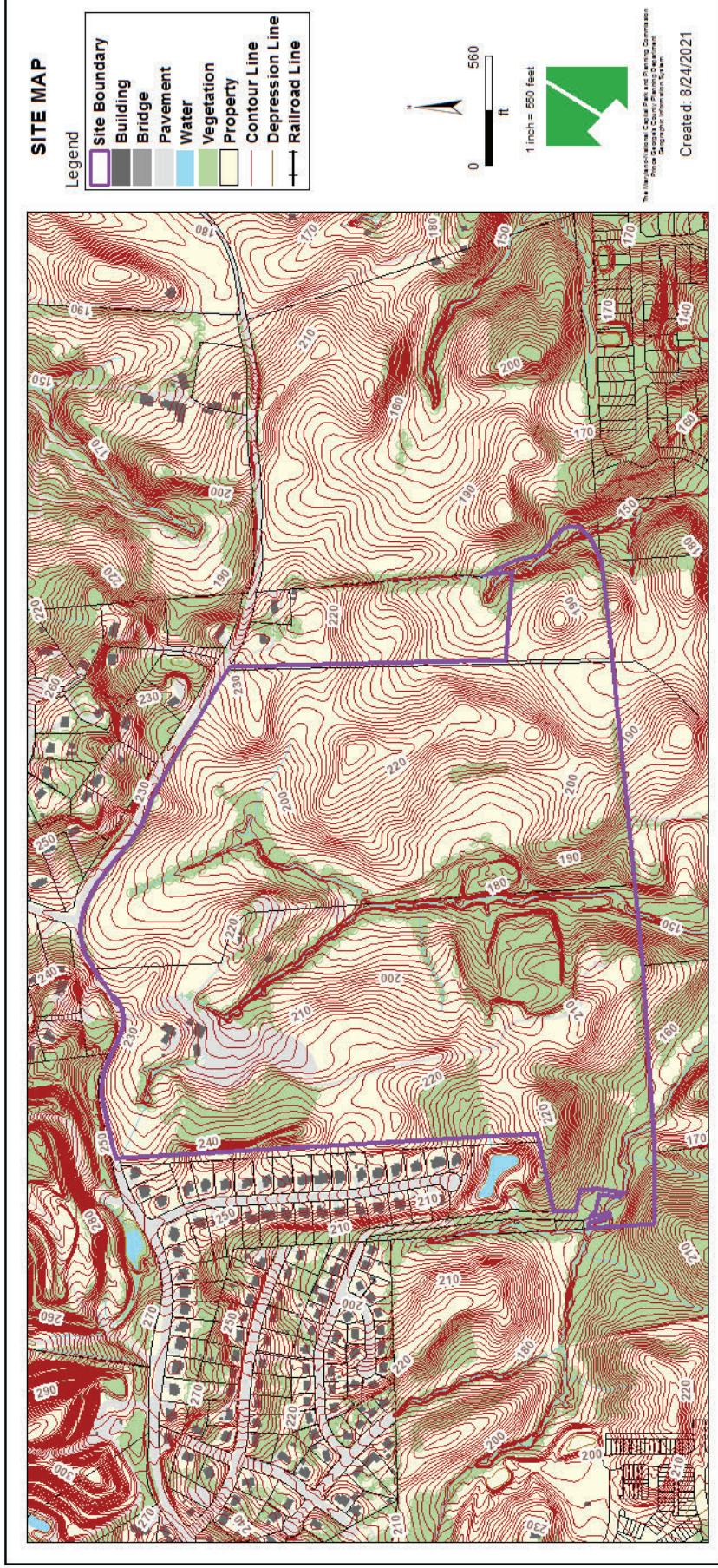
OVERLAY MAP



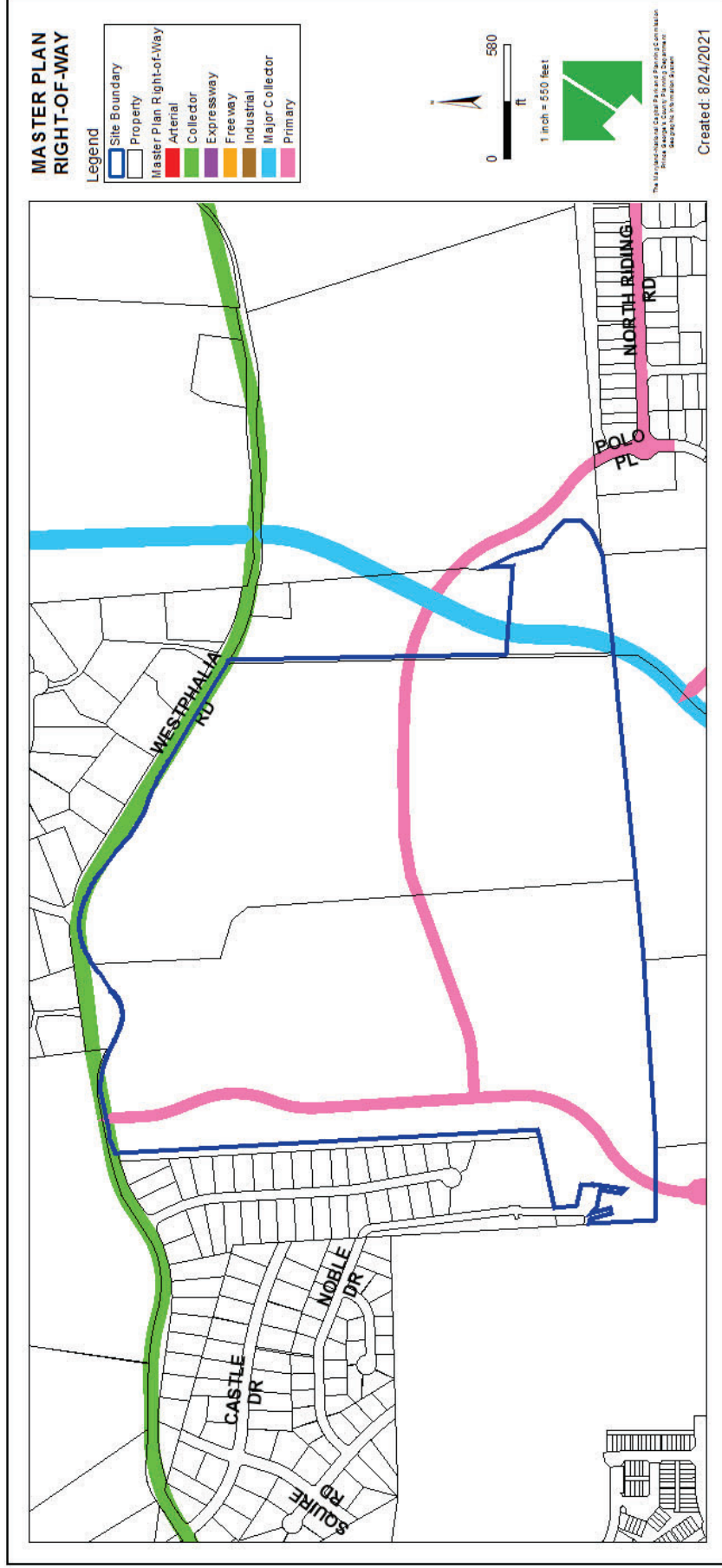
AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BASIC PLAN (A-9973-02)



STAFF RECOMMENDATION

APPROVAL with conditions

- 16 conditions

[Major/Minor] Issues:

- Parkland Dedication
- Density Bonus Increments

Applicant Community Engagement:

- Informational Mailing: April 12, 2021
- Acceptance Mailing: July 8, 2021

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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

April 20, 2021

VIA FIRST CLASS AND ELECTRONIC MAIL

Hon. Donna J. Brown, Clerk of the Council
Prince George's County Council
14741 Governor Oden Bowie Dr., Room 2198
Upper Marlboro, MD 20772

**RE: WOODSIDE VILLAGE (Case & Yergat Properties)
Basic Plan Amendment (A-9973-02)**

Dear Ms. Brown:

On behalf of our client, **Woodside Development, LLC** (the "Applicant"), Robert J. Antonetti, Jr., and Shipley and Horne, P.A. submits this statement of justification in support of Basic Plan Amendment (A-9973-02). The Woodside Village 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 381.95 acres in the R-M 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 and/or contract purchaser of the Yergat and Case parcels totaling approximately 158.11 acres (leaving approximately 223.65 acres from the initial basic plan area of 381.95 acres).

The subject application proposes an amendment to basic plan A-9973 (hereinafter the "Basic Plan Amendment") to divide the initial basic plan area by deleting the Yergat and Case parcels from the total assemblage of properties in A-9973. This division is necessary because the total assemblage of properties in A-9973 is no longer under common ownership, (as was the case when A-9973 was approved), thus making the implementation of the initial basic plan a practical

impossibility. The 63.30-acre Bean Property (Parcel 14)¹, 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 A-9973 are not included in the Basic 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 A-9973 and necessitates the division of the basic plan area to allow for the appropriate development of the Case and Yergat parcels controlled by the Applicant. Further, this Basic Plan Amendment will also allow for appropriate amendments to the conditions of approval in A-9973, as further described herein.

A. Neighboring Properties Use and Zoning:

The property in this application is bounded in all directions by existing or proposed residential development. 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.

B. Previous Approvals

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

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
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 Property as part of a grading permit)	District Council	Approved	Planning Board 6/1/2006 Zoning Hearing Examiner 7/13/2006 District Council 2/6/2007	PGCBP No. 06-112 N/A CR-2-2007 (DR-2)
				Planning Board 9/11/2008	PGCBP No. 08-121

¹ It should be noted that the owners of the Bean Property (Parcel 14) are similarly pursuing an amendment of the approved basic plan for Woodside Village (A-9973-01) to divide their acreage from the total acreage approved in A-9973.

CDP-0601	TCPI/006/ 08	District Council	Approved	District Council 2/9/2009 (Affirmed with conditions)	
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

C. Purposes of Request

The purposes of this Basic Plan Amendment are as follows:

1. To divide the Yergat Parcel and Case Parcel from the land area included in Basic Plan A-9973 to establish a separate basic plan pursuant to Section 27-197(b) of the Zoning Ordinance.
2. To revise the prior approved land use quantities in A-9973 to correspond with the revised boundaries and acreages included with the subject Basic Plan Amendment.
3. To amend prior approved conditions in A-9973, as appropriate, to facilitate the residential development proposed in the subject Basic Plan Amendment.

D. Proposed Development Concept

From its inception, the vision for Woodside Village has been to create a 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 Basic Plan Amendment will remain largely consistent with the spirit of initial basic plan A-9973. This application will also allow for appropriate modifications to basic plan A-9973 to facilitate the development of the Case and Yergat Parcels. The development contemplated in this Basic 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.

E. Compliance with The Prince George’s County Zoning Ordinance

The instant Basic Plan Amendment satisfies all required criteria of approval set for in the Zoning Ordinance as follows:

Sec. 27-197 (b): Amendment of Approved Basic Plan

- (b) *An amendment of an approved Basic Plan which results in dividing a single approved Basic Plan into two (2) or more separate Basic Plans may be approved by the District Council where significant changes in circumstances with regard to the approved Basic Plan have created practical difficulties for the applicant to the extent that, unless the Basic Plan is amended to separate a specified amount of land area, the applicant will be unable to proceed to the Comprehensive Design Plan phase. An amendment will not be granted where the practical difficulty is self-created or self-imposed, or where the applicant had knowledge of, and control over, the changing circumstances and the problems bringing about the practical difficulty at the time the Basic Plan was approved. The following procedures shall apply to consideration of any such amendment in lieu of the requirements of Subsection (c), below:***

COMMENT: As stated above, this Basic Plan Amendment proposes to divide the initial basic plan area by deleting the Yergat and Case parcels from the total assemblage of properties in A-9973. The Yergat and Case properties are controlled by the Applicant and will stand on their own as a separate basic plan. This division is necessary because the total assemblage of properties in A-9973 is no longer under common ownership (as was the case when A-9973 was approved), thus making the implementation of the initial basic plan a practical impossibility. 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 A-9973 are not included in the Basic 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 A-9973 and necessitates the division of the basic plan area to allow for the appropriate development of the Case and Yergat parcels controlled by the Applicant.

Specifically, the initial basic plan contemplated that Woodside Village would be developed as a residential development organized around a park/school site of approximately 56 acres within the Suit Property that would then be combined with the larger Westphalia Central Park located in the adjacent Parkside subdivision. Although the Suit Property and Parcel 13 now form part of the land assemblage for the Westphalia Central Park, its ownership by M-NCPPC prevents the Applicant from conforming to the land use requirements for a park/school site mandated by Conditions 1 and 4(e) in the initial basic plan (mandating that the Applicant dedicate approximately 56 acres for the park/school site on property now owned by M-NCPPC). Further, the residential development designated in A-9973 for the Suit Property and Parcel 13 will no longer be achieved (due to its ownership by M-NCPPC). As a result, it is highly appropriate for the basic plan area to be divided in a manner to allow the Case and Yergat Parcels (both controlled by the Applicant) to proceed independently from the remaining assemblage parcels that previously made up the land area in A-9973. The aforementioned hardships

faced by the Applicant in implementing the initial basic plan approval were not caused by the Applicant, and certainly were not known at the time of the initial basic plan approval (since the Suit Parcels and Parcel 13 were acquired by M-NCPPC after the approval of A-9973). Conversely, this Basic Plan Amendment presents an opportunity for portions of the initial Woodside Village to develop in a manner consistent with the goals and visions of the Westphalia Sector Plan by creating a high-quality residential community to benefit existing and future residents of the County.

- (1) ***The applicant shall file the request in triplicate with the Clerk of the Council. The petition shall be accompanied by a new reproducible copy of the proposed new Basic Plan graphic showing how the Basic Plan is to be divided and any other proposed revisions, three (3) copies of the proposed new Basic Plan Text if any, and the names and addresses of the current owners of the property separated by the proposed amendment. The Clerk's office shall advise the applicant in writing that the Technical Staff has found that the request is complete.***

COMMENT: The Applicant has complied with this requirement.

- (2) ***The Clerk of the Council shall refer copies of the request and accompanying documents to the Planning Board and to the People's Zoning Counsel. The Planning Board and the People's Zoning Counsel shall submit any comments which they have on the request to the District Council, the Zoning Hearing Examiner, the petitioner, and all persons of record in the original Zoning Map Amendment application. The comments shall be submitted not later than sixty (60) days after the date the petition is referred, unless such deadline is waived in writing by the applicant.***

COMMENT: The Applicant agrees with requirement.

- (3) ***Within one hundred twenty (120) days after referral of the petition to the Planning Board and People's Zoning Counsel, the Zoning Hearing Examiner shall conduct a public hearing on the petition. The hearing shall be held in accordance with Section 27-129. The hearing shall not be held until after the sixty (60) day review period has expired, unless both the Planning Board and People's Zoning Counsel have submitted their comments.***

COMMENT: The Applicant agrees with requirement.

- (4) ***In approving the petition, the applicant shall establish, and the District Council shall find, that:***

- (A) ***The approval of the amended Basic Plan will not result in a change in land area, or an increase in land use density or intensity, for the overall area included in the original, approved Basic Plan;***

COMMENT: The proposed Basic Plan Amendment **does not** involve an increase in the overall density approved for the Woodside Village development set forth in Basic Plan A-9973. As stated earlier, the central purpose of this Basic Plan Amendment is to divide the basic plan area by deleting the Yergat and Case properties from the total assemblage of properties in A-9973. The Yergat and Case properties are controlled by the Applicant and will stand on their own as a separate basic plan. The residential development of Woodside Village would not exceed the total 1,497 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 836 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). As such, this Basic Plan Amendment is eligible to be processed under the condensed review procures set forth in Section 27-197(b).

- (B) ***The approval of the amended Basic Plan will not significantly impair the character of the original, approved Basic Plan with respect to land uses, density ranges, unit types, circulation, accessibility, public facilities, public benefit features, and open space;***

COMMENT: The instant Basic Plan Amendment will not impair the character of the originally approved basic plan. The land use, density ranges, circulation patterns, and amenities proposed for the Yergat and Case properties are substantially consistent with those approved in the initial basic plan.

- (C) ***The proposed amended Basic Plan conforms to the requirements of Section 27-195(b);***

COMMENT: This Basic Plan Amendment conforms to the requirements of Section 27-195(b) as set forth below.

- (D) ***The separate Basic Plans that result will be capable of standing by themselves as individual, cohesive developments;***

COMMENT: This Basic Plan Amendment has been designed in a manner that it can stand alone as an individual development. Moreover, the development of the Case and Yergat properties as an individual subdivision will be cohesive with the remaining portions of Woodside Village. It is anticipated that the Bean property will develop residentially (as conceived in the initial Basic Plan), and the M-NCPPC holdings within

Woodside Village will ultimately develop as part of the planned Westphalia Central Park.

- (E) *Any staging of development that was required in the approval of the original Basic Plan, and that is still appropriate, is included as part of the amended Basic Plan; and*

COMMENT: No staging of development was required in A-9973.

- (F) *No owner of any land which is included in the original, approved Basic Plan will, by the approval of the proposed amended Basic Plan, be denied reasonable use of his property.*

COMMENT: No owner(s) of land included in the original basic plan will be denied reasonable use of their property. The Suit property and Parcel 13 are owned by M-NCPPC and is contiguous with other land holdings by M-NCPPC to be utilized for the Westphalia Central Park. As stated above, The Yergat and Case properties are controlled by the Applicant and will stand on their own as a separate basic plan. The residential development of the Case and Yergat portions of Woodside Village would not exceed the total 1,497 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 836 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).

Section 27-195(b): Criteria for Approval of a Basic Plan

- (1) *Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:*

- (A) *The proposed Basic Plan shall either conform to*
- (i) *The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties;*
 - (ii) *The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units,*

intensity of nonresidential buildings, and the location of land uses; or

- (iii) *The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code.*

COMMENT: The proposed Basic Plan 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 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 3.95- 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 Basic Plan 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 Basic Plan 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).

- (B) *The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;***

COMMENT: The instant application does not contain a proposal for retail commercial development. Therefore, an economic analysis is not required for this application.

- (C) *Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;***

COMMENT: The Applicant has included a traffic impact study as part of this statement of justification. This traffic impact study demonstrates that all transportation facilities, either existing or 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.

- (D) *Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;***

COMMENT: The public facilities which are either existing, under construction or fully-funded within the County's Capital Improvement Program ("CIP"), will be adequate for residential uses proposed in this application. Moreover, it should be noted that the residential units proposed in this development will be subject to all appropriate school and public safety surcharges imposed by the County.

The Applicant's property is also subject to the provisions of CR-66-2010 (approved by the County Council) and is required to pay a share of the cost for the planning, engineering, construction of the Westphalia Road/MD 4 intersection/interchange.

- (E) *Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.*

COMMENT: The Applicant proposes to use the site's existing natural contours, woodlands, and other natural features to shape the development envelopes while minimizing impacts to floodplains, wetlands, and other sensitive areas.

