

December 20, 2022

CGMG Capital, LLC  
4514 Cole Avenue, Suite 1175  
Dallas, TX 75205



Re: Notification of Planning Board Action on  
**Detailed Site Plan DSP-06079-05**  
**Westridge (D'Arcy Park South)**

Dear Applicant:

This is to advise you that, on **December 15, 2022**, the above-referenced detailed site plan was acted upon by the Prince George's County Planning Board in accordance with the attached resolution.

Pursuant to Section 27-3605 of the Prince George's County Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice **December 20, 2022** of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-3301(c) of the Zoning Ordinance), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

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

Sincerely,  
James R. Hunt, Chief  
Development Review Division

By:   
Reviewer

Attachment: PGCPB Resolution No. **2022-126**

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

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

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

WHEREAS, the subject property is within the Residential, Rural (RR) Zone; and

WHEREAS, pursuant to Section 27-1704(b) of the Prince George’s County Zoning Ordinance, which allows for projects with prior approvals to continue to be reviewed under the prior Zoning Ordinance for development of a property; and

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

WHEREAS, in consideration of evidence presented at a public hearing on December 15, 2022, regarding Detailed Site Plan DSP-06079-05 for Westridge (D’Arcy Park South), the Planning Board finds:

1. **Request:** The subject amendment to a detailed site plan (DSP) proposes a revision to the previous conditions relating to the timing of recreational facilities construction.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	RR/MIO	R-R/M-I-O
Use	Residential	Residential
Total Acreage	0.82	0.82
Parcels	1	1

3. **Location:** This application is part of the larger Westridge project, a 56.19-acre community which was formally known as D’Arcy Park South and is located in the southeastern quadrant of the intersection of the I-95/I-495 (Capital Beltway) and D’Arcy Road, in Planning Area 78 and Council District 6. More specifically, the area of this amendment is located on the north side of proposed Presidential Parkway, adjacent to the Capital Beltway, along the site’s northwestern property line.

4. **Surrounding Uses:** The overall Westridge site is surrounded by single-family detached homes in the Residential, Rural (RR) Zone; industrial uses in the Industrial, Employment (IE) Zone and D'Arcy Park North to the north; Little Washington, a single-family detached community in the RR Zone, to the east; Chester Grove Apartments in the Residential, Multifamily-20 (RMF-20) Zone, vacant land in the IE Zone, and vacant land in the RR Zone to the south; and the Capital Beltway to the west. The subject parcel is within the Westridge Community, which is comprised of single-family attached units in the RR Zone.
5. **Previous Approvals:** This project is subject to the requirements of Preliminary Plan of Subdivision 4-05116, which includes the entirety of the property and was approved on October 26, 2006, subject to 22 conditions (PGCPB Resolution No. 06-220(A)).

The Prince George's County Planning Board originally approved Detailed Site Plan DSP-06079 on November 29, 2007 (PGCPB Resolution No. 07-224), for 556 total dwelling units including 226 townhouses, 154 two-family attached, and 176 multifamily dwelling units, subject to 11 conditions. The Prince George's County District Council affirmed the Planning Board's decision on June 17, 2008, with 14 conditions. The DSP was amended three times by the Planning Director. DSP-06079-01 approved the conversion of 154 two-family attached dwellings to 77 townhouses on February 11, 2019. DSP-06079-02 was approved for the addition of two new single-family attached architectural models in December 2019. DSP-06079-03 was approved on June 1, 2020, to revise unit specifications, as well as architecture and layout of the clubhouse and central recreational facilities.

The Planning Board approved DSP-06079-04 on June 11, 2020 (PGCPB Resolution No. 2020-100), to replace the multifamily units with single-family attached units, reducing the total number of units from 476 to 460.

The site has an approved Stormwater Management Concept Plan, 8276-2006-01, which expired on June 23, 2022.

6. **Design Features:** All design criteria for this site were approved with previous applications and shall carry forward with this amendment.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Detailed Site Plan DSP-06079 and its amendments:** DSP-06079 was approved by the Planning Board and affirmed by the District Council, with additional conditions, on November 29, 2007. The following condition is relevant to this application:
  2. **The applicant shall construct the proposed community center and swimming pool prior to issuance of the building permit that would allow construction of the 250th unit in the development.**

The purpose of this application is to amend this condition to allow more building permits to be issued prior to the requirement for construction of the community center and swimming pool. The applicant, in the statement of justification (SOJ), requested to move the timing from the 250th permit to the 375th permit. When the timing was established with DSP-06079, the applicant was proposing 556 units as a combination of single-family attached, two-family, and multifamily units. The timing for this recreational facility was set at approximately 45 percent of the total community build-out. Since this initial approval, the proposed multifamily and two-family units were removed and replaced with single-family attached units, for a net reduction resulting in a total of 460 units.

The applicant is committed to construction of the recreational facilities, indicating in the SOJ that building permits have been secured, construction materials have been ordered, and the footings have already been installed for the building. By moving the timing to 375 issued permits, the community then would be approximately 82 percent complete, prior to construction of these facilities. The Planning Board felt that this was too far into completion of the community, as many residents have already moved into the finished units and are expecting recreational facilities, as approved. The Planning Board finds that moving the timing to 330 units, at which time approximately 71 percent of the community will be completed, is acceptable. A condition is therefore provided herein to require that, prior to issuance of the building permit that would allow construction of the 330th unit in the development, the applicant shall fully construct the proposed community center and swimming pool.

8. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if approved as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
9. As required by Section 27-285(b)(4) of the Zoning Ordinance, for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations. No new impacts are proposed with this application to the on-site regulated environmental features or primary management area.

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 Detailed Site Plan DSP-06079-05 for the above-described land, subject to the following conditions:

1. The applicant shall fully construct the proposed community center and swimming pool, prior to issuance of the building permit that would allow construction of the 330th unit in the development.
2. Revise the recreational facilities agreement to reflect the change in timing to the 330th unit.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, and Shapiro voting in favor of the motion and with Commissioners Bailey and Geraldo absent at its regular meeting held on Thursday, December 15, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of December 2022.

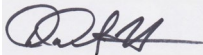
Peter A. Shapiro  
Chairman



By Jessica Jones  
Planning Board Administrator

PAS:JJ:TB:jah

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: December 8, 2022