- (2) *Notwithstanding subparagraphs (C) and (D), above, where the application anticipates a construction schedule of more than six (6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.*

COMMENT: The Applicant intends to complete all development/sections in Woodside Village located on the Case and Yergat properties within the next 6 years.

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 middle market segment 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.

Section 27-507: Purposes of R-M Zone

This section demonstrates how the instant Amendment to approved Basic Plan 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: As stated earlier in this Statement of Justification, the proposal for this application is consistent with the recommendations of the applicable portions of the 2035 General Plan and the Westphalia Sector Plan. The subject application proposes 626 to 661 dwelling units of the Case and Yergat properties of the Woodside Village project that would roughly equal 3.95-4.18 dwelling units per gross acre. The residential development of the Case and Yergat portions of Woodside Village would not exceed the total 1,497 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 836 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). To the extent that any additional public benefit features are necessary to justify the proposed density in this application, such information will be provided at time of the amendment of the comprehensive design plan for the project.

(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 Westphalia Sector Plan. Upon approval of this Basic Plan Amendment 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 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 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 great 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.

F. Compliance with Existing Basic Plan Conditions

Basic Plan Amendment A-9973 was approved for the subject property by the District Council on February 6, 2007 (Council Resolution No. CR-2-2007) with 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:*

Total Area	<i>381.95 acres</i>
<i>Land in the 100 year floodplain*</i>	<i>15.69 acres</i>
<i>Adjusted gross area: (381.95 less half the floodplain)*</i>	<i>374.15 acres</i>
<i>Density permitted under the R-M (Residential Medium Zone)</i>	<i>3.6-5.8 dwellings/acre</i>
<i>Base residential density (3.6du/ac)*</i>	<i>1,347 dwellings</i>
<i>Maximum residential density (5.8 du/ac)*</i>	<i>2,170 dwellings</i>

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

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

COMMENT/REVISION: The Applicant is proposing the following revision to the previously approved land use types and quantities for Woodside Village. 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 application. Both the 148.7-acre Suit Property (Parcel 42 & 48), and the 11.66-acre Parcel 13 are currently owned by M-NCPPC.

Total Area	<i>158.11 acres</i>
<i>Land in the 100 year floodplain*</i>	<i>0.00 acres</i>
<i>Adjusted gross area: (158.11 acres less half the floodplain)</i>	<i>158.11 acres</i>
<i>Density permitted under the R-M (Residential Medium Zone)</i>	<i>3.6 - 5.8 dwelling units/acre</i>

Base residential density (3.6 du/ac)	569 dwelling units
Maximum residential density (5.8 du/ac)	917 dwelling units

Proposed Land Use Types and Quantities	
Residential: 158.11 gross acres @ 3.96-4.18 du/ac	626 - 661 dwelling units
Number of the units above the base density:	57 - 92 dwelling units
Density proposed in the R-M (Residential Medium Zone)	3.96 – 4.18 dwelling units/acre
Permanent open space: (37 percent of original site area) (Includes environmental, recreational, and HOA areas)	59 acres

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 boundary to the Smith Home Farms property, and terminate the cul-de-sac within the subject property.*

COMMENT/REVISION: The prior proposed lotting pattern for the Case property has been redesigned. There are no cul-de-sac streets that extend off the Case property into Smith Home Farms (Parkside). As a result, the above condition is no longer needed and can be deleted.

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

COMMENT/REVISION: Neither the Yergat nor Case properties are physically contiguous with the W. Bean property. Therefore, this condition should be deleted.

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

a. *The Transportation Planning staff shall make Master Plan transportation facility recommendations consistent with the Westphalia Sector Plan. The CDP road*

alignments shall conform to road alignments in all other adjacent approved subdivisions.

COMMENT: The Applicant concurs with the above condition. The road alignments shown on the submitted Basic Plan provides a seamless transition to the prior approved road alignments in the adjacent Parkside Subdivision.

- b. *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 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.

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

COMMENT: The Applicant concurs with the above condition.

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

COMMENT/REVISION: The Applicant is also subject to the provisions of CR-66-2010 (approved by the County Council) and is required to pay a per unit share of the cost for the planning, engineering, construction of the Westphalia Road/MD 4 intersection/interchange. This intersection/interchange will be constructed by a duly formed development consortium. Thus, this condition should be deleted, as the Applicant is no longer required to build the interchange.

- e. *The CDP shall demonstrate that a majority of lots located along Westphalia Road are single-family detached lots in order to be compatible with the surrounding*

land use pattern and to preserve a rural character as recommended in the WCCP Study.

COMMENT/REVISION: The lots proposed along Westphalia Road are a mixture of single family detached and attached units. No lots are proposed for direct access from Westphalia Road. All lots are to be accessed from roads within the subdivision. Units visible from Westphalia Road will be attractive and consistent with the suburban character recommended by the Westphalia Sector Plan. As such, this condition should be deleted.

- f. The Applicant shall meet with and obtain written approval from the DPW&T to front and/or provide driveway access to any townhouse units that may be located along C-631. If the townhouses or two-over-two townhouses are to be located along any roadways, which are classified as collector and above, they should be accessed through an alley.*

COMMENT: The Applicant concurs with the above condition. No direct access to C-631 is proposed from individual lots.

- g. The Applicant and the Applicant's heirs, successors, and/or assignees shall provide the following in conformance with the 1994 Master Plan and the WCCP Study:*

- (1) 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.*
- (2) Provide an eight-foot wide sidepath or wide sidewalk along the subject property's entire frontage of Suitland Parkway extended.*
- (3) Provide a sidepath (Class II Trail) along the subject site's entire road frontage of Westphalia Road.*
- (4) Provide the internal HOA trails and sidepaths as conceptually shown on the submitted hiker and biker trail path.*

COMMENT/REVISION: The above condition needs to be revised to correspond with the revised property boundaries shown with the current basic plan.

- h. Submit a design package that includes an image board and general design guidelines that establish review parameters, including design, material and color, for architectural, signage, entrance features and landscaping for the entire site.*

COMMENT: The Applicant concurs with the above condition.

- i. Provide a description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.*

COMMENT/REVISION: Several of the abutting parcels that were included in the original basic plan are already under the ownership of M-NCPPC. These properties include a total of 160.36 acres. As a result, the current Basic Plan Amendment proposes no further dedication of land. Possible locations for private on-site recreational facilities are shown on the submitted plan. Specifics for these facilities will be demonstrated at the time of CDP. This condition should be revised to delete any reference to recreation facilities on public parkland.

- j. The Applicant, and the Applicant's heirs, successors and/or assignees shall agree to make a monetary contribution or provide in-kind services for the development, operation and maintenance of the central park. The recreational facilities packages shall be reviewed and approved by DPR prior to Comprehensive Design Plan (CDP) approval. The total value of the monetary contribution (or in-kind services) for the development, operation and maintenance of the central park shall be \$3,500 per dwelling unit in 2006 dollars. The Applicant may make a contribution into the "park club" or provide an equivalent amount of recreational facilities. The value of the recreational facilities shall be reviewed and approved by DPR staff. Monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia Study Area. The park club shall be established and administered by DPR.*

COMMENT: The Applicant concurs with the above condition.

- k. The Applicant shall submit a scope of services from a qualified urban park design consultant for development of a Comprehensive Concept Plan for the portion of central park in the project area. The Comprehensive Concept Plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of a Comprehensive Concept Plan. The Comprehensive Concept Plan shall be approved by DPR prior to approval of the Comprehensive Design Plan (CDP).*

COMMENT/REVISION: This condition can be deleted as the Parkside development has already satisfied this design requirement for the future Westphalia Central Park. Further, the Applicant does not propose any public recreational facilities as part of this Basic Plan Amendment.

- l. The public recreational facilities shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The concept plan for the development of the parks shall be shown on the Comprehensive Design Plan.*

COMMENT/REVISION: This condition can be deleted as there are no proposed public recreational facilities as part of this Basic Plan Amendment.

- m. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.*

COMMENT/REVISION: This condition can be deleted as this Basic Plan Amendment does not contain any portion of the Cabin Branch Trail.

- n. Provide the site location and timing or propose a contribution for the pro-rata share of funding for the following public facilities to be reviewed and approved by the appropriate agencies and the Countywide Planning Division:*
 - (1) Fire station*
 - (2) Library*
 - (3) Police facility*
 - (4) Middle school*
 - (5) Elementary school*

COMMENT/REVISION: This condition shall be deleted as it has been determined through entitlement applications for the adjacent Parkside project that none of the above public facilities should be, or are required to be, located within this portion of the Westphalia Sector Plan area.

- o. Submit a signed Natural Resources Inventory (NRI) with the Comprehensive Design Plan. All subsequent plan submittals shall clearly show the Patuxent River Primary Management Area (PMA) as defined in Section 24-101(b)(10), and as shown on the signed NRI.*

COMMENT: The Applicant is in agreement with the above condition.

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

COMMENT: The Applicant is in agreement with the above condition.

- q. Submit a required Type I Tree Conservation Plan (TCPI. The TCPI shall:*
- (1) Focus on the creation and/or conservation/preservation of contiguous woodland*
 - (2) Concentrate priority areas for tree preservation in areas within the framework of the approved Green Infrastructure Master Plan, such as stream valleys. Reflect a 25 percent Woodland Conservation Threshold (WCT) and meet the WCT requirements on-site.*
 - (3) Mitigate woodland cleared within the PMA's Preservation Area on-site at a ratio of 1:1, with the exception of impacts caused by Master Plan roads which shall be mitigated 1:25. This note shall also be placed on all Tree Conservation Plans.*
 - (4) Focus afforestation in currently open areas within the PMA and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.*
 - (5) Prohibit woodland conservation on all residential lots.*

COMMENT: The Applicant is in agreement with the above condition.

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

COMMENT/REVISION: According to both County soil maps and test borings, there is no Marlboro Clay on the property. As such, this condition should be deleted.

- s. Submit a plan that addresses how housing will be provided for all income groups in accordance with Section 27-487 and the Master Plan recommendations for the planned community.*

COMMENT: The Applicant is in agreement with the above condition.

- t. *Present all roadway improvement plans for Westphalia Road to the Historic Preservation and Transportation Planning staff for review and comment to ensure that all scenic and historic features associated with this historic road are properly evaluated and preserved as necessary.*

COMMENT: The Applicant is in agreement with the above condition.

- u. *Complete a Phase I archeological investigation report and submit to the Historic Preservation staff for approval.*

COMMENT/REVISION: This condition was addressed and satisfied by virtue of CDP-0601. Phase I archeological survey was conducted on the five parcels comprising the Woodside Village property from February to April 2005 and January to May 2007.

- 4. *At the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision, the Applicant shall:*

- a. *Show proposed dedication area for a non-CIP-sized sewer extension approximately 2,400 feet long to serve the eastern portion of the property and connect to the 24-inch diameter sewer in the Cabin Branch stream valley, or other alternative as required by WSSC.*

COMMENT/REVISION: This condition should be revised to reflect that the appropriate sewer layout shall be shown at time of Preliminary Plan.

- b. *Submit Hydraulic Planning Analysis to WSSC to address access to adequate water storage facilities and water service to be approved by the WSSC to support the fire flow demands required to serve all site development.*

COMMENT: The Applicant is in agreement with the above condition.

- c. *Submit a letter of justification for all proposed PMA impacts, in the event disturbances are unavoidable.*

COMMENT: The Applicant concurs with this condition and will provide the requested information at the time of PPS.

- d. *Submit a plan, prior to Planning Board approval of a Preliminary Plan of Subdivision, that shall provide for:*
- (1) *Either the evaluation of any significant archaeological resources existing in the project area at the Phase II level, or*
 - (2) *Avoiding and preserving the resource in place.*

COMMENT: The Applicant will comply with this condition.

- e. *The Applicant shall dedicate 56 developable acres of public open space to the M-NCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites shall be determined at the time of CDP Plan approval. The land to be conveyed to the M-NCPPC shall be subject to the following conditions:*
- (1) *An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plats.*
 - (2) *M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.*
 - (3) *The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.*
 - (4) *The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitably to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.*

- (5) *Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.*
- (6) *All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.*
- (7) *All existing structures shall be removed from the property to be conveyed, unless the Applicant obtains the written consent of the DPR.*
- (8) *The Applicant shall terminate any leasehold interests on property to be conveyed to the Commission.*
- (9) *No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.*

COMMENT/REVISION: As mentioned previously in the statement of justification, this condition cannot be satisfied by the Applicant because M-NCPPC has purchased the Suit property subsequent to the approval of A-9973. The Suit property was the area designated to be dedicated for public parkland as part of the initial basic plan. 50% of the Applicant's property perimeter is adjacent to this central public parkland. In addition, the Applicant plans to provide private trails and recreational facilities to supplement public amenities. As such, this condition should be deleted in its entirety.

- f. *Enter into an agreement with DPR, prior to the first Final Plat of Subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.*

COMMENT/REVISION: This condition should be deleted as the Applicant is not proposing to construct any public facilities as part of this Basic Plan Amendment. Nonetheless, the Applicant will contribute all required fees per unit as a part of a forthcoming Westphalia "Park Club" Agreement.

- g. Submit three original, executed agreements for participation in the park club to DPR for their review and approval, eight weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.*

COMMENT: The Applicant is in agreement with the above condition.

- 5. *Prior to submittal of any grading or building permits, the Applicant shall demonstrate that the Dunblane (Magruder family) Cemetery shall be preserved and protected in accordance with Section 24-135-02 of the 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 family) cemetery.*

COMMENT: The Applicant concurs with this condition and will provide the requested information prior to submission of any grading or building permits.

- 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 Planning Board or its designee prior to final plat.*

COMMENT: The Applicant concurs with this condition and will provide the requested information prior to final plat.

Conclusion

This Basic Plan Amendment application meets all requirements for approval as discussed herein. As such, the Applicant respectfully requests that the instant Basic Plan Amendment be approved.

April 20, 2021
Woodside Village
Basic Plan Amendment A-9973-02
Page 24

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,

A handwritten signature in blue ink, appearing to read "Robert J. Antonetti, Jr.", with a long horizontal flourish extending to the right.

Robert J. Antonetti, Jr.

cc: Woodside Development, LLC
Arthur J. Horne, Jr., Esq.
Ken Dunn, P.E.

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 **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.

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

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:

26 **“Comprehensive Design Zones**

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

29 **Zone Change:** From R-A (Residential-Agricultural) to R-M
 30 (Residential Medium Development) and L-A-C
 31 (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, sidewalls, 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

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

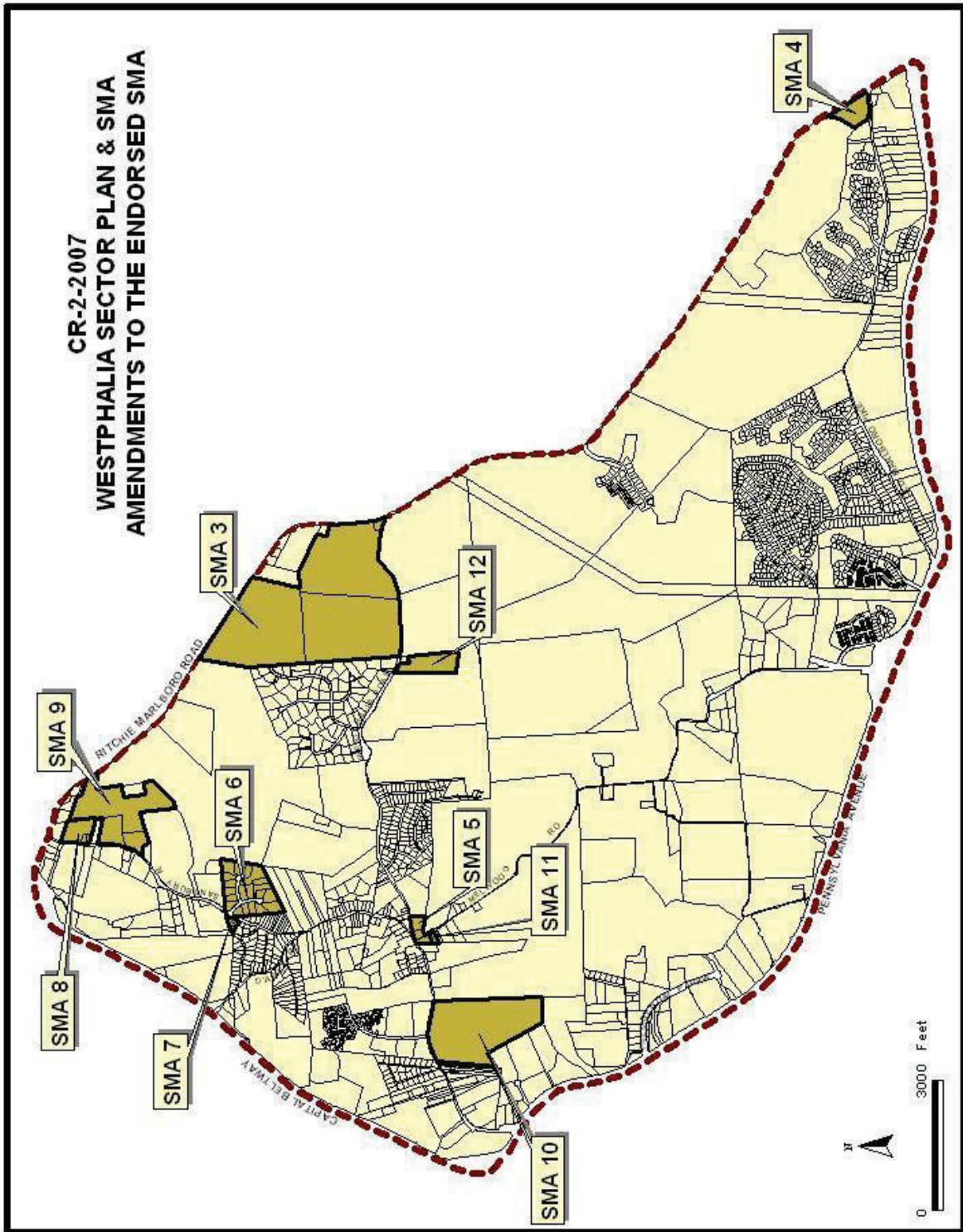
Strategies

- [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.

CR-2-2007 — MAP



R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on July 31, 2008, regarding Comprehensive Design Plan CDP-0601 for Woodside Village the Planning Board finds:

1. **Request:** The CDP application requests 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.
2. **Location:** The subject property is located on the southern side of Westphalia Road approximately 2000 feet west of its intersection with Ritchie-Marlboro Road.
3. **Surroundings:** The site is bounded in all directions by existing or proposed residential development. To the southeast is the Marlboro Ridge development, to the southwest is the Smith Home Farm development, and to the north is the proposed Villages at Westphalia development.
4. **Design Features:** The site is generally "T" shaped, with areas indicated for single-family, townhome two over two and condominium development, green space recreational facilities, a park/school site, and a street network. The green space includes environmentally sensitive land (100-year floodplain) in the northwestern and extreme eastern and southern ends of the site, a central piece of land to be dedicated to the homeowners' association for the project and, just south of it, a future school/park site anticipated to include an elementary school, a middle school and recreational facilities, a part of the proposed "Central Park" called for in the *Approved Westphalia Sector Plan and Sectional Map Amendment*. The "Central Park" is proposed to include a lake in its design, a portion of which may be located on the subject property. The street network, including both traditional blocks and streets terminating in culs-de-sac, is determined at least in part by the presence of the floodplain and Westphalia Road to the north.

Townhome development is clustered in the central, the northeastern and southeastern portions of the site. Two over two units are located in the central and the southeastern portions, along a boundary shared with the Marlboro Ridge development. At this juncture, the lotting pattern indicated includes a number of lots straddling the property line, though they are not approved as part of the comprehensive design plan process. The applicant has indicated its intention to have a new preliminary plan approved for the Marlboro Ridge development to make this a seamless connection. These issues, however, concerning the exact lotting pattern of the subject site, are more appropriately dealt with as part of the preliminary plan of subdivision approval process, subsequent to the approval of the subject comprehensive plan. Four different varieties of single-family detached units are utilized for the remainder of the development, except for a central piece

of land bounded by proposed roads “O”, “P” and “X” which is specified as condominium development.

Recreational facilities for the proposed project will include the following:

- 2 picnic areas
- 3 sitting areas
- 4 tot lots
- 2 open play areas
- An extensive train/pedestrian network including nature trails with interpretive signage and connections to adjacent communities.
- 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 basketball court
- 1 volleyball court
- 1 community building including a meeting room and measuring a minimum of 5,000 square feet in addition to space occupied by pool facilities or a may be increased at time of specific design approval.

Recreational facilities for the development will be complemented both by the adjacent school site (which might be planned with a softball and soccer field, with final design determined by the Board of Education) and “Central Park” envisioned by the Westphalia Sector Plan. Of the 61 acres requested by the Department of Parks and Recreation, 30 would be allotted for the school and the remaining 31 would be utilized exclusively for park facilities and become part of “Central Park.”

Stormwater Management is indicated to be provided by nine stormwater management ponds; one located at its southern end, two near its center, two on its eastern side and four on its western side.

5. **Previous Approvals:** The project is subject to the requirements of Basic Plan A-9973. Finding 8 contains the details of conformance with the requirements of that approval.

6. **Development Data:** Woodside Village
Zone: R-M
Gross tract area: 381.96
Area within the 100-year floodplain: 15.44
Net tract area: 374.24
Residential land area: 374.24
Density (dwelling units per acre): 4
Commercial Land Area: None
FAR: Not Applicable

7. Public Benefit Features and Density Increment Factors: The comprehensive design zone encourages amenities and public facilities in conjunction with density increases. Section 27-496(b) of the Prince George’s County Zoning Ordinance provides the guidelines and criteria for calculating the density increases for the R-M Zone (base residential density 3.6 to 5.8 dwelling units/acre; maximum residential density 5.7 to 7.9 dwelling units/acre). The Woodside Village application suggests a maximum of 1,496 dwelling units per acre or 4.0 units per acre, as approved by the basic plan for the project, well within the allowed range. The following chart includes the public benefit features and density increment factors as stipulated in Section 27-509 (B) of the Zoning Ordinance and demonstrates how the subject project should be allowed to increase their density based on provision of public benefit features in the development. The application meets the other general standard of Section 27-509 regarding minimum size. While the minimum size required for residential development of land in the R-M Zone is ten adjoining acres, the project includes almost 382 acres.

	Allowed	Proposed Residential Increments	Comment
1 For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of one acre) an increment factor may be granted, not to exceed (This open space land should include any irreplaceable natural features, historic buildings, or natural drainage swales located on the project).	25% in dwelling units	25%	At a proposed maximum of 1,496 dwelling units, 3.5 acres of open space per 100 units results in a requirement of 52 acres of open space. This requirement would be met by the 60 acres of homeowners’ association land. The 25 percent density increment is justifiable for this item.
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	2.5% in dwelling units	2.5%	Enhancement of physical features is accomplished by cleaning up the site’s unkempt environmental areas, afforestation adjacent to existing woodlands and the Primary Management Area (PMA) and designing and minimizing crossings of the PMA so as to have the least possible negative impact. The 2.5 density increment is justifiable for this item.
3 For a pedestrian system separated from vehicular right-of-way, an increment factor may be granted, not to exceed	5% in dwelling units	5%	An extensive trail system (approximately 4.5 miles) separating pedestrian from vehicular traffic will serve to link the various neighborhoods to each other, to recreational and community activities on-site and with the stream valley

				hiker/biker/equestrian trail providing a link to adjacent properties. The 5 percent density increment is justifiable for this item.
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	10%	Recreational facilities for the development including tennis courts, pre-teen play areas, picnic areas, open play areas, passive recreational areas, tot lots, open play areas, a volley ball court, swimming pool and community center, will be complemented both by the adjacent recreational facilities on the school site and the contiguous 148-acre Central Park. The 10 percent density increment is justifiable for this item.
5	For public facilities (except streets and open space areas) an increment factor may be granted, not to exceed	30% in dwelling units	This potential density increment was not pursued by the applicant.	
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	10% in dwelling units		An activity center, with space provided for quasi-public services has not been provided as part of the application. Therefore, the 10 percent density increment is justifiable for this item.
7	For incorporating solar access or active/passive solar energy in design, an increment factor may be granted, not to exceed	5% in dwelling units	This potential density increment was not pursued by the applicant.	

SUMMARY OF PROPOSED INCREMENTS 42.5%

The applicant is only requesting a 12% increase over the base density to achieve the 4 dwelling units per acre.

Staff agreed with the applicant’s calculation of public benefit features and density increment factors. By this calculation, the proposed density is well within the upper limit of density permitted after application of the permitted density increments.

Findings Required by Section 27-521 of the Zoning Ordinance (Findings 8–16 below)

8. The comprehensive design plan is in conformance with the approved basic plan.

The proposed comprehensive design plan is in conformance with the approved basic plan. Relevant conditions of that approval are included below in **bold face**.

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:

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
Maximum residential density (5.8 du/ac)	2,170 dwellings
Approved Land Use Types and Quantities:	
Residential: 374.15 adjusted gross acres at 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 % 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
Private open space (homeowner association and other)	60 acres

Applicant’s proposed density range of 1,422-1,496 residential units meets this requirement both in terms of density and nature of land use and the size of the park/school site is accurate.

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

- a. The Transportation Planning staff shall make Master Plan transportation facility recommendations consistent with the Westphalia Sector Plan. The CDP road alignments shall conform to road alignments in all other adjacent**

approved subdivisions.

- b. 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 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.**
- c. The Transportation Planning staff shall review minor street connections between the subject site and adjacent properties. All minor street connections shown on the Comprehensive Design Plan shall conform to all other adjacent approved subdivisions.**
- d. The Applicant shall build the MD 4/Westphalia Road interchange with the development of the subject property and this may be accomplished by means of a public/private partnership with the State Highway Administration and with other developers in the area. This partnership may be further specified at the time of Preliminary Plan of Subdivision, and the timing of the provision of this improvement shall also be determined at the time of Preliminary Plan of Subdivision.**
- e. The CDP shall demonstrate that a majority of lots located along Westphalia Road are single-family detached lots in order to be compatible with the surrounding land use pattern and to preserve a rural character as recommended in the WCCP Study.**
- f. The Applicant shall meet with and obtain written approval from the DPW&T to front and/or provide driveway access to any townhouse units that may be located along C-631. If the townhouses or two-over-two townhouses are to be located along any roadways, which are classified as collector and above, they should be accessed through an alley.**

Finding 19C below is the Transportation Planning Section's evaluation of Basic Plan conditions 3a-d and 3f. Although the exact lotting pattern for the proposed development will not be determined until time of preliminary plan of subdivision, the illustrative plan for the project indicates that the majority of lots located along Westphalia Road are single-family detached are in compliance with condition 3e above.

- g. The Applicant and the Applicant's heirs, successors, and/or assignees shall provide the following in conformance with the 1994 Master Plan and the WCCP Study:**
 - (1) 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.

- (2) Provide an eight-foot-wide side path or wide sidewalk along the subject property's entire frontage of Suitland Parkway extended.
- (3) Provide a sidepath (Class II Trail) along the subject site's entire road frontage of Westphalia Road.
- (4) Provide the internal HOA trails and sidepaths as conceptually shown on the submitted hiker and biker trail plan.

Finding 19g and 19e below contains the Department of Parks and Recreation's comments and 19d for those of the trails coordinator regarding condition 3g.

- h. Submit a design package that includes an image board and general design guidelines that establish review parameters, including design, material and color, for architectural, signage, entrance features and landscaping for the entire site.

Images and the general design guidelines mentioned above were included in the comprehensive design plan package.

- i. Provide a description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.
- j. The Applicant, and the Applicant's heirs, successors and/or assignees shall agree to make a monetary contribution or provide in-kind services for the development, operation and maintenance of the central park. The recreational facilities packages shall be reviewed and approved by DPR prior to Comprehensive Design Plan (CDP) approval. The total value of the monetary contribution (or in-kind services) for the development, operation and maintenance of the central park shall be \$3,500 per dwelling unit in 2006 dollars. The Applicant may make a contribution into the "park club" or provide an equivalent amount of recreational facilities. The value of the recreational facilities shall be reviewed and approved by DPR staff. Monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia Study Area. The park club shall be established and administered by DPR.
- k. The Applicant shall submit a scope of services from a qualified urban park design consultant for development of a Comprehensive Concept Plan for the

portion of central park in the project area. The Comprehensive Concept Plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of a Comprehensive Concept Plan. The Comprehensive Concept Plan shall be approved by DPR prior to approval of the Comprehensive Design Plan (CDP).

- l. The public recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. The concept plan for the development of the parks shall be shown on the Comprehensive Design Plan.**

- m. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation Guidelines and Standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.**

Finding 19D (Trails referral comments) and Finding 19E (Department of Parks and Recreation) below contains the Board's findings with respect to compliance with conditions 3i, 3j, 3k, 3l and 3m. With respect to private recreational facilities, condition 13 requires the majority of the facilities to be centrally located on homeowners' association land and the remainder located so that some recreational facilities are easily accessible to all residents. More specifically, the recreational facilities should be located as indicated on Applicant's Exhibit #1.

- n. Provide the site location and timing or propose a contribution for the pro-rata share of funding for the following public facilities to be reviewed and approved by the appropriate agencies and the Countywide Planning Division:**
 - (1) Fire station**
 - (2) Library**
 - (3) Police facility**
 - (4) Middle school**
 - (5) Elementary school**

Finding 19f (Referrals/Public Facilities) below contains the Board's findings with regard to Condition 3n.

- o. Submit a signed Natural Resources Inventory (NRI) with the Comprehensive Design Plan. All subsequent plan submittals shall clearly show the Patuxent River Primary Management Area (PMA) as defined in Section 24-101(b)(10), and as shown on the signed NRI.**

- p. **Demonstrate that the Primary Management Area (PMA) has been preserved to the fullest extent possible. Impacts to the PMA shall be minimized by making all necessary road crossings perpendicular to the streams and by using existing road crossings to the extent possible.**
- q. **Submit a required Type I Tree Conservation Plan (TCPI). The TCPI shall:**
 - (1) **Focus on the creation and/or conservation/preservation of contiguous woodland.**
 - (2) **Concentrate priority areas for tree preservation in areas within the framework of the *Approved Countywide Green Infrastructure Plan* such as stream valleys. Reflect a 25 percent Woodland Conservation Threshold (WCT) and meet the WCT requirements on-site.**
 - (3) **Mitigate woodland cleared within the PMA's Preservation Area on-site at a ratio of 1:1, with the exception of impacts caused by Master Plan roads which shall be mitigated 1:25. This note shall also be placed on all Tree Conservation Plans.**
 - (4) **Focus afforestation in currently open areas within the PMA and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.**
 - (5) **Prohibit woodland conservation on all residential lots.**
- r. **Submit an exhibit showing areas where Marlboro Clay occurs on-site.**

Finding 19g (Referrals/Environmental) below contains the Planning Board's findings regarding conditions 3o, 3p, 3q and 3r.

- s. **Submit a plan that addresses how housing will be provided for all income groups in accordance with Section 27-487 and the master plan recommendations for the planned community.**

The applicant included such a plan as "Appendix L" to the subject comprehensive design plan. More specifically, the applicant stated that the range of housing types would be located within the development which would include housing of various price levels including single-family detached, townhomes, condominiums and two over two dwelling units that would each appeal to different price levels. Further, they said that the median household income for residents in the Washington metropolitan area is close to the highest in the nation. Lastly, they noted that they were willing to work with a HUD/local housing authority program involving private developers build housing that is affordable under the government's definition. Based on the median income in this Washington metropolitan area HUD and Prince George's County Housing Authority have determined that a family of four, with a maximum income of \$85,000 are the individuals who

qualify to purchase designated affordable homes in Prince George's County, or receive affordable home purchase credits. Based on the variety of housing types made available by Toll at Woodside Village, and assuming that there are not any other substantial credit irregularities by the homeowner, Toll will have housing opportunities for some individuals who qualify for affordable housing credits, as they seek governmental assistance to buy homes and that some of those individuals may qualify to purchase a home in the Woodside Village development under the terms of this program.

Staff had recommended a condition below that would require that .5 percent of the units be sold as affordable housing units under the terms of the above-mentioned program. However, the Planning Board adopted Condition 1(o) below that instead requires information be made available to prospective home buyers regarding a HUD sponsored affordable housing program.

- t. Present all roadway improvement plans for Westphalia Road to the Historic Preservation and Transportation Planning staff for review and comment to ensure that all scenic and historic features associated with this historic road are properly evaluated and preserved as necessary.**

Complete a Phase I archeological investigation report and submit to the Historic reservation staff for approval.

Finding 19a (Referrals/Historic and Archeological) below contains the Planning Board's finding regarding condition 3u. As to Condition 3t, the Historic Preservation and Transportation Planning staff have deferred comment regarding to issues of scenic and historic features of Westphalia Road to the Environmental Planning Section, which regularly reviews such issues for compliance. The Environmental Planning Section, in turn, has suggested that the following condition be attached to the subject approval:

“At least 35 days prior to approval of the preliminary plan by the Planning Board, an evaluation of the right-of-way and viewshed of Westphalia Road, a designated historic road shall be submitted. Inventory information may be included on the forest stand delineation or tree conservation plan for the site if appropriate, or in a separate document, and may include text, photographs, or other items which provide information necessary to evaluate visual quality. At a minimum the preliminary plan shall show a 40-foot-wide scenic preservation buffer outside the public utility easement along Westphalia Road. After reviewing the visual inventory other design considerations may be imposed.”

- 4. At the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision, the Applicant shall:**

- c. Submit a letter of justification for all proposed PMA impacts, in the event disturbances are unavoidable.**

Finding 19g (Referrals/Environmental) below contains the Planning Board's findings regarding Condition 4c.

d. Submit a plan, prior to Planning Board approval of a Preliminary Plan of Subdivision, that shall provide for:

- (1) Either the evaluation of any significant archaeological resources existing in the project area at the Phase II level, or**
- (2) Avoiding and preserving the resource in place.**

Finding 19a (Referrals/Historic and Archeological) below contains the Planning Board's findings regarding Condition 4d.

e. The Applicant shall dedicate 56 developable acres of public open space to M-NCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites shall be determined at the time of CDP Plan approval. The land to be conveyed to M-NCPPC shall be subject to the following conditions:

- (1) An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plats.**
- (2) M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.**
- (3) The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.**
- (4) The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.**

- (5) Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.**
 - (6) All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.**
 - (7) All existing structures shall be removed from the property to be conveyed, unless the Applicant obtains the written consent of the DPR.**
 - (8) The Applicant shall terminate any leasehold interests on property to be conveyed to the Commission.**
 - (9) No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.**
- f. Enter into an agreement with the DPR, prior to the first Final Plat of Subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.**
- g. Submit three original, executed agreements for participation in the park club to DPR for their review and approval, eight weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.**

Finding 19e (Referrals/Parks) below contains the Board's findings regarding Conditions 4e, 4f and 4g.

- 5. Prior to submittal of any grading or building permits, the Applicant shall demonstrate that the Dunblane (Magruder family) Cemetery shall be preserved and**

protected in accordance with Section 24-135-02 of the 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 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 Planning Board or its designee prior to final plat.**

Finding 19a (Referrals/Historic and Archeological) below contains the Board's findings regarding Condition 5a-d.

9. **The proposed plan would result in a development with a better environment than could be achieved under other regulations:**

The proposed plan retains a considerable amount of open space, protects sensitive environmental features and dedicates land for two schools and a park that will have utility both for future residents of the proposed subdivision and other area residents.

10. **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;**

The project includes both on-site and adjacent recreational facilities, including a trails network that connects to a larger one in the surrounding area. More particularly, the project includes picnic, passive recreational and open play areas, tot and pre-teen playgrounds, tennis courts, a community center, swimming pool, an extensive trail network and volleyball court. In addition, the applicant is dedicating 30 acres for a part/school site and an additional 26 for the adjacent planned "Central Park," a public park called for in the Westphalia Sector Plan. The Department of Parks and Recreation is requesting that they increase the land to be dedicated for Central Park to 33.5 acres. Therefore, it may be said that the plan warrants approval by inclusion of design elements, facilities, and amenities that satisfy the needs of residents, employees or guests of the project.

11. **The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings;**

The proposed development is compatible with the surrounding land uses as they are exclusively residential. Moreover, by providing a school/park site, the development is providing additional compatibility by providing needed facilities for the residents of the surrounding residential subdivisions.

12. **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;**

A buffer of homeowner's association/open area surrounds of the development, except for the specified deviations contained in Condition 1 below.

13. **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: The development of Woodside Village is divided into six phases. They are specified on a plan graphic entitled "Staging Plan" as follows:

Phase	Pods Involved
Phase 1	D, E, F, G, J3, K1 and K2
Phase 2	C1, C2, J1, J2, J4, M1, M2
Phase 3	M3, O, P1, P2
Phase 4	R, S, T
Phase 5	N (HOA Park Site Only)
Phase 6	A, B, H1, I1, H2, I1, H2, I2, L
Phase 7	Q (Dedication to M-NCPPC for Park/School Site)

Notes on the plan state that each stage indicates a group of units to be constructed together. Further, notes stipulate that the stage number in no way indicates the sequence of construction and that any group of units may proceed to construction in any sequence.

The CDP text states that each stage identifies groups of units and associated roadways, that will proceed concurrently to specific design plan and construction within a six-year development

schedule for the project. The intent of the staging in the CDP document is to establish priority for groups of units within parcels in terms of specific design plan submissions, though the applicant retained the right to adjust the schedule and staging to accomplish a logical and economically feasible development, subject to the understanding that each stage will be capable of sustaining an environment of continuing quality and stability. Staff generally supported this assertion but was concerned that the central recreational facilities are not being introduced early enough in the staging plan. Condition below #13 requires that Phase 5 be completed prior to issuance of a building permit for the 748th building permit for the development.

14. **Staging of development will not be an unreasonable burden on available public facilities;**

Since each stage will be completed with its associated roadways, recreational facilities and utilities, it is not expected that the staging of development will be an unreasonable burden on available public facilities. Furthermore, in a memorandum dated March 6, 2008, the Historic Preservation and Public Facilities Planning Section stated specifically that they had reviewed the subject comprehensive design plan in accordance with Section 27-520(a)(8) of the Zoning Ordinance and that they had concluded that the staging of development of this project would not be an unreasonable burden on available public facilities.

15. **When 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 project does not include the adaptive use of a historic site.

16. **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).**

The plan incorporates the applicable design guidelines of Section 27-274 of Part 3, Division 9 and Section 27-433(d) of the Zoning Ordinance.

17. **The plan is in conformance with an approved tree conservation plan.**

A Type I Tree Conservation Plan (TCPI/006/08) was submitted and was approved, subject to

conditions.

18. **Woodland Conservation Ordinance**—In a memorandum dated June 28, 2008, the Environmental Planning Section stated that the development is subject to the requirements of the Prince George’s County Woodland Conservation Ordinance, because the parcels affected by the development activity measure in excess of 40,000 square feet and contain more than 10,000 square feet of existing woodland. Also, in that memorandum after extensive environmental review, the Environmental Planning Section recommended approval of the project, subject to conditions. Those conditions have been included. Therefore, the project is in compliance with the requirements of the Prince George’s County Woodland Conservation Ordinance.

19. **Approved Westphalia Sector Plan and Map Amendment.**

The subject application is an integral part of the Approved Westphalia Sector Plan and Sectional Map Amendment as is mentioned throughout the original planning document as “a pending rezoning application” and “key development proposal.” It was contemplated during the planning process and became part of the vision for Westphalia. The subject comprehensive design plan attempts to implement that vision and is one of the first such plans to be considered under the guidance of the Westphalia Sector Plan.

More specifically, the plan included an overall development concept promoting, among other things:

- Attractive and safe residential neighborhoods with a range of housing types and densities, convenient access to schools, recreation, green spaces, and shopping...
- Residential development of approximately 17,000-18,000 units in a wide range of mixed housing types and densities...

and has a stated policy (Policy #5) to promote new residential development. It is logical that, due to the geographic location of Woodside Village, that the building lots and single-family be of modest size so as to provide a transition between the town center to the south and the more rural large lot single-family detached units to the north.

The Woodside Village development supports the overall development concept. In the process of implementing the plan, however, consistent guidance regarding the maximum percentages of townhouse and multifamily dwelling units and minimum lot area and width requirements should be established. Staff would suggest, and has included in a recommended condition the following guidance:

- That no more than 50 percent of the units included in the development be townhouse; two over two; or multi-family dwelling.
- That no townhouse yard measure smaller than 800 square feet if the unit does not have a deck and no more than 500-square feet if a deck is provided.

- That a maximum of 15 percent of the townhouse units measure a minimum of 16 feet wide, with the remainder of the townhouse units measuring a minimum of 18 feet wide.

20. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are as follows:

- a. **Historic Preservation and Archeological Review**—In a memorandum dated July 7, 2008, the Historic Preservation and Public Facilities Planning Section, noted that the subject site is subject to conditions of the approval of the Westphalia Sector Plan and Sectional Map amendment (CR-2-2007), offered the following findings:

Historic Preservation

1. The subject property includes the Dunblane Site & Cemetery (Historic Resource #78-010) which is located on the Dunblane property in the Magruder/McGregor Family Cemetery with interments and tombstones dating from 1810 to 1915. The original 18th century Dunblane House was destroyed in 1969, but because of its architectural and historical significance, its site may have archeological potential.

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 brick, the fourth of logs. The house stood until a gas explosion on Good Friday, 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.

2. Historic Resource #78-010 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). 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 criteria.

Archeology

3. 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 property. Site 18PR860 is located on the Wholey Property and is a late 19th to 20th century tenant house and artifact scatter. Site 18PR891 is located on the A. Bean property and is a multicomponent prehistoric lithic scatter and historic artifact scatter. Site 18PR892 is

located on the Suit Property and is a light scatter of late 19th to mid-20th century artifacts surrounding a tenant house. Site 18PR893 is located on the Suit Property and is a light scatter of late 19th to 20th century artifacts surrounding the main house on the property. Site 18PR894 is located on the Suit Property and consists of a dense scatter of brick and domestic artifacts dating from the 18th to 20th centuries. This site may represent the remains of an 18th century occupation on the property. Site 18PR895 is located on the Suit Property and consists of a tenant house and associated late 19th to early 20th century artifact scatter. Site 18PR898 is located on the Yergat Property and is a mid 19th to 20th 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 19th to 20th centuries. Site 18PR900 is located on the Case Property and is an 18th to 20th 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 19th to early 20th century artifact scatter. Site 18PR902 is located on the Case Property and is a late 19th to early 20th century refuse dump associated with house site 18PR900. Site 18PR903 is located on the Case Property and is another late 19th to early 20th century refuse dump associated with house site 18PR900.

4. Staff concurs with the report's findings that no further work is necessary on sites 18PR891, 18PR892, 18PR893, 18PR895, 18PR899, 18PR902, and 18PR903. Staff also concurs that no further work is necessary on archeological site 18PR860; however, the 20th century dwelling/tenant house associated with the site should be recorded on a Maryland Inventory of Historic Properties form. In addition, staff concurs that Phase II investigations are necessary on sites 18PR894, 18PR898, 18PR900, and 18PR901. The applicant has submitted four copies of the final reports for the Bean, Case, Suit, Wholey and Yergat properties. The reports were accepted by Historic Preservation staff on March 28 and April 8, 2008.

CONCLUSIONS

Historic Preservation

1. 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 by the applicant, whether or not the cemetery is designated as a Historic Site. Should the archeological investigations of the property yield significant findings and features to be preserved in place, those features should also be considered for potential Historic Site designation.
2. 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, and landscape features to be introduced.

Archeology

3. Phase II investigations are necessary on sites 18PR894, 18PR898, 18PR900, and 18PR901. A Phase II work plan for these sites was submitted to Historic Preservation and Maryland Historical Trust staff and has been approved.

Per the recommendation of the Historic Preservation and Public Facilities Planning Section, conditions 3u, 4d, and 5 of the Westphalia Sector Plan and Sectional Amendment Zoning Ordinance No. 5-2007 have been included in this approval.

- b. **Community Planning**— In a memorandum dated May 1, 2008, the Community Planning South Division stated that the application is not inconsistent with the 2002 General Plan Development Pattern Policies for the Developing Tier. Additionally, they stated that the proposed development plan is in conformance with the principles of the 2007 Westphalia Sector Plan for a planned community in the subject area. Lastly, they suggested that a fee of \$3,500 per new dwelling unit is appropriate for the provision of public parks facilities. A condition below requires the payment of the suggested fee prior to issuance of each building permit.
- c. **Transportation**—In a memorandum dated June 18, 2008, the Transportation Planning Section offered the following review and comment:

Upon review of the applicant's traffic study, staff concurs with its findings and conclusions as they pertained to the analyses of the various intersections. In addition to the planning staff, the study was reviewed by two other agencies, the State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T). In a May 20, 2008 memorandum to staff (*Issayans to Burton*), the DPW&T appears to be in general agreement with the study conclusions. It did however, made some recommendations, most of which affect traffic operations. Some of those recommendations are as follows:

- The developer should be required to widen Ritchie Marlboro Road for three westbound through lanes to accept the proposed third left turn lane from northbound Ritchie Marlboro Road.
- Due to the failing level of service, the applicant should also be required to provide the improvements to the intersection of Westphalia Road and Melwood Road/D'Arcy Road if Smith Farm Development does not come to fruition.
- Due to the skewed angle of Sansbury Road with D'Arcy Road and the future failing level of service, improvements should be made to improve capacity and realign Sansbury Road to 90 degrees with D'Arcy Road.
- Add an additional through lane on southbound Ritchie Marlboro and Westphalia Road to improve capacity and align the Westphalia Road to opposite Orion Lane. The proposed

one-lane approach will block the right lane in addition to the through lane being blocked by left turns into Orion Lane.

In a June 3, 2008 memorandum to staff (*Foster to Burton*), the SHA also expressed its concurrence with all of the traffic study findings regarding adequacy. SHA noted however, the following additional comments:

- Twenty-five percent of the site generated traffic will utilize the I-95 at Ritchie Marlboro interchange. SHA is therefore recommending that M-NCPPC conditions the applicant to pay a pro-rata contribution towards the future reconstruction of said facility.
- The third eastbound and westbound through lanes on Ritchie-Marlboro Road at Sansbury Road intersection should extend to the west to the I-95 Northbound Ramps at Ritchie Marlboro Road roundabout

TRANSPORTATION FINDINGS

1. The application is a CDP for a single-family residential a development of:

- 451 single family units
- 689 townhouse units
- 220 multi-family units

The proposed development would generate 840 (168 in, and 672 out) AM peak-hour trips and 832 (541 in, 291 out) PM peak-hour trips at the time of full build-out, as determined using “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

2. The traffic generated by the proposed developments would impact the following intersections and links:

- Ritchie Marlboro Road at Sansbury Road
- Ritchie Marlboro Road at White House Road
- MD 4 at Westphalia Road
- Westphalia Road at P-616 (future)
- Westphalia Road at MC-631 (future)
- MD 4 at Suitland Parkway
- Ritchie Marlboro Road at Westphalia Road
- D’Arcy Road at Westphalia Road
- D’Arcy Road at Sansbury Road

3. None of the aforementioned intersections is programmed for improvement with 100 percent construction funding within the next six years in the current (FY 2007 - 2012) Maryland Department of Transportation 2008-2013 Consolidated Transportation Program (CTP) or the Prince George's County Capital Improvement Program (CIP) with the exception of the following:

- MD 4 at Suitland Parkway
4. The subject property is located within the Developing Tier as defined in the *Prince George's County 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; **Unsignalized intersections:** The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.
5. All of the intersections identified in Finding 2 above, when analyzed with the total future traffic as developed using the *Guidelines*, were found to be operating inadequately except the following:
- MD 4 at Suitland Parkway
6. In consideration of the findings in number 5 above, this applicant will be required to provide the following improvements:
- a. **Sansbury Road/Ritchie Marlboro Road Intersection (signalized)**
 - Install a third westbound and eastbound through lane on Ritchie-Marlboro Road.
 - b. **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.
 - c. **Westphalia Road/ MD 4 Intersection**
 - Provide a pro-rata contribution pursuant to a Surplus Capacity Reimbursement Procedure (SCRIP) approved by the Planning Board.
 - d. **Westphalia Road and P-616**

- Construct a standard collector section along the south side of Westphalia Road along the property frontage
- e. **Westphalia Road and Ritchie Marlboro Road**
- Conduct a signal warrant study and install signal if deemed necessary by DPW&T.
- f. **Westphalia Road and MC-631**
- Construct a standard collector section along the south side of Westphalia Road along the property frontage.
- g. **D’Arcy Road and Westphalia Road**
- Conduct a signal warrant study and install signal if deemed necessary by DPW&T.
- h. **D’Arcy Road and Sansbury Road**
- Conduct a signal warrant study and install signal if deemed necessary by DPW&T.
- i. **SCRIP Methodology**

Based on the findings adopted by the Planning Board (PGCPB 06-64(A)) for The Smith Home Farm, the following represents the methodology for computing the pro-rata amount for this application:

**Pro Rata Share for Subject Development:
 Base Condition**

Total cost of Construction **\$25,841,100.00**

Westphalia Road/service road:	AM CLV – 788; PM CLV – 679	Average 733.5
Old Marlboro Pike/MD 4 EB ramps:	AM CLV – 623; PM CLV – 620	Average 621.5
Service road/MD 4 WB ramps:	AM CLV – 569; PM CLV – 366.	Average 467.5
Interchange base statistic	(733.5 + 621.5 + 467.5) / 3 = 607.50	
Base Capacity: 1450 – 607.5 = 842.50 (capacity units)		

Allocable cost per capacity unit: $\$25,841,100.00 / 842.5 = \mathbf{\$30,671.81}$

Base Condition (with SHF + D’Arcy + Rajae + Westphalia Towns)

Westphalia Road/service road:	AM CLV – 1318; PM CLV – 1168	Average 1243
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Old Marlboro Pike/MD 4 EB ramps:	AM CLV – 805; PM CLV – 1096	Average 950.5
Service road/MD 4 WB ramps:	AM CLV – 673; PM CLV – 422.	Average 547.5

Woodside Village

Interchange traffic statistic: $(1243 + 950.5 + 547.5) / 3 = 913.67$

D’Arcy (North & South) + SHF + Rajae + Westphalia Towns

Interchange traffic statistic: 890.5

Change in traffic statistic = Woodside Village – (Westphalia + D’Arcy + SHF + Rajae)

Change in traffic statistic = $913.67 - 890.5 = 23.17$

Share = Change x Allocable cost per capacity unit

Share = $11.33 \times \$30,671.81 = \mathbf{\$710,563.60}$

Cost per dwelling unit = $\$710,563.60 / 1,360 = \mathbf{\$522.47}$

It should be noted that all of the CLV computations are based on a lane configuration as shown on the most recently available construction drawings (30 percent complete) for the proposed interchange. These computations may vary from those that were outlined in PGCPB 06-64(A) for The Smith Home Farm since staff had to rely on a design (and lane usage) that was in the very early planning phase. As the design plans get closer to 100 percent completion, it is conceivable that the proposed lane usage and subsequently, the final CLVs for the three intersections may change yet again. Staff is confident that by the time final action by the Planning Board is taken regarding the establishment of a SCRP, staff will have available, 100 percent design plans with a definitive lane usage.

With the approval of the Smith Home Farm preliminary plan, and

- a. The establishment of SCR improvement in accordance with Section 24-124; and
- b. A methodology for computing the pro-rata payment associated with this improvement, subsequent developments; including the subject property could use this finding and methodology as a means of finding adequacy at the MD 4/Westphalia Road intersection.

All parties must be aware that subsequent action will be needed by the Planning Board to establish a SCRP at this location. This would be done by resolution at a later date only after the improvement is bonded and permitted. Any subsequent developments seeking to utilize the SCRP prior to the passage of the SCRP resolution by the Planning Board must receive a condition that requires passage of the resolution establishing the SCRP prior to issuance of building permits.

7. The intersections identified in Finding 6 above will operate acceptably provided all of the improvements in the traffic are implemented.

The Transportation Planning Section stated that the staging of development will not be an unreasonable burden on available public facilities as required by Section 27-521 of the Prince George’s County Code if the application is approved with certain specified conditions. Those conditions have been included in this approval.

- d. **Trails**—In a memorandum dated May 27, 2008, the trails coordinator stated that the subject site falls within the jurisdiction of the *Approved Westphalia Sector Plan and Sectional Map Amendment*, which recommends several master plan trails on the site and seeks to coordinate development proposals in the area in order to ensure that trail issues are considered comprehensively. More particularly, he notes the specific master plan trail issues as identified in the Westphalia Sector Plan as follows:
- Hiker-Biker-Equestrian trail along Cabin Branch
 - Sidepath (Class II Trail) along Westphalia Road
 - Trail/Bikeway along Suitland Parkway extended (MC-631)
 - Trail/Bikeway along P-616
 - Trail/Bikeway along P-619

Additionally, the trails coordinator noted the further guidance of condition 3.g. of approved Basic Plan A-9973 (PGCPB No. 06-112) as follows:

- g. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following in conformance with the 1994 master plan and the WCCP Study:
- (1) 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.
 - (2) Provide an eight-foot-wide side path or wide sidewalk along the subject property's entire frontage of Suitland Parkway extended.
 - (3) Provide a side path (Class II Trail) along the subject site's entire road frontage of Westphalia Road.
 - (4) Provide the internal HOA trails and sidepaths as conceptually shown on the submitted hiker and biker trail plan.

As review observation, the trails coordinator offered the following:

- It is also important to coordinate the trails and sidewalk facilities on the subject property with facilities on the adjacent Smith Home Farm and Marlboro Ridge developments. Marlboro Ridge already has a network of trails included on the previously approved Conceptual Site Plan CSP-03005 and Preliminary Plan 4-04080. This network includes the Cabin Branch Trail, as well as several trails and pedestrian connections between the Marlboro Ridge and Woodside Village. The amended basic plan submitted with the subject application adequately reflects the connectivity between the two developments.
- The trail plan shown for the Woodside Village basic plan is comprehensive, implements the appropriate master plan trail proposals, and utilizes available open space as trail

corridors. Supplementing these trails are numerous connector trails. These connector trails link development pods and provide access between master plan trails. Sidewalks will also be an important component of providing a walkable community. Sidewalk connectivity will be looked at in more detail at the time of specific design plan (SDP). However, staff recommends that sidewalks be provided along both sides of all internal roads (excluding alleys), unless modified by DPW&T.

- Future submittals should delineate M-NCPPC trails from HOA trails. It should also be noted that the adjacent Smith Home Farm application (CDP-0501 and 4-05080) also indicates a trail along their side of Cabin Branch. Work done for the Westphalia CCP indicated that a trail may be desirable along both sides of Cabin Branch in some areas. However, this should be coordinated with the Department of Parks and Recreation and the ultimate location of the trail, as well as any necessary stream crossings, will be determined by DPR.

In order to implement the above trails recommendations, the trails coordinator suggested seven conditions that have been included in this approval.

- e. **Parks**—In a memorandum dated May 23, 2008, the Department of Parks and Recreation offered the following:

The staff of the Department of Parks and Recreation (DPR) has reviewed the above referenced comprehensive design plan application for conformance with the requirements of the approved Basic Plan A-9973; with amendments, limitations and conditions as described in County Council Resolution CR-2-2007, the requirements and the recommendations of the *Approved Prince George's County General Plan, Approved Westphalia Sector Plan and Sectional Map Amendment*, the current zoning and subdivision regulations and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation facilities.

FINDINGS

The subject property consists of 381.9 acres of land located south of Westphalia Road. The property is bordered by the Cabin Branch Stream Valley to the south, the Smith Home Farms project to the west and the Marlboro Ridge project to the east.

The applicant's proposal includes 1,496 residential dwellings units. Using current occupancy statistics for single-family and multi family dwelling units, one would anticipate that the proposed development would result in a population of 4,005 residents in the new community.

The DPR staff finds that Planning Area 78 is currently ranked as in high need of public parkland and public recreational facilities such as football, soccer and baseball fields, basketball courts, playgrounds and picnic areas. The demand for public parkland and public recreational facilities will only grow with the extensive residential development in this region of Prince George's County.

The *Approved Westphalia Sector Plan and Sectional Map Amendment* introduced the concept of a “Central Park”, a single major recreational complex to serve the entire Westphalia Area. A highly visible central park will serve as a unifying community destination and amenity. The Westphalia Sector Plan recommends developing the central park with a lake or another water feature, active and passive recreational facilities; lawn areas and bandstands suitable for public events; trail system, group picnic area and tennis facility. In addition, the Westphalia Sector Plan recommends dedication of the Cabin Branch Stream Valley including the Primary Management Area known as the Cabin Branch Greenway Park.

Section 27-507 of the Zoning Ordinance describes the purposes of the Comprehensive Design Zone R-M Zone (Residential Medium Development). This section requires establishment (in the public interest) of a plan implementation zone, in which permissible residential density is dependent upon providing public benefit features. It states that the location of the zones must be in accordance with the adopted and approved General Plan, master plan, or public renewal plan. The purpose of R-M Zone is to encourage the provision of amenities and public facilities in conjunction with residential development and to improve the overall quality and variety of residential environments in the Regional District.

Council Resolution CR-2-2007 required the dedication of 56 developable acres of public open space to M-NCPPC (26 acres for central park, 10 acres for elementary school and 20 acres for middle school).

The applicant has provided 56 acres of public open space for parkland.

CR-2-2007, Condition 3 states: The following shall be required as part of the Comprehensive Design Plan (CDP) submittal package:

- g. The Applicant and Applicant’s heirs, successors, and/or assignees shall provide the following in conformance with 1994 Master Plan and WCCP Study:**
 - (1) 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.**

The applicant has shown a master plan trail hiker biker system along the Cabin Branch on dedicated parkland on the Westphalia Urban Park concept plan; however, the segment of the master planned trail along the Cabin Branch between planned road P-619 and the eastern property line adjacent to Marlboro Ridge is not shown as dedicated to M-NCPPC. The DPR staff believes that the entire Cabin Branch Stream Valley should be placed in public ownership. The DPR staff recommends that the applicant dedicate an additional 7.5 acres along the Cabin Branch (mostly Primary Management Area) to the M-NCPPC and

provides hiker/biker and equestrian trails along the subject site's entire portion of the Cabin Branch Stream Valley on public land. DPR staff recommends establishing the timing and phasing of trail construction at the time SDP review and approval for the Central Park and the Cabin Branch Stream Valley Park.

- i. Provide a description of all type, amount, and general location of the recreational facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreational facilities to serve development on all portions of the subject property.**

The applicant provided a description of all types, amount, and general location of the recreational facilities on the dedicated parkland as shown on the approved DPR Central Park Concept Plan. The applicant's proposal also includes private recreational facilities in five designated recreational/open space areas throughout the development including tennis courts, trails, open play areas, sitting areas, playgrounds, basketball courts, volleyball court and a private community recreation center with a swimming pool.

- j. The Applicant, and the Applicant' heirs, successors and/or assignees shall agree to make a monetary contribution or provide in-kind services for the development, operation and maintenance of the central park. The recreational facilities packages shall be reviewed and approved by DPR prior to Comprehensive Design Plan (CDP) submission. The total value of the monetary contribution (or in-kind services) for the development, operation and maintenance of the central park shall be \$3,500 per dwelling unit in 2006 dollars. The applicant may make a contribution into the "park club" or provide an equivalent amount of recreational facilities. The value of the recreational facilities shall be reviewed and approved by DPR staff. Monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia Study Area. The park club shall be established and administered by DPR.**

The applicant agrees to make a monetary contribution of \$3,500 per dwelling unit in 2006 dollars or to provide in-kind services for the development for the operation and maintenance of the central park. The applicant's proposal includes approximately 1,496 dwelling units; the final unit count to be determined at the time of the Preliminary Plan of Subdivision approval. Using the proposed number of dwelling units (1,496 units), the DPR staff estimates that the applicant should make a monetary contribution into the "park club" in the amount of \$5,236,000 or provide an equivalent amount of recreational facilities.

- k. The applicant shall submit a scope of services from qualified urban park design consultant for development of comprehensive concept plan for the portion of central park in the project area. The comprehensive concept plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban**

Design Section and DPR staff shall review credentials and approve the design consultant prior to development of comprehensive concept plan. The Comprehensive Concept Plan shall be approved by DPR prior to approval of Comprehensive Design Plan (CDP).

The applicant has submitted a scope of services from a qualified urban park designer. The DPR staff has reviewed the credentials of the consultant and accepted a consultant's services for the development of the comprehensive concept plan for the Westphalia Central Park. The comprehensive concept plan was prepared in cooperation with a design team from DPR and Urban Design Section and approved by staff.

- l. The public recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. The concept plan for the development of the parks shall be shown on the comprehensive design plan.**

The public recreational facilities in the central park had been designed in accordance to *Park and Recreation Facilities Guidelines*. The concept plan for the development of a central park is shown in applicant's justification statement, Appendix-C, "Park Concept Plan."

- m. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.**

The applicant has provided a comprehensive design plan showing a multiuse stream valley trail along the subject site's portion of Cabin Branch and connector trails from the stream valley to adjacent residential development and recreational uses.

CR-2-2007, Condition 4 e, f and g, state: at the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision, the Applicant shall:

- e. The applicant shall dedicate 56 acres of public open space to M-NCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites shall be determined at the time of CDP plan approval. The land to be conveyed to the M-NCPPC shall be subject to the following conditions:**
 - (1) An original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development**

Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plats.

- (2) M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.**
- (3) The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.**
- (4) The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.**
- (5) Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.**
- (6) All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.**
- (7) All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.**

- (8) The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.**
- (9) No stormwater management facilities or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.**

The proposed CDP plan shows dedication of 56 acres to M-NCPPC. The DPR staff evaluated the proposed dedication area and found that this area is in general conformance with the Basic Plan A-9973 plan and recommendations for the parkland dedication area. However, the applicant proposes a large amount of tree conservation, afforestation and reforestation on dedicated parkland and has not obtained the written permission of DPR. DPR staff believes that the tree conservation, afforestation, reforestation easements should be removed from the dedicated parkland. This site presents many challenges for the development such as steep slopes, Marlboro Clay, floodplain and wetlands. Any additional restrictive easements on the dedicated parkland will jeopardize the vision of the master plan and Central Park Comprehensive Concept Plan. DPR staff recommends removing all tree conservation from dedicated parkland.

- f. Enter into an agreement with the DPR, prior to the first Final Plat of Subdivision that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.**

DPR staff recommended that a draft agreement should be submitted to the DPR for review and approval prior to submission of the Preliminary Plan of Subdivision.

- g. Submit three original, executed agreements for participation in the park club to DPR for their review and approval, eight weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.**

CR-2-2007 also states that the District Council intends to require submission of an SDP for the Central Park following approval of the Westphalia Sector Plan and SMA. The exact timing for the submission, approval and phasing for the Central Park shall be established by District Council in approval of the next SDP to be filed under CDP-0501 for Smith Home Farm.

The Westphalia Central Park is located within the boundaries of the Smith Home Farm and the Woodside Village projects. Twenty-six acres of the central park are located within the boundaries of the Woodside Village. The District Council recommends establishing the timing for the submission, approval of the SDP for the Westphalia Central Park and the phasing of central park construction at the time of approval of the next SDP to be filed under CDP-0501 for Smith Home Farm.

While the majority of the Central Park (148 acres) is located within the boundaries of Smith Home Farm project and a SDP will be required for the Smith Home Farm portion of the central park, the DPR staff believes that the similar condition for the submission of the SDP for the Woodside Village portion of the central park should be established at this time. DPR staff recommends that SDP for the central park shall be submitted, reviewed and approved by the Planning Board as a second SDP to be filed under CDP-0601. The SDP shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review the credentials and approve the selection of the design consultant prior to development of SDP plans.

CONCLUSION

Subject to the included conditions, the application satisfies the conditions of the approved Basic Plan A-9973 as described in County Council Resolution CR-2-2007, the requirements and recommendations of the *Approved Prince George's County General Plan and Approved Westphalia Sector Plan and Sectional Map Amendment* as they pertain to public parks and recreation.

- f. Public Facilities**—In a memorandum dated March 6, 2008, the Historic Preservation and Public Facilities Planning Section, noting that the Westphalia Sector Plan recommended the location of a fire station in a higher density location near the proposed community commercial core with access to the Suitland Parkway, stated that existing engine service to the subject property is within the travel time standard. In the same memorandum, the Historic Preservation and Public Facilities Planning Section noted that police and library facilities, according to the Westphalia concept plan, are appropriate uses in the commercial central core. Timing of the construction of these facilities will be determined in the Westphalia Financing Plan. Lastly, with respect to public schools, the Historic Preservation and Public Facilities Planning Section noted that the site plan indicates a 56-acre proposed park-school site in the central portion of the site and that the design program of the project was expected to generate 359 elementary school students, 90 middle school students and 180 high school students. In closing, the Historic Preservation and Public Facilities Planning Section suggested that the school site should be dedicated to M-NCPPC at or before a final plat is recorded for the subject site. A condition below ensures that this will occur.
- g. Environmental Planning**—In a revised memorandum dated June 25, 2008, the Environmental Planning Section offered the following:

MASTER PLAN CONFORMANCE

The current Master Plan for this area is the Westphalia Approved Master Plan and Sectional Map Amendment (February 2007). In the Approved 2007 Master Plan and Sectional Map Amendment, the Environmental Infrastructure Section contains goals, policies and strategies. The following guidelines have been determined to be applicable to the current project. The text in **[BOLD]** is the text from the master plan and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve and enhance the identified green infrastructure network within the Westphalia sector planning area.

Strategies:

- 1. Use the sector plan designated green infrastructure network to identify opportunities for environmental preservation and restoration during the review of land development proposals.**

The majority of the land within the designated green infrastructure network is being preserved and reforestation is being proposed along portions of the network to expand the existing denuded buffers.

- 2. Preserve 480 or more acres of primary management area (PMA) as open space within the developing areas.**

With the exception of necessary road crossings, the CDP shows the PMA preserved on this site.

- 3. Place preserved sensitive environmental features within the park and open spaces network to the fullest extent possible.**

The subject application proposes to preserve these features and in some places, reforestation is also proposed. Preservation and reforestation on parkland is subject to the review and approval of the Department of Parks and Recreation (DPR).

- 4. 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.**

The current application contains extensive areas of primary management area (PMA) associated with Cabin Branch, a designated primary corridor. Portions of the associated PMA are to be included in the property to be dedicated for use for a public school or park. The other portion of the PMA associated directly with Cabin Branch is proposed to be bordered by stormwater

management ponds which will service the associated proposed single family houses. Details on protecting the Cabin Branch primary corridor are discussed below.

5. Limit overall impacts to the primary management area to those necessary for infrastructure improvements, such as road crossings and utility installations.

Impacts to the PMA were discussed above and are discussed in more detail in the Environmental Review Section below.

6. Evaluate and coordinate development within the vicinity of primary and secondary corridors to reduce the number and location of primary management area impacts.

Prior to submission of this CDP, the development of the overall roadway network was discussed in detail and the road crossings were placed at the optimal locations to reduce impacts. Impacts to the primary management areas are discussed in more detail in the Environmental Review Section below.

7. Develop flexible design techniques to maximize preservation of environmentally sensitive areas.

The use of the comprehensive design zone development standards is considered a flexible design technique.

Policy 2: Restore and enhance water quality of receiving streams that have been degraded and preserve water quality in areas not degraded.

Strategies:

1. Remove agricultural uses along streams and establish wooded stream buffers where they do not currently exist.

The current proposal provides conservation of already established wooded buffers along the streams on-site. The application also provides for reforestation/afforestation in some areas along these streams in order to increase the wooded buffer; however, additional information is needed to determine the best places to focus reforestation efforts. The tree conservation issues associated with this site are discussed in further detail in the Environmental Review Section below.

2. Require stream corridor assessment using Maryland Department of Natural Resources 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 the countywide catalog of mitigation sites.

A signed NRI was submitted but it does not include a stream corridor assessment. The streams on-site are highly degraded from erosion of the highly erodible soils on-site and from the former agricultural uses. A stream corridor assessment is needed to determine where restoration efforts

should be focused and whether or not the stream system in its current condition can handle the stormwater run-off proposed. The stormwater management design should consider the information obtained from the stream corridor assessment as part of the process of designing the overall system because a poorly design system will continue to degrade the streams on-site and result in the continuation of down-stream degradation.

3. Coordinate the road network between parcels to limit the need for stream crossings and other environmental impacts. Utilize existing farm crossings where possible.

The subject application proposes the dedication of right-of-ways for four master-planned roads. At the time of creation of the Westphalia Master Plan, the exact locations of P-616, P-619, and MC-631 were determined for both the subject property and Smith Home Farms. These road crossings have been placed such that they reduce environmental impacts as much as possible.

4. Encourage shared public/private stormwater facilities as site amenities.

5. Ensure the use of low-impact development (LID) techniques to the fullest extent possible during the development review process with a focus on the core areas for use of bioretention and underground facilities.

At this time there is insufficient information to fully address these standards. The CDP shows a variety of stormwater management ponds, all placed adjacent to the PMA. As stated above, a stream corridor assessment is needed to determine if the stream system will be stable enough to handle the influx of run-off. During the review of the preliminary plan, the stormwater management concept proposed will be evaluated to determine if it has been designed to include low impact development techniques and as amenities.

Policy 3: Reduce overall energy consumption and implement more environmentally-sensitive building techniques.

Strategies:

1. Encourage the 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.

2. Encourage the use of alternative energy sources such as solar, wind and hydrogen power. Provide public examples of uses of alternative energy sources.

The use of green building techniques and energy conservation techniques shall be evaluated at time of specific design plan. The subject property does not currently contain existing buildings.

CONFORMANCE WITH THE GREEN INFRASTRUCTURE PLAN

The following policies support the stated measurable objectives of the Countywide Green Infrastructure Plan, and are applicable to the subject site.

Policy 1: Preserve, protect, enhance or restore the green infrastructure network and its ecological functions while supporting the desired development pattern of the 2002 General Plan.

The subject property contains Regulated Areas, Evaluation Areas, and Network Gap Areas as identified in the Countywide Green Infrastructure Plan, which cover a small portion of the property, adjacent to Cabin Branch. The areas adjacent to Cabin Branch are proposed to be preserved, and where possible, enhanced by areas of reforestation.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Preservation of water quality in this area will be provided through the protection of the Patuxent River Primary Management Area; the application of best stormwater management practices for stormwater management; and through stream restoration efforts where necessary. It is recommended that low impact development stormwater management methods be applied on this site, to the fullest extent possible, and be designed in a comprehensive manner that ensures that proper drainage has been provided to residential portions of the site.

Policy 4: Reduce overall energy consumption and implement more environmentally sensitive building techniques.

The development is conceptual at the present time. In future applications, the use of environmentally sensitive building techniques to reduce overall energy consumption should be addressed.

Policy 5: Reduce light pollution and intrusion into residential, rural and environmentally sensitive areas.

Lighting should use full cut-off optics to ensure that off-site light intrusion into residential and environmentally sensitive areas is minimized. This will be addressed in more detail during future reviews.

Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.

There are no noise related issues associated with this development because all of the roadways within and adjacent to the site are classified below the level of arterial.

Policy 7: Protect wellhead areas of public wells.

The site is not in a wellhead protection area and does not propose any public wells.

CONFORMANCE WITH DISTRICT COUNCIL FINAL DECISION ON A-9973

On May 11, 2006, the Prince George's County Planning Board reviewed Zoning Map Amendment Petition No. A-9973 Woodside Village, requesting rezoning from R-A (Rural Agriculture) Zone to the R-M (Residential Medium Development) Comprehensive Design Zone in accordance with Subtitle 27 of the Prince George's County Code. The decision contains several environmentally-related conditions and considerations on the approved rezoning of the property to be applied at various review points in the process. The District Council reviewed the Zoning Map Amendment on September 18, 2006 and approved it with no additional conditions.

The text from the Prince George's County Planning Board Resolution No. 06-112 has been shown in [BOLD] typeface evaluation has been shown in standard typeface.

Environmental Conditions of the Final Decision for Basic Plan A-9973

- o. Submit a signed natural resources inventory (NRI) with the comprehensive design plan. All subsequent plan submittals shall clearly show the Patuxent River Primary Management Area (PMA) as defined in Section 24-101(b)(10), and as shown on the signed NRI.**

The PMA is clearly shown on all plan submittals per this condition.

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

As noted above, the overall layout of the road network in this area was evaluated comprehensively before CDP submission. The Environmental Review section below will go into further detail regarding the preservation of the PMA to the fullest extent possible.

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

- (1) Focus on the creation and/or conservation/preservation of contiguous woodland.**
- (2) Concentrate priority areas for tree preservation in areas within the framework of the Approved Green Infrastructure Master Plan, such as stream valleys. Reflect a 25 percent Woodland Conservation Threshold (WCT) and meet the WCT requirements on-site.**
- (3) Mitigate woodland cleared within the PMA's Preservation Area on-site at a ratio of 1:1, with the exception of impacts caused by master plan roads**

which shall be mitigated 1/4:1. This note shall also be placed on all Tree Conservation Plans.

- (4) Focus afforestation in currently open areas within the PMA and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.**
- (5) Prohibit woodland conservation on all residential lots.**

The Type I Tree Conservation Plan contains several errors with regard to the calculation of the requirements of this condition. Revisions are needed to the worksheet as addressed in the Environmental Review section below.

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

The current review package includes plans with the approximate locations of Marlboro clay formations.

ENVIRONMENTAL REVIEW

1. A signed Natural Resources Inventory (NRI/158/06), which included detailed forest stand delineation (FSD), was submitted with the application. A revised NRI was subsequently submitted to add the Wholey property (the -01 revision). The applicant states in a June 10, 2008 letter that the figures on the -01 revision are also incorrect, and that the numbers on the TCPI are the correct numbers. At this time, staff is unable to verify the correct numbers and will review another revision to the NRI prior to approval of any more plans for this site.

The site contains four different forest stands. Stand one is approximately 51.04 acres of midsuccessional tulip poplars and sweetgums. This stand contains streams and their associated buffers along with wetlands and their associated buffers. Stand two is approximately 14.50 acres of mature mixed hardwoods, dominated by American beech, white oak, and tulip poplar. This stand contains many specimen trees and has a large area of severe slopes of 25 percent and greater. Stand three contains approximately 9.12 acres of mature tulip poplars, American beech, and white oak. This stand also contains the headwaters of the stream that originates on the property in the northeast portion of the site. Stand four contains 17.87 acres of early successional sweetgum, red maple, ash, black cherry, and tulip poplars. This stand contains extensive areas of severe slopes greater than 25 percent.

The calculations for the total site acreage, total floodplain acreage, and the total woodland in the floodplain vary between the two NRI submissions and the TCPI. The total acreage of the site is listed as 369.42 acres on NRI/158/05-01 and as 381.96 acres on the Type I Tree Conservation Plan, TCPI/006/08. The total floodplain for the site is

listed as 15.83 acres on the NRI while it is listed as 15.45 acres on the TCPI. The forested floodplain for the site is listed as 6.43 on the NRI while it is listed as 7.91 acres on the TCPI. A letter from the applicant dated June 10, 2008, states that the acreages listed on the TCPI/006/08 are correct.

2. This development is subject to the requirements of the Prince George's County Woodland Conservation Ordinance, because the parcels affected by the development activity are more than 40,000 square feet in size and contain more than 10,000 square feet of existing woodland.

A Type I Tree Conservation Plan (TCPI/006/08) was submitted and has been reviewed. It appears that a standard worksheet was not used because of the special nature of the conditions associated with the site (the use of a 25 percent threshold); however, a standard worksheet is required for all TCPs. The standard worksheet can be easily modified to provide the correct figures. The worksheet provided lacks two of the most important lines of information: the acreage cleared above the threshold and the calculations of the clearing that is required to be mitigated at a ratio of 1:1.

It appears that the woodland conservation requirement is 107.97 acres; however, this is subject to verification.

In conjunction with the above mentioned acreage discrepancies, there are technical revisions required. The areas of natural regeneration listed for the subject site shall include the following label on the plan, "Existing shrub/scrub area of natural regeneration."

Woodland preservation is proposed on the park/school site. This is not permitted without the consent of the Department of Parks and Recreation (DPR). If DPR's consent is obtained, the plans may be revised later. Update the woodland conservation calculations worksheet to exclude this preservation until written permission is obtained.

3. Marlboro clay occurs on this property. The plan does not show the existing, unmitigated 1.5 safety factor line associated with Marlboro clay. Section 24-131 of the Subdivision Regulations controls the development of potentially unsafe lands. The geotechnical study submitted, dated December 2006, states: "Based upon the available plans and subsurface information, GTA anticipates that the existing slopes on the project site generally have factors of safety for global stability greater than 1.5, and therefore, the unmitigated 1.5 line is not applicable to this site. Please refer to the attached results of the slope stability analysis for additional information. Note that as proposed grading plans are developed and revised, the "mitigated" 1.5 factor of safety line may impact the site development plans. In order to reduce this impact, the civil engineer should attempt to minimize proposed fill slopes, and stormwater management (SWM) facilities in the vicinity of the Marlboro Clay outcrops."

A more detailed review of this issue will take place during the review of the preliminary

plan.

4. The property contains streams and primary management areas that run roughly north to south close to the western and southern boundaries of the site. Streams and their buffers are required to be preserved by Section 24-130 of the Subdivision Ordinance. Proposed impacts to the regulated environmental features should be limited to those necessary for carefully placed road crossings, utilities, and stormwater management outfalls. In conjunction with the stream restoration information, the impacts to the PMA will be evaluated at the time of preliminary plan review.
5. According to the *Prince George's County Soil Survey* the principal soils on the site are in the Adelphia, Bibb, Collington, Galestown, Howell, Iuka, Marr, Mixed Alluvial Land, Sassafras, and Westphalia soils series.

Bibb, Collington, Galestown, and Sassafras pose no real limitations on development. Adelphia, Iuka, and Mixed Alluvial Land may limit development due to high water tables, flooding hazards, and poor drainage. Westphalia and Marr soils may pose development difficulties due to high erodibility on slopes.

The site is generally suitable for the proposed development. Specific mitigation measures will be further analyzed during the development process by the Washington Suburban Sanitary Commission for installation of water and sewer lines; by the Department of Public Works and Transportation for the installation of street, the installation of stormwater management facilities, and general site grading and foundations; and the Department of Environmental Resources for building foundations.

- h. **Zoning**—In an undated response, the Zoning Section stated that they had no comments on the subject project.
- i. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated April 29, 2008, DPW&T offered the following:
 - Right-of-way dedication and frontage improvements constructed in accordance with DPW&T's urban residential roadway standards would be required for internal subdivision streets and that right-of-way dedication for all proposed public roads and existing road frontages would be required and would have to be designed in accordance with DPW&T's specifications and standards.
 - Full-width, two-inch mill and overlay for all county roadway frontages would be required.
 - Any proposed and/or existing master plan roadways that lie within the property limits must be addressed through coordination between M-NCPPC and DPW&T and may involve rights-of-way reservation, dedication and/or road construction in accordance with DPW&T's specification and Standards.

- Compliance with DPW&T's Utility Policy would be required. Proper temporary and final patching and the related mill and overlay in accordance with "DPW&T's Policy and Specification for Utility Installation and Maintenance Permits" would be required.
- The proposed site development will require an approved DPW&T stormwater management concept plan.
- An access study would have to be conducted by the applicant and reviewed to determine the adequacy of access points(s) and the need for construction of an acceleration/deceleration lane.
- All improvements within the public right-of-way are to be dedicated to the County and are to be designed in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act.
- Culs-de-sac are required to allow a minimum turning movement for a standard WB vehicle and a standard length fire truck.
- Conformance with DPW&T street tree and lighting specifications and standards.
- Design of storm drainage systems and facilities are to be designed in accordance with DPW&T's Specifications and standards.
- A soils investigation report which includes subsurface exploration and geotechnical engineering evaluation for public streets would be required.
- Realignment of major collector road MD 631 would be required.
- Alignment and grade study of Westphalia Road from Ritchie Marlboro Road to Melwood Road is required prior to the comprehensive design plan approvals.
- Coordination with Smith property for the extension of P-619 would be required.
- Stormwater management facilities are to include recreational features and visual amenities.
- Determination of roadway identification public or private within the site would be necessary prior to comprehensive design approval.

j. Maryland State Highway Administration (SHA)—In a letter dated April 4, 2008, SHA stated the following:

- Since the subject property is located on the County-owned Westphalia Road, coordination with DPW&T would be most appropriate.
- However, they also noted that by letter dated February 20, 2008, they commented on a traffic impact study submitted in support of the application and concurred with the study's finding that the development would negatively impact the adjacent roadway network and recommended that the applicant make a pro rata share contribution towards future roadway improvements. They noted that the counts were dated and requested new counts be done and the traffic conditions reassessed.

In a subsequent letter, dated June 3, 2008, in response to an updated traffic impact study report, SHA offered the following:

- Access to the 451 single-family detached dwelling units, 689 townhouse units and 220 multifamily dwelling units is proposed from two full movement site access driveways on Westphalia Road and a connection to Presidential Parkway (all County roadways).
- The traffic report recommended the following improvements to address the negative site traffic impacts:
 - Ritchie Marlboro Road at Sansbury Road - Widen eastbound and westbound Ritchie Marlboro Road to provide third exclusive through lane. The third eastbound Ritchie Marlboro Road was proposed to drop as a right turn lane at the adjacent Ritchie Marlboro Road at White House Road intersection. Modify northbound Sansbury Road approach to provide two left-turn lanes and one left through right lane.
 - Ritchie Marlboro Road at White House Road – Modify northbound Ritchie Marlboro Road approach from the existing two left turn lanes and one right turn lane to two left turn lanes and one left through right lanes.
 - MD4 at Westphalia Road – Contribute pro rata share towards the future grade separated interchange at this location.
 - Westphalia Road at Ritchie Marlboro Road – Widen northbound Ritchie Marlboro Road approach to provide one left-turn lane and two through lanes. Widen southbound Ritchie Marlboro Road approach to provide one through lane and one right-turn lane. Widen eastbound Westphalia Road approach to provide one left-turn lane and one right-turn lane.

Further, they had the following recommendations:

- Twenty-five percent of the site generated traffic will utilize the 1-95 at Ritchie

Marlboro Road interchange. As noted in many other traffic reports, additional improvements will be needed beyond the currently proposed three lane roundabout. Therefore, SHA recommends that M-NCPPC condition the applicant to pay a pro rata share contribution towards the future reconstruction of the I-95/Ritchie Marlboro interchange. Regional and Intermodal Planning Division (RIPD) will be in the lead for the Interstate Access Point Approval (IAPA) study and the coordination with the concerned agencies including the FHWA Maryland Division for the I-95/Ritchie Marlboro Road interchange reconstruct. Preliminary costs for the redesigned I-95/Ritchie Marlboro Road interchange are in the \$150 to \$225 million range. Therefore, it is the hope of SHA and FHWA that significant contributions can be collected from area developments to fund this project.

- The third eastbound and westbound Ritchie Marlboro Road through lanes at the Ritchie Marlboro Road at Sansbury Road intersection (as recommended in the traffic report) should extend to the west to the I-95 Northbound Ramps at the Ritchie Marlboro Road roundabout.
- SHA concurs with a pro rata share contribution towards the future improvements at the MD 4 at Westphalia Road intersection.

Such pro rata contribution was supported by the M-NCPPC Transportation Planning Division.

- k. Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated March 18, 2008, WSSC stated that water and sewer extension will be required and that the property is in the wrong water and sewer service category. They suggested that the applicant contact Prince George's County Department of Environmental Resources for additional information.
- i. Prince George's County Fire/EMS Department** – In a memorandum dated April 25, 2008, the Prince George's County Fire/EMS Department offered information regarding the needed access for fire apparatuses, private road design and the location and performance of fire hydrants.
- l. Verizon**—In an email dated March 20, 2008, Verizon stated that they would need a ten-foot private utility easement along all public and private streets and one in front of every unit.
- m. Potomac Electric Power Company (PEPCO)**—In an email dated May 30, 2008, PEPCO stated that they were coordinating with the developer on providing service, but had no comments on the comprehensive design plan.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and

Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPi/006/08), and further APPROVED the Comprehensive Design Plan CDP-0601, Woodside Village for the above described land, subject to the following conditions:

1. Prior to signature approval of the subject CDP, the applicant shall revise the plans as follow 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:
 - 80 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 fiber cement board. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.

- At least 60 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 fiber cement board. At time of SDP approval, applicant may request that the Planning Board allow other masonry materials of equivalent quality.
 - 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 fiber cement board (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 fiber cement board (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 fiber cement board. 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 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.
- 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.
- o. A note shall be added to the plans stating that the applicant shall be required to make information available to prospective homeowners regarding the Department of Housing and Urban Development (HUD) affordable housing program referred to in Appendix L of the subject Comprehensive Design Plan entitled “Plan for Housing for All Income Groups” pursuant to Condition 3s of A-9973.
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 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 above improvement shall have full financial assurances through either private money and/or full funding in the CIP, in a SCRП, (which requires the Planning Board to adopt a resolution establishing the SCRП) State CTP, Public Financing Plan approved by the Council.
- c. 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(b)
 - (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.
- d. 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 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.

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.
10. Three original, executed recreational facilities agreements (RFA) for the construction of the recreational facilities on dedicated parkland shall be submitted to DPR for their 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 the Department of Parks and Recreation, at least two weeks prior to applying for any building permits.
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 shall include the use of low impact development 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 the 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 TCPI shall be revised as follows:
 - a. Include the following label on the TCPI 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 TCPI. The TCPI 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 (TCPI/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.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns and Parker voting in favor of the motion, and with Commissioner Cavitt absent at its regular meeting held on Thursday, July 31, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of September 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:RG:bjs



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: August 16, 2021

TO: Jeremy Hurlbutt, Supervisor
Zoning Section, Development Review Division
Planning Department

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

FROM: Tom Burke, Planner Coordinator
Land Acquisition/Management & Development Review Section
Park Planning and Development Division
Department of Parks and Recreation

SUBJECT: **A-9973-02 Woodside Village**

The Department of Parks and Recreation (DPR) has reviewed and evaluated this application as it pertains to public parks and recreational facilities.

PROPOSAL

This application is a petition to remove the Yergat Property (Parcel 5) and Case Property (Parcel 19) from the Woodside Village Basic Plan, establishing its own basic plan by amendment. In consideration of this request, the applicant is seeking approval of a basic plan in accordance with Part 3, Division 2, Subdivision 3 of the Zoning Ordinance.

BACKGROUND:

The subject 157.92-acre property is in the Residential Medium (R-M) Zone, as well as the Military Installation Overlay (M-I-O) Zone for height. The 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, and is subject to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan), the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and *Formula 2040, Functional Master Plan for Parks, Recreation and Open Space*. This property is currently unimproved with mostly cleared agricultural fields.

REVIEW OF PREVIOUS CONDITIONS OF APPROVAL

Sectional Map Amendment A-9973 was approved by the Prince George’s County District Council on February 6, 2007 with the accompanying basic plan (Zoning Ordinance No. 2-2007) to rezone the property from the Residential Agricultural (R-A) Zone to the R-M Zone with five conditions. The following conditions relate to DPR:

1. *Relevant Extract:*

Public active open space: (parkland and school sites)*	26.0 acres minimum parkland
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The Applicant is proposing revisions to the previously approved land use types and quantities for Woodside Village. The original basic plan envisioned dedication of approximately 56 acres to serve as a site for two public schools and a northeastern extension to the Westphalia Central Park with public amenities such as trails and an amphitheater. The parkland dedication was expected to be a minimum of 26.0 acres, as conditioned in the original approval. The parkland is shown to extend from the southeast corner, where the property shown on the basic plan as the Suit Property Parcel 42, adjoins Westphalia Central Park. Development of the central park amenities in this section of the planned park are projected in later phases; however, a comprehensive network of road, trail, and greenway connections with this park and the surrounding communities continues to be a priority for fulfilling the vision of the Westphalia community. Additionally, the 148.7-acre Suit Property is currently owned by M-NCPPC and the site which is the subject of this application is no longer contiguous with the eastern boundary of Westphalia Central Park. For this reason, the applicant proposes that this condition be removed from the table. DPR staff supports this request; however, mandatory dedication of parkland will still be required with subsequent development applications, and the applicant will be required to contribute into the Westphalia Central Park club and install trail and greenway connections as originally envisioned.

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

g. The Applicant and the Applicant’s heirs, successors, and/or assignees shall provide the following in conformance with the 1994 Master Plan and the WCCP Study:

- (1) 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.**
- (3) Provide a sidepath (Class II Trail) along the subject site’s entire road frontage of Westphalia Road.**

(4) Provide the internal HOA trails and sidepaths as conceptually shown on the submitted hiker and biker trail path.

The applicant states in the SOJ that “the above condition needs to be revised to correspond with the revised property boundaries shown with the current basic plan.” DPR staff concurs that since the subject site is no longer contiguous with the Cabin Branch stream valley, the provision for a hiker-biker-equestrian trail is no longer applicable, and condition 3.g.(1) should be removed; however, coordination of a trail alignment will be required with a CDP for this site. A comprehensive trail network for this community and its connections to other communities and to Westphalia Central Park is critical to fulfill the vision of the Westphalia Sector Plan. DPR staff therefore recommends that conditions 3.g.(3) and 3.g.(4), above, be retained as written.

i. Provide a description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.

The applicant indicates in the Statement of Justification (SOJ), that 160.36 acres of the original basic plan are currently under the ownership of M-NCPPC and that this basic plan proposes no further dedication of land. Consequently, the applicant proposes that this condition be modified to remove the reference to the dedicated parkland from this condition. DPR staff concurs with the applicant’s request. Mandatory dedication of parkland, however, must be addressed with the development of this site.

k. The Applicant shall submit a scope of services from a qualified urban park design consultant for development of a Comprehensive Concept Plan for the portion of central park in the project area. The Comprehensive Concept Plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of a Comprehensive Concept Plan. The Comprehensive Concept Plan shall be approved by DPR prior to approval of the Comprehensive Design Plan (CDP).

This basic plan no longer contains portions of the central park in the project area. Further, the Parkside development has already satisfied this design requirement for Westphalia Central Park. DPR staff concurs with the applicant’s request and recommends that this condition be deleted.

l. The public recreational facilities shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The concept plan for the development of the parks shall be shown on the Comprehensive Design Plan.

DPR staff concurs with the applicant's request and recommends that this condition be deleted. There are no proposed public recreational facilities as part of this basic plan amendment.

- m. **Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.**

Although the Cabin Branch stream valley trail is not located within the boundaries of this site, DPR staff finds that connections through this property to the southern boundary are critical to the comprehensive vision for the Cabin Branch trail network. DPR staff recommends that this condition be modified to remove the reference to providing a multiuse stream valley trail along the subject site's portion of Cabin Branch and retain the reference to the connector trails.

4. **At the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision, the Applicant shall:**

- e. **The Applicant shall dedicate 56 developable acres of public open space to the M-NCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites shall be determined at the time of CDP Plan approval. The land to be conveyed to the M-NCPPC shall be subject to the following conditions: [conditions listed in the original resolution]**

The 56 acres proposed for public open space is part of the 160.36 acres purchased by M-NCPPC. DPR staff recommends that this condition be deleted. Mandatory dedication of parkland will be required through land dedication, onsite recreational facilities, or a fee-in-lieu, and will be evaluated with the comprehensive design plan and the PPS.

- f. **Enter into an agreement with DPR, prior to the first Final Plat of Subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.**

The applicant proposes that this condition be deleted, stating that it is not needed since no public recreation facilities are proposed. The applicant also stated that they will provide the required fees into the Westphalia Park Club. Since there are no other recreation facilities which would require payment

into a separate account, DPR staff concurs that this condition should be deleted.

- g. Submit three original, executed agreements for participation in the park club to DPR for their review and approval, eight weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.**

DPR staff recommends replacing this condition with the following:

“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.

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.”

DISCUSSION

This application is to amend the basic plan to remove the Yergat (Parcel 5) and Case (Parcel 19) properties from the land area included in the original basic plan A-9973, in order to establish a separate basic plan pursuant to Section 27-197(b) of the Zoning Ordinance. The applicant also proposes to revise the previously approved land use quantities, and to amend the prior conditions of approval, as appropriate.

The original Woodside Village Basic Plan A-9973, consisted of six parcels with a total of 381.95 acres, and included a minimum dedication of 26 acres to parkland. Since the approval in 2007, the assemblage of the six parcels is no longer under common ownership, with 157.92 acres designated for this application and 63.30 acres to be the subject of a separate Basic Plan Amendment, A-9973-01. Parcels 42, 48, and 13, totaling 160.36 acres are currently owned by M-NCPPC, with Parcels 42 and 48 intended to serve as a northeastern extension of the Westphalia Central Park.

The amended basic plan provided with this application shows onsite recreational facilities and shows the southeast corner of Parcel 5 “to be dedicated to MNCPPC”; however, this

A-9973-02
Woodside Village

parcel is proposed to be largely encumbered by a masterplan roadway (MC-631) and a stormwater management facility. DPR staff has determined that the dedication of this parcel will not provide any benefit as parkland and is not in support of the dedication of this parcel.

The vision for Woodside Village is to create a 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 basic plan amendment will remain largely consistent with the spirit of initial basic plan A-9973. The development contemplated in this basic plan amendment represents a high-quality residential community which will serve as an appropriate transition and linkage between the adjacent Parkside and Marlboro Ridge subdivisions.

The Westphalia Sector Plan envisions a highly visible central park to serve as a unifying community destination and amenity with which outlying neighborhoods such as Woodside Village are linked together by parkways, boulevards, greenways, and trails. The greenways and trails connect public and private parks, open space, and recreation facilities, establishing a network of interconnected amenities to serve as a regional draw and icon for Westphalia.

Included among the greenways discussed in the Westphalia Sector Plan is the Cabin Branch Greenway. The Cabin Branch Trail follows Cabin Branch, generally running east/west, and located contiguous to the southern boundary of Parcels 42 and 48, a property now owned by M-NCPPC. The stream valley is no longer contiguous with the subject site. The greenway, however, is shown on the sector plan with numerous spurs that extend north and south of the main section of the stream, including a spur that runs north through the center of the subject site. Trail connections along these spurs are an important component to achieving a comprehensive vision for Westphalia and are recommended to be retained on this site, as shown on the original basic plan. A condition has been included in the Recommendation section to provide these important trail connections.

RECOMMENDATION:

The Park Planning & Development Division of the Department of Parks and Recreation recommends approval of Woodside Village Basic Plan A-9973-02, subject to the following:

1. Provide the following amendments to Basic Plan A-9973:
 - a. Remove condition 3.g.(1), and retain 3.g.(3), and 3.g.(4) as written.
 - b. Modify Condition 3.m. to remove the reference to providing a multiuse stream valley trail along the subject site's portion of Cabin Branch.
 - c. Replace Condition 4.g. with the following language:

“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.

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."


2. Remove "To be dedicated to MNCPPC" from the southeast section of Parcel 5.
3. Provide trails within the greenways, connecting with properties to the south, as previously shown on the approved basic plan.


cc: Bridget Stesney
Alvin McNeal

August 6, 2021

MEMORANDUM

TO: DeAndrae Spradley, Planner Coordinator, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Adele Gravitz, ASLA, Senior Planner, Placemaking Section, Community Planning Division 

SUBJECT: A-9973-02 Woodside Village

FINDINGS

The Community Planning Division finds that, pursuant to Section 27-197(b) Amendment of An Approved Basic Plan, this application to separate two parcels from the approved Basic Plan known as A-9973-01 Woodside Village, meets the requirements for approval of an amendment to an approved Basic Plan because dividing a single approved Basic Plan into two (2) or more separate Basic Plans by the District Council will create practical difficulties for the applicant to the extent that, unless the Basic Plan is amended to separate a specified amount of land area, the applicant will be unable to proceed to the Comprehensive Design Plan phase.

In addition, the Community Planning Division finds that Pursuant to Section 27-197 (b) (4) (B), the proposed amendment to separate two parcels from A-9973-01, “will not significantly impair the character of the original approved Basic Plan with respect to land uses, density ranges, unit types, circulation, accessibility, public facilities, public benefit features, and open space;” because the total assemblage of properties in A-9973-01 is no longer under common ownership, thus making the implementation of the initial basic plan a practical impossibility.

BACKGROUND

Application Type: Basic Plan Amendment to remove two properties (parcel 19 and parcel 42) from originally approved basic plan for Woodside Village (A-9973).

Location: Located on southern side of Westphalia Rd, approx. 2,000 feet west of its intersection with Richie-Marlboro Rd., Upper Marlboro, MD 20772

Size: 158.11 acres of preapproved 381.95 acres

Existing Uses: vacant

Proposal: Remove the Yergat and Case properties (total 158.11 acres) from the Woodside Village Basic Plan.

GENERAL PLAN, MASTER PLAN, AND SMA

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

Master Plan: The 2007 Approved Westphalia Sector Plan recommends low density land uses on the subject property.

Planning Area: 78

Community: Westphalia and Vicinity

Aviation/MIOZ: This application is located within the Military Installation Overlay Zone for height Conical Surface 20:1 right runway area label: E

SMA/Zoning: The 2007 Approved Westphalia Sectional Map Amendment reclassified the subject property from R-A (Residential-Agricultural) to R-M (Residential-Medium).

MASTER PLAN CONFORMANCE ISSUES

None

cc: Long-range Agenda Notebook
Adam Dodgshon, Supervisor Placemaking Section

August 17, 2021

MEMORANDUM

TO: Jeremy Hurlbutt, Planning Supervisor, Zoning Section
VIA: Mridula Gupta, Planner Coordinator, Subdivision Section *MG*
FROM: Eddie Diaz-Campbell, Senior Planner, Subdivision Section *EDC*
SUBJECT: A-9973-02; Woodside Village Referral Memo

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 22125 at folio 17. The property area is 157.92 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 Amendment A-9973-02 proposes to create a new basic plan exclusive to the Parcels 5 and 19 of the original Woodside Village Basic Plan (A-9973) for residential development. The original basic plan covers 381.95 acres and includes four more acreage parcels known as Parcels 13, 14, 42, and 48 in addition to Parcels 5 and 19. Of the four other parcels, Parcels 13, 42, and 48 are now owned by M-NCPPC and will be used for public parkland. Parcel 14 is privately owned and will be developed independently subject to another Basic Plan Amendment, A-9973-01, which has recently been accepted for review. A-9973-01 will create a new basic plan exclusive to Parcel 14.

There are no previous preliminary plans of subdivision (PPS) or final plats of subdivision applying to this site. A PPS and final plat of subdivision will be required for the division of land and the proposed construction of 626 to 661 single-family dwelling units. The PPS must be filed after, or at the same time as, any new comprehensive design plan (CDP) which will be filed following approval of this basic plan amendment. 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.

Basic Plan A-9973 has five conditions of approval, two of which contain sub-conditions which will apply at the time of PPS or are otherwise related to subdivision. The applicant has proposed that eight of the subdivision-related sub-conditions of approval be modified with this Basic Plan amendment. The conditions the applicant has requested to be modified are listed below in **bold** text. Staff recommendations regarding the proposed modifications follow each one in plain text.

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

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

The applicant proposed that this condition be deleted, and subdivision staff concur. Construction of the proposed interchange of MD 4 and Westphalia Road is now being funded by a public facilities financing and implementation program (PFFIP) and is not the responsibility of any single developer. At the time of PPS, a condition will be recommended that the applicant make a monetary contribution to the PFFIP, in an amount to be determined by the Transportation Planning Section.

- i. **Provide a description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.**

The applicant proposed that this condition be modified to remove reference to there being recreation facilities on dedicated public parkland, stating in their statement of justification (SOJ) that while there is additional possible dedication of land to M-NCPPC, specifically the smaller of the two Parcel 5s or 7.27 acres of dedication, they are not proposing any public recreation facilities. The Department of Parks and Recreation (DPR) has determined that they will not accept this proffered land, therefore, there will be no associated public recreation facilities. The condition should be modified as the applicant requests.

- k. **The Applicant shall submit a scope of services from a qualified urban park design consultant for development of a Comprehensive Concept Plan for the portion of central park in the project area. The Comprehensive Concept Plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of a Comprehensive Concept Plan. The Comprehensive Concept Plan shall be approved by DPR prior to approval of the Comprehensive Design Plan (CDP).**

The applicant proposed that this condition be deleted, as the Parkside development (CDP-0501 and revisions) has already satisfied this design requirement for the future Westphalia Central Park. Subdivision staff concur that this condition may be deleted, as the design for the future Westphalia Central Park has been completed and approved.

- l. The public recreational facilities shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The concept plan for the development of the parks shall be shown on the Comprehensive Design Plan.**

The applicant proposed that this condition be deleted, stating in their SOJ that no public recreational facilities are proposed. Given that at this time, DPR is not accepting any land dedication which may be used for public recreation facilities, this condition could be deleted as requested.

- n. Provide the site location and timing or propose a contribution for the pro-rata share of funding for the following public facilities to be reviewed and approved by the appropriate agencies and the Countywide Planning Division:**

- (1) Fire station**
- (2) Library**
- (3) Police facility**
- (4) Middle school**
- (5) Elementary school**

The applicant proposed that this condition be deleted, stating that it has been determined that none of the above public facilities should be, or are required to be, located within this portion of the Westphalia Sector Plan area. Subdivision staff do not object to the deletion of this condition, as the necessary adequate public facilities for the development can be further investigated (with conditions imposed) at the time of PPS. However, adequacy findings regarding these facilities may be made at the time of this basic plan. Further review and recommendation should be provided by the Special Projects Section.

- 4. At the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision, the Applicant shall:**

- a. Show proposed dedication area for a non-CIP-sized sewer extension approximately 2,400 feet long to serve the eastern portion of the property and connect to the 24-inch diameter sewer in the Cabin Branch stream valley, or other alternative as required by WSSC.**

The applicant proposed that this condition be revised to simply require that an appropriate sewer layout be shown at the time of PPS. The proposed site layout has changed since the original approval of the basic plan and the specific infrastructure referenced in this condition may no longer be needed. In addition, the eastern portion of the original property is not proposed to be included in this basic plan amendment. WSSC may comment on the proposed sewer layout at the time of PPS. They and/or other agencies may also comment on specific infrastructure needed to serve the development at the time of this basic plan. Since projects are required to show an appropriate sewer layout at the time of PPS regardless of whether they are specifically conditioned to do so with earlier plans, this condition may be deleted rather than modified.

- e. **The Applicant shall dedicate 56 developable acres of public open space to the M-NCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites shall be determined at the time of CDP Plan approval. The land to be conveyed to the M-NCPPC shall be subject to the following conditions:**
- (1) **An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, Maryland-National Capital Park and Planning Commission (M- NCPPC), along with the final plats.**
 - (2) **M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.**
 - (3) **The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.**
 - (4) **The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitably to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.**

The applicant proposed that this condition be deleted, stating that the 56 acres previously identified for dedication have already been purchased by M-NCPPC. Subdivision staff concur with the deletion for that reason; a total of 160.36 acres of the original basic plan area are now owned by M-NCPPC. The project will still be required to demonstrate mandatory dedication of parkland at the time of PPS, which may be met through land dedication, fee-in-lieu, private recreational facilities, or a combination thereof. The proposed basic plan shows possible dedication of 7.27 acres of land, however DPR has indicated that they will not accept this proffered land. ,

- f. **Enter into an agreement with DPR, prior to the first Final Plat of Subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.**

The applicant proposed that this condition be deleted, stating that it is not needed since no public recreation facilities are proposed. The applicant also stated that they will provide the required fees into the Westphalia Park Club. This payment is covered by Condition 4g, which the applicant concurs with. Since there are no other recreation facilities which would require payment into a separate account, this condition may be deleted as requested.

Additional Comments:

1. Though the deed for the two Parcel 19s lists their total area as 79.01 acres, the applicant has confirmed that their measured total area is 79.37 acres.
2. Bearings and distances for the boundary of subject property are not shown on the plans.
3. Two master planned primary roads, P-616 and P-617, are shown on the proposed basic 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. The master planned roads appear to be shown with the correct widths. Acceptability of the proposed alignments should be determined by the Transportation Planning Section. The area required for dedication of the master planned roads going through the site, including these two primary roads and MC-631, should be a separate line item in the land use types and quantities table.
4. The site plan shows master planned roads P-617 and MC-631 continuing off-site, with alignments consistent with those shown in the Master Plan of Transportation (MPOT). Based on the alignments shown in the MPOT, these two roads would intersect on abutting Parcel 13. However, the applicant should be aware that the pending A-9973-01 proposes an alternative configuration for the master planned roads and the intersection, which would place the intersection on the subject site. This may affect circulation on the A-9973-02 site. Transportation planning staff has not yet evaluated the proposed alternate configuration.
5. The land use types and quantities table needs to be updated so the gross acreage listed (158.11 acres) matches the gross acreage listed in the development data table (158.28 acres).
6. The development data column should make distinctions between the two Parcel 5s and two Parcel 19s, rather than listing the four parcels as two.
7. The Liber and folio of the deeds recording the subject properties should be shown on the plans.

Recommended Conditions:

1. 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) and for the A-9973 basic plan area (on Sheet 1).
 - 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.
 - f. In the Subject Property table, show the Liber/Folio number of each property's deed reference in addition to the tax account number.
2. The following shall be required as part of the Comprehensive Design Plan (CDP) submittal package:
- a. Provide a description of the type, amount, and general location of any recreation facilities on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.

In addition to the above recommended conditions, Subdivision Section staff recommend that the following conditions from Basic Plan A-9973 be carried forward unmodified, as the applicant has not requested any revisions to them: Conditions 3b, 3j, 4b, 4c, 4d, 4g, and 5.

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. All bearings and distances must be clearly shown on the site plan, and must be consistent with the property's legal description, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.

Countywide Planning Division
Historic Preservation Section

301-952-3680

August 12, 2021

MEMORANDUM

TO: DeAndrae Spradley, Subdivision and Zoning Section, Development Review Division

VIA: Howard Berger, Historic Preservation Section, Countywide Planning Division **HSB**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

SUBJECT: **A-9973-02 Woodside Village (Case and Yergat Properties)**

Findings

Historic Preservation

1. The subject property comprises approximately 158.11-acres located on the south side of Westphalia Road, approximately 2,000-feet west of its intersection with Ritchie-Marlboro Road. The subject property is part of the 381.95-acre A-9973 Woodside Village, previously approved by the District Council on February 13, 2007, as part of the *2007 Westphalia Sector Plan and Sectional Map Amendment* rezoning the subject property from the R-A Zone to the R-M Zone. The applicant is the owner and/or contract purchaser of the Yergat and Case properties, totaling approximately 158.11 acres (Parcels 19 and 42).

The subject application proposes an amendment to Basic Plan A-9973 to divide the initial basic plan area by deleting the Yergat and Case parcels from the total assemblage of properties originally in A-9973. This division is necessary because the total assemblage of properties in A-9973 is no longer under common ownership, thus making the implementation of the initial basic plan a practical impossibility.

The applicant proposes a maximum aggregate density of 661 dwelling units for the Case and Yergat properties. The subject property is Zoned R-M.

2. The developing property is subject to conditions associated with previous approvals by the Planning Board and District Council. Among those, conditions approved by the District Council in its review of the Westphalia Sector Plan and Sectional Map Amendment (CR-2-2007), are applicable to the subject comprehensive design plan application and any subsequent preliminary plan. These include conditions 3t, 3u, 4d, and 5. Staff notes that

condition 3t is more appropriately addressed by the Transportation and Environmental Planning sections.

3. 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 1915. The original eighteenth century Dunblane House was destroyed in 1969, but because of its architectural and historical significance, its site may have archeological potential.

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 brick, the fourth of logs. 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.¹

4. 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). 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 criteria.

Archeology

5. 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 located 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.
6. 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.

¹ Prince George's County, A Pictorial History, page 50. Virta, Alan, The Donning Company/Publishers, 1984.

7. Phase II archeological investigations were completed on the Case and Yergat properties by the previous applicant's archeological consultant. However, the draft Phase II reports were never submitted to Historic Preservation Staff.

Conclusions

Historic Preservation

1. At the time of the submission of the Conceptual Design 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).
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 by the applicant, whether the cemetery is designated as a Historic Site or not. Should the archeological investigations of the property yield significant findings and features to be preserved in place, those features should also be considered for potential Historic Site designation.
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 were recommended on sites 18PR898, 18PR900, and 18PR901. A Phase II work plan for these sites was submitted to Historic Preservation and Maryland Historical Trust staff and was approved. The Phase II archeological investigations were completed by the previous owner's archeological consultant, but the draft Phase II reports were not submitted to Historic Preservation staff for review.

Recommendations

Staff recommends that conditions 3u, 4d, and 5 of the Westphalia Sector Plan and Sectional Amendment Zoning Ordinance No. 5-2007 should be carried forward to subsequent applications, as appropriate, and specifically, that:

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 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:

- a. An inventory of existing cemetery elements which shall be provided to Historic Preservation staff for review and approval.
 - b. Measures to protect the cemetery during development, which shall be provided to Historic Preservation staff for review and approval.
 - c. 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.
2. Prior to approval of any preliminary plan, 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 MHT standards.
3. At the time of preliminary plan, if an archeological site has been identified as significant and potentially eligible to be designated as a 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.
4. Prior to the approval of a Specific Design Plan application (or applications) for the area including the cemetery and the archeological sites, the applicant's Phase III Data Recovery plan 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.
5. Prior to the 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 M-NCPPC staff archeologist. The installation of the signage shall occur prior to the issuance of the first building permit for the development.
6. Prior to the approval of a specific design plan application (or applications) for the area including the cemetery and any archeological sites, the applicant shall provide for buffering of the Magruder/McGregor Family Cemetery and/or any archeological site designated as a Historic Site, in compliance with the *Prince George's County Landscape Manual*.
7. 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/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.

A-9973-02 Woodside Village

August 12, 2021

Page 5 of 5

 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
Transportation Planning Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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www.mncppc.org/pgco


301-952-3680

August 31, 2021

MEMORANDUM

TO: Jeremy Hurlbutt, Zoning Review Section, Development Review Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM:  Glen Burton, Transportation Section, Countywide Planning Division

SUBJECT: A-9973-02, Woodside Village (Case and Yergat Properties)

Proposal

The applicant is proposing an amendment to an approved Basic Plan (A-9973) that will, if approved, separate Parcel 5 (Yergat) and Parcel 19 (Case) from the larger land mass (381.9 acres) represented by the previously approved basic plan. The ultimate goal of the separation is to allow for the construction of approximately 661 dwelling units.

Background

The property is the subject of a previous Basic Plan (A-9973) approval by the District Council in February 2007. In September 2008, the Planning Board approved CDP-0601 for the same property. Pursuant to PGCPB 08-121, CDP-0601 was approved with several transportation conditions. While some of those conditions may still be applicable to the properties that are the subject of the pending amended basic plan, many will no longer be applicable since circumstances regarding the prior approvals have changed. In order to evaluate the transportation impact of the pending application, the applicant has submitted a traffic impact study (TIS) as part of the application.

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 purpose of the pending application is to combine Parcels 5 and 19 into a single development pod with a combined acreage of $(78.91+79.20 =)158.11$ acres. Based on the current basic plan approved density of 4 dwellings per acre, that portion of the A-9973 plan could be developed with a yield of $4 \times 158.11 = 632$ dwellings. However, the applicant is proposing a mix of single family and townhomes for a total of approximately 661 dwellings. This proposal will result in a density of $661/158.11 = 4.18$ dwellings per acre, a slight increase from what is currently approved for the A-9973 basic plan.

Pursuant to Section 27-195(b)(1)(C) of the Zoning Ordinance, the criteria for approval of a Basic Plan as they relate to transportation are as follows:

Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;

To meet the legal threshold cited above, the applicant has provided staff, with an April 2021TIS. 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. The following represents the intersections deemed critical for the proposed development:

EXISTING CONDITIONS		
Intersections	AM	PM

	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	A/627	A/833
Ritchie Marlboro Road and Whitehouse Road	A/580	A/815
MD 4 and Westphalia Road-Old Marlboro Pike	A/860	C/1293
Westphalia Road and D’Arcy Road*	11.0 seconds	18.8 seconds
Ritchie Marlboro Road and Westphalia Road *	12.7 seconds	23.1 seconds
MD 4 and Suitland Parkway	B/1093	E/1591
D’Arcy Road and Sansbury Road*	10.3 seconds	11.3 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 16 background developments whose impact would affect some or all of the study intersections. Additionally, a growth of 0.5 % over six years was also applied to the traffic volumes. A second analysis was done, depicting background conditions. Those results are as follows:

BACKGROUND CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	A/794	D/1333
Ritchie Marlboro Road and Whitehouse Road	A/655	A/951
MD 4 and Westphalia Road-Old Marlboro Pike		
MD 4 SB Ramps and Old Marlboro Pike	A/461	A/839
MD 4 NB Ramps and Westphalia Road	A/361	A/597
Westphalia Road and D’Arcy Road*		
Tier 1 – HCM Delay Test	233.9 seconds	1182.5 seconds
Tier 2 – Minor Street Volume Test	>100	>100
Tier 3 – CLV Test	A/906	B/1064
Ritchie Marlboro Road and Westphalia Road *	28.7 seconds	20.2 seconds
MD 4 and Suitland Parkway		
MD 4 SB Ramp and Suitland Parkway	B/1119	A/917
MD 4 NB Ramp and Presidential Parkway	A/795	A/744
D’Arcy Road and Sansbury Road*		
Tier 1 – HCM Delay Test	56.8 seconds	105.7 seconds
Tier 2 – Minor Street Volume Test	>100	>100
Tier 3 – CLV Test	A/856	A/878
* 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:

Table 1 - Trip Generation							
		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Single Family homes (county rates)	574	86	345	431	336	181	517
Townhouse (county rates)	87	12	49	61	46	24	70
Total new trips		98	394	492	382	205	587

The table above indicates that the proposed development will be adding 492 and 587 trips during the AM and PM peak hours respectively. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Sansbury Road	A/799	D/1338
Ritchie Marlboro Road and Whitehouse Road	A/656	A/953
MD 4 and Westphalia Road-Old Marlboro Pike		
MD 4 SB Ramps and Old Marlboro Pike	A/463	A/850
MD 4 NB Ramps and Westphalia Road	A/361	A/597
Westphalia Road and D'Arcy Road*		
<i>Tier 1 - HCM Delay Test</i>	272.9 seconds	1265.3 seconds
<i>Tier 2 - Minor Street Volume Test</i>	>100	>100
<i>Tier 3 - CLV Test</i>	A/927	B/1086
Westphalia Road and West Site Access	12.8 seconds	13.4 seconds
Westphalia Road and East Site Access	11.1 seconds	9.5 seconds
Westphalia Road and Main Site Access	11.9 seconds	11.0 seconds
Ritchie Marlboro Road and Westphalia Road *		
<i>Tier 1 - HCM Delay Test</i>		66.3 seconds
<i>Tier 2 - Minor Street Volume Test</i>	29.8 seconds	>100
<i>Tier 3 - CLV Test</i>		B/1029
MD 4 and Suitland Parkway		
MD 4 SB Ramp and Suitland Parkway	B/1121	A/921
MD 4 NB Ramp and Presidential Parkway	A/797	A/746
D'Arcy Road and Sansbury Road*		
<i>Tier 1 - HCM Delay Test</i>	59.9 seconds	120.2 seconds
<i>Tier 2 - Minor Street Volume Test</i>	>100	>100
<i>Tier 3 - CLV Test</i>	A/858	A/892
* Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the "Guidelines", all three tests must fail in order to require a signal warrant study.		

The results under total traffic conditions show that the intersections will all operate adequately. It is worth noting that while the intersection of MD 4 and Westphalia Road-Old Marlboro Pike is projected to operate adequately, the analysis was predicated on an interchange being built at the current location. Pursuant to CR-66-2010, the cost of the construction of that interchange will be

borne by developers whose development traffic will pass through that intersection. This matter will be dealt with in greater detail at the preliminary plan of subdivision phase of this development.

Staff Review and Comments

Having reviewed the traffic study, staff concurs with its findings and conclusions.

Given the short review window for this application, staff did not send this TIS to the County and State agencies for review and comment.

Master Plan and Site Access

The property is 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*. The property fronts on Westphalia Road, currently a two-lane within a variable-width right-of-way. One of the recommendations of the master plans is to upgrade this road to a collector (C-626), within 80 feet of right-of-way. The plan's depiction of C-626 is consistent with the planned upgrade. All other aspects of the site regarding access and layout are deemed to be acceptable.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that existing transportation facilities, when improved with improvements provided in the county CIP, along with some additional improvements provided by the applicant, and signalization at some key intersections, will be adequate to carry the anticipated traffic generated by the proposed development. Furthermore, the development proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved Area Master Plan, in accordance with Section 27-195 of the Prince George's County Code. In making this finding, the TPS staff recommends that all of the intersections evaluated with this application be subject to further analyses at the time of the comprehensive design plan (CDP) phase of the subject development.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

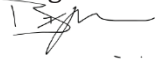
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Countywide Planning Division
 Transportation Planning Section

August 16, 2021

MEMORANDUM

TO: DeAndrae Spradley, Urban Design Section, Development Review Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division 

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division 

SUBJECT: Basic Plan Amendment Review for Pedestrian and Bicycle Transportation Master Plan Compliance

The following basic plan was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)*, the 2007 *Approved Westphalia Sector Plan*, and Subtitle 27 to provide the appropriate pedestrian and bicycle transportation recommendations.

Basic Plan Number: A-9973-02

Development Case Name: Woodside Village

	<u>Type of Master Plan Bikeway or Trail</u>	
Private R.O.W.	<input type="checkbox"/>	Public Use Trail Easement <input type="checkbox"/>
County R.O.W.	<input type="checkbox"/>	Nature Trails <input type="checkbox"/>
SHA R.O.W.	<input type="checkbox"/>	M-NCPPC - Parks <input type="checkbox"/>
HOA	<input type="checkbox"/>	Bicycle Parking <input type="checkbox"/>
Sidewalks	<input checked="" type="checkbox"/>	Trail Access <input type="checkbox"/>
Add'l Connections	<input checked="" type="checkbox"/>	Bikeway Signage <input checked="" type="checkbox"/>

Subject to 24-124.01: No

Bicycle and Pedestrian Impact Statement Scope Meeting Date: n/a

Development Case Background	
Lot Size (acres)	381 (total), 158 (to be removed)
Number of Units (residential)	110-115 Attached, 516-546 Detached
Abutting Roadways	Westphalia Road, North Riding Road
Abutting or Nearby Master Plan Roadways	Westphalia Road(C-626), MC-631, P-616, P-617, P-619
Abutting or Nearby Master Plan Trails	P-616 (planned, shared roadway) MC-631 (planned, side path) P-617 (planned, hard surface trail) P-619 (planned, side path) Westphalia Road (planned, side path)
Proposed Use(s)	Residential
Zoning	R-M

Centers and/or Corridors	n/a
Prior Approvals on Subject Site	A-9973, CDP-0601
Subject to 24-124.01:	n/a
Bicycle and Pedestrian Impact Statement Scope Meeting Date	n/a

Development Proposal

The subject application proposes to remove 158-acres from the approved Woodside Village basic plan to establish a separate basic plan.

Prior Approvals

The subject site has the following prior approvals:

A-9973-02

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

- g. The applicant and the applicant’s heirs, successors, and/or assignees shall provide the following in conformance with the 1994 master plan and the WCCP Study:
 - (1) 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.
 - (2) Provide an eight-foot-wide side path or wide sidewalk along the subject property’s entire frontage of Suitland Parkway extended.
 - (3) Provide a side path (Class II Trail) along the subject site’s entire road frontage of Westphalia Road.
 - (4) Provide the internal HOA trails and side paths as conceptually shown on the submitted hiker and biker trail plan.

- m. Provide a multiuse stream valley trail along the subject site’s portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.

CDP-0601

- 1. Prior to signature approval of the subject CDP, the applicant shall revise the plans as follow 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.

Comment: The prior approvals included a comprehensive list of master plan facilities to be provided throughout the properties within the approved plans. However, the proposed plan amendment will modify these pedestrian and bicycle facilities to include the facilities within the new boundaries of the subject site as well as update the recommended facilities for current standards and practices. Staff recommend that internal facilities also link to pedestrian and bicycle facilities adjacent to the site.

Review of Proposed On-Site Facilities

The submitted plans show a pedestrian circulation route within the subject property that include a network of internal paths, a 10-foot-wide trail along Westphalia Road, shared roadway facility along primary street P-616, an eight-foot-wide trail along primary street P-617 and a side path along collector road MC-631 (Suitland Pkwy extended). While these facilities will be further reviewed with subsequent applications, staff recommend that the widths for all shared-use paths and side paths be updated to a minimum width of ten-feet to reflect current standards and practices.

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to additional residential areas with no current connection. However, there is existing sidewalk along the frontage of Westphalia Road, west of the subject property that can provide a continuous connection to the proposed site. Additionally, multiple recent development applications have been approved with a shared-use path along Westphalia Road.

Review Master Plan of Transportation (MPOT) Compliance

This development case is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT). Four master plan trail facilities that are located within the subject property, a planned side path along Westphalia Road, planned shared roadway along P-616, a planned hard surface trail

along P-617 and a planned side path along MC-631. The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

POLICY 5: Evaluate new development proposal in the Developed and Developing Tiers for conformance with the complete streets principles.

Comment

The subject application does not require on-site pedestrian and bicycle facilities to be incorporated as part of the basic plan amendment. However, staff recommend that the applicant follow the complete streets policies and provide facilities for all transportation modes to access the subject site. Access for all transportation modes will be reviewed during phases of the development review process. Staff additionally recommend that the design of this subject site incorporate traffic calming measures.

Review Area Master Plan Compliance

This development is also subject to the 2007 *Approved Westphalia Sector Plan* which includes the following recommendations for pedestrian and bicyclist facilities:

Sidewalks should be provided throughout the Westphalia community except designated scenic rural roads, highways, bikeways, trails, and lanes.

Comment: Staff recommend that minimum six-foot-wide sidewalks shall be provided along both sides of all streets, public or private, excluding alleys, throughout the subject site and will be evaluated with subsequent applications.

Zoning Ordinance Conformance

Section 27-197(b)(4) includes provisions for findings the District Council must make in approving the application for a basic plan amendment that divides a single approved Basic Plan into two or more separate Basic Plans. This includes conforming to the requirements of 27-195(b):

(1) Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

(A) The proposed Basic Plan shall either conform to:

(i) The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan

text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties.

(ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses.

Comment

Staff find that the subject application will conform to the General Map Plan, Area Master Plan, and principles and guidelines of the plan if the above noted master plan pedestrian and bicycle facilities are provided and if the internal streets and shared use paths are consistent with the Complete Streets Policies and Principles of the 2009 MPOT and if traffic calming features are incorporated into the layout and design of the subject site.

Section 27-507 includes provisions for the purposes of the R-M zone

(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.

(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.

(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.

(4) Encourage amenities and public facilities to be provided in conjunction with residential development.

(5) Encourage and stimulate balanced land development; and

(6) Improve the overall quality and variety of residential environments in the Regional District.

Comment

Staff recommend that six-foot-wide sidewalks, traffic calming, and a “bicycle boulevards” approach to bicycle travel through the subject site be provided as a component to improve the quality of the residential environment and as a regulation for judging future development proposals. These facilities will not only help discourage illegal speeding and cut-through motor vehicle traffic, but also help encourage sustainable multimodal travel, contributing to an improved residential environment as envisioned in the R-M zone.

Recommended Conditions of Approval

Based on the findings presented above, staff conclude that the pedestrian and bicycle access and circulation for this plan is acceptable, consistent with the master plan facilities, and meets the findings required by Section 27-197 and 27-507 for a basic plan amendment and the purpose of the R-M zone for pedestrian and bicycle transportation, if the following conditions are met:

1. Provide the below master plan facilities, designed to be consistent with the 2012 *AASHTO Guide for the Development of Bicycle Facilities*, and to be reviewed as part of subsequent applications and shown prior to their acceptances, including the comprehensive design plan:
 - a. Minimum 10-foot-wide path along Westphalia Road (C-626)
 - b. Shared roadway pavement markings and signage along P-616
 - c. Minimum ten-foot-wide path along P-617
 - d. Minimum ten-foot-wide path along MC-631
2. Internal streets and shared-use paths are to follow MPOT 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 and shown prior to their acceptances, including the comprehensive design plan.
3. All sidewalks within the subject site shall be a minimum of six feet in width.

Countywide Planning Division
 Prince George’s County Planning Department

301-952-3650

August 10, 2021

MEMORANDUM

TO: DeAndrae Spradley, Senior Planner, Zoning Section, DRD

VIA: Megan Reiser, Supervisor, Environmental Planning Section, CWPD *MR*

FROM: Mary Rea, Senior Planner, Environmental Planning Section, CWPD *MAR*

**SUBJECT: Woodside Village A-9973-02
 Petition for Basic Plan Amendment**

The Environmental Planning Section has reviewed the above referenced Zoning Map Amendment application accepted on July 8, 2021. The amendment application meets all applicable environmental requirements. The following comments are provided for your consideration.

Background

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

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
A-9973	N/A	District Council	Approved	2/6/07	Final Decision
CDP-0601	TCP1-006-08	Planning Board	Approved	7/31/08	08-121
NRI-158-05-01	N/A	Staff	Approved	10/4/12	N/A
A-9973-01	N/A	Planning Director	pending	pending	pending
NRI-158-05-02	N/A	Staff	pending	pending	N/A
A-9973-02	N/A	Planning Board	pending	pending	pending
NRI-158-05-03	N/A	Staff	pending	pending	pending

Proposed Activity

This application requests to amend the approved Basic Plan to separate the Yergat property (Parcel 5) and the Case property (Parcel 19), a total of 158.11 acres, from the Woodside Village Basic Plan.

Grandfathering

The 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, because the development proposal

will be required to file an amended comprehensive design plan and a new preliminary plan application to reflect changes proposed under the Basic Plan amendment.

Site Description

The subject property is a 381.95-acre site in the R-M zone located on the south side of Westphalia Road, west of Ritchie-Marlboro Road. There are streams, wetlands and 100-year floodplains and associated areas of steep slopes. Marlboro clay is found to occur along the southern property line of Parcel 48, which now belongs to M-NCPPC. No Sensitive Species Project Review Areas (SSPRA) are indicated or mapped on the site. Furthermore, no Rare, Threatened or Endangered (RTE) species are indicated as present on site. Westphalia Road is a designated historic road affected by this development. This property is located in the Western Branch watershed in the Patuxent River basin. The site is currently located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. The site contains Regulated Areas and Evaluation Areas as designated on the *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan* (May 2017). The subject property is in the Westphalia Sector Planning Area.

Plan Prince George's 2035 Approved General Plan (2014)

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map and has a Growth Policy of Established Communities as designated by *Plan Prince George's 2035 Approved General Plan*.

Master Plan Conformance

The *Approved Westphalia Sector Plan and Sectional Map Amendment* (February 2007) approved by the District Council is the current master plan for this area. This Master plan included environmentally related policies and their respective strategies in the Environmental Infrastructure section.

Below in **bold** are the primary policies relating to the site. More detail regarding the strategies can be found in the *Approved Westphalia Sector Plan and Sectional Map Amendment*.

Policy 1 – Green Infrastructure

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

This policy has been addressed under the Green Infrastructure Section of this memo.

Policy 2—Water Quality and Quantity:

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

As part of Policy 2, Environmental Site Design (ESD) will be required for stormwater management (SWM) control to ensure that water quality and quantity is protected to the fullest extent practical as required by the County. A SWM plan reviewed by DPIE will be required at time of preliminary plan.

Conformance with the Green Infrastructure Plan

The site is mapped within the Green Infrastructure Network as delineated in accordance with the

Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan (2017). The Regulated Area is mapped along the streams and other Regulated Environmental Features (REF) and the Evaluation Area is mapped on the remainder of the site due to the existing forest contiguous to the streams. The plans as submitted generally show the preservation of the Regulated Areas; however, more detailed information will be evaluated during the subsequent applications. Prior to the acceptance of any future development applications, an updated NRI is required to confirm the regulated features on the site and to establish the Primary Management Area (PMA). The amended Basic Plan can be found in conformance with the *Green Infrastructure Plan*.

COMPLIANCE WITH PREVIOUSLY APPROVED CONDITIONS

Conditions of Previous Approvals: A-9973

On February 6, 2007, the District Council approved the Basic Plan for Woodside Village. The following conditions were determined to be environmental in nature.

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

- o. Submit a signed natural resources inventory (NRI) with the comprehensive design plan. All subsequent plan submittals shall clearly show the Patuxent River Primary Management Area (PMA) as defined in Section 24-101(b)(10), and as shown on the signed NRI.**

This condition remains; however, the Patuxent River Primary Management Area is now called the Primary Management Area (PMA) and is defined in Section 24-101(b)(22).

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

This condition shall be met at the time of the Comprehensive Design Plan review.

- q. Submit a required Type I Tree Conservation Plan (TCPI). The TCPI shall;**

(1) Focus on the creation and/or conservation/preservation of contiguous woodland.

(2) Concentrate priority area for tree preservation in areas within the framework of the approved Green Infrastructure Master Plan, such as stream valleys. Reflect a 25 percent Woodland Conservation Threshold (WCT) and meet the WCT requirements on-site.

(3) Mitigate woodland cleared within the PMA's Preservation Area on-site at a ratio of 1:1, with the exception of impacts caused by master plan roads which shall be mitigated 1:25. This note shall also be placed on all Tree

Conservation Plans.

(4) Focus afforestation in currently open areas within the PMA and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.

(5) Prohibit woodland conservation on all residential lots.

These conditions shall be met at the time of the Comprehensive Design Plan review.

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

This condition shall be met at the time of the Comprehensive Design Plan review.

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

c. Submit a letter of justification for all proposed PMA impacts, in the event disturbances are unavoidable.

This condition shall be met at the time of preliminary plan of subdivision review .

COMPREHENSIVE DESIGN PLAN, CDP-0601, PGCPB. No. 08-121

The conditions of approval of the Comprehensive Design Plan, CDP-0601 found in resolution PGCPB-08-121 are not applicable to the review of the current application. This will be reviewed with the comprehensive design plan revision.

Environmental Review

Existing Conditions/Natural Resource Inventory (NRI)

An NRI is not required as part of a zoning amendment application; however, an expired NRI, NRI-158-05-03, covering the land area included in the application was included in the package. No further information is needed at this time. An updated NRI will be needed for future Development Review cases.

Woodland Conservation

The 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. The Woodland Conservation Threshold per A-9973, shall be 25 percent with the WCT requirements being met on-site. There is an approved TCP1(TCPI-006-08) on the overall development, and a TCP2 (TCPII-223-92) for parcel 19. All future applications will require a revision to the Tree Conservation Plans.

If you have any questions concerning this review, please contact me by e-mail at mary.rea@ppd.mncppc.org or call 301-952-3651.