

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific 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 September 19, 2013, regarding Specific Design Plan SDP-1003/03 for Smith Home Farm, Section 1B, the Planning Board finds:

1. **Request:** The subject application requests approval of a revision to a SDP to add one townhouse architectural model, specifically, the Mid-Atlantic Builders' Westphalia model, in the Residential-Medium Development (R-M) Zone, in Section 1B of the Smith Home Farm project.

2. **Development Data Summary:**

| | EXISTING | APPROVED |
|---------------------------------------|-----------------|-----------------|
| Zones | R-M | R-M |
| Uses | Vacant | Residential |
| Acreage (in Section 1B) | 49.36 | 49.36 |
| Townhouse Lots (in Section 1B) | 0 | 98 |

3. **Location:** Smith Home Farm is a tract of land consisting of wooded undeveloped land and active farmland, located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4), and measuring approximately 757 acres, in Planning Area 78, Council District 6. Section 1B, totaling 49.36 acres, is located in the western portion of the larger Smith Home Farm development.

4. **Surrounding Uses:** The larger Smith Home Farm project is bounded to the north by existing subdivisions and undeveloped land in the Rural Residential (R-R), Residential-Agricultural (R-A), Miscellaneous Commercial (C-M), Commercial Office (C-O), and Townhouse (R-T) Zones; to the east by undeveloped land in the R-R and R-A Zones; to the south by existing development, such as the German Orphan Home, existing single-family detached houses, and undeveloped land in the R-A Zone; and to the west by existing development (Mirant Center) in the Light Industrial (I-1) Zone, existing residences in the R-R and R-A Zones, and undeveloped land in the I-1 and Mixed Use-Transportation Oriented (M-X-T) Zones. Section 1B is bounded to the north by Section 2; to the south and east by the proposed right-of-way of Central Park Drive, with Section 1A beyond; and to the west by existing residences in the R-R and R-A Zones and undeveloped land in the I-1 and M-X-T Zones.

5. **Previous Approvals:** The larger Smith Home Farm development measures 757 gross acres, including 727 acres in the R-M Zone and 30 acres in the Local Activity Center (L-A-C) Zone, which was rezoned from the R-A Zone through Zoning Map Amendments A-9965-C and A-9966-C for 3,648 dwelling units (a mixture of single-family detached, single-family attached, and multifamily condominiums) and 140,000 square feet of commercial/retail space. Zoning Map Amendments A-9965-C and A-9966-C were approved by the District Council on February 13, 2006 (Zoning Ordinance Nos. 4-2006 and 5-2006), subject to three conditions. On May 22, 2006, the District Council amended this zoning approval once, to move the L-A-C line further south about 500 feet, retaining the same acreage in the L-A-C Zone.

On June 12, 2006, Comprehensive Design Plan CDP-0501 for Smith Home Farm was approved by the District Council subject to 34 conditions. A single revision, CDP-0501-01, was approved by the District Council on May 21, 2012 subject to five conditions.

On April 6, 2006, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-05080 for Smith Home Farm, as formalized in PGCPB Resolution No. 06-64. Subsequently, two reconsiderations of 4-05080 were filed and the reconsiderations were approved as memorialized in PGCPB Resolution No. 06-64(A), adopted by the Planning Board on September 7, 2006; and PGCPB Resolution No. 06-64(A/2)(C), adopted by the Planning Board on June 14, 2012 and administratively corrected on February 19, 2013.

Specific Design Plan SDP-0506 for road infrastructure was approved by the Planning Board on July 27, 2006 and PGCPB Resolution No. 06-192 was adopted on September 7, 2006 formalizing that approval. A single revision to that SDP, SDP-0506/01, was approved on December 12, 2007 by the Development Review Division as designee of the Planning Board to revise A-67 to a 120-foot right-of-way and to add bus stops and a roundabout. Specific Design Plan SDP-0506-02 was approved by the Planning Board on February 23, 2012 and PGCPB Resolution No. 12-14 was adopted on March 29, 2012.

Specific Design Plan SDP-1002 for stream restoration was approved by the Planning Board on January 26, 2012 and PGCPB Resolution No. 12-07 was adopted on February 16, 2012 formalizing that approval, subject to seven conditions.

Specific Design Plan SDP-1003 for infrastructure for Sections 1A, 1B, 2, and 3 was approved by the Planning Board on March 12, 2012, as formalized in PGCPB Resolution No. 12-21. Subsequently, the District Council reviewed the case on July 24, 2012 and affirmed the Planning Board's resolution with two additional conditions. A single revision, SDP-1003-01, for townhouse architecture for Section 1A was approved by the Planning Board on May 30, 2013, as formalized in PGCPB Resolution No. 13-62. The District Council elected to review the case and is scheduled to hear it at their September 9, 2013 hearing.

Specific Design Plan SDP-1205, umbrella application for single-family detached architecture, was approved by the Planning Board on April 18, 2013, as formalized in PGCPB Resolution No. 13-

41. Subsequently, the District Council reviewed the case on July 15, 2013 and affirmed the Planning Board's resolution with some revised conditions.

Lastly, the project is subject to approved Stormwater Management Concept Plan 24819-2006-01 dated July 26, 2011 and valid until May 4, 2013; and Stormwater Management Concept Plan 36059-2005-02 dated June 22, 2011 and valid until May 14, 2013.

6. **Design Features:** The subject application proposes one new townhouse architectural model, the Mid-Atlantic Builders Westphalia, within Section 1B of the overall Smith Home Farm development.

The proposed Westphalia townhouse model is a two-and-a-half-story, maximum 35-foot-high, 24-foot-wide unit with a base finished square footage of 2,490 square feet. It includes two different unit types, Units A and B, each with three different elevations, for a total of six different elevations, all of which include a front-load two-car garage and main entry door on the lowest level. The units feature gabled roofs with varied dormer features and high-quality detailing, such as brick jack arch and keystone treatments above windows and paneled shutters. All of the proposed front façade elevations show a full finish in brick veneer in three different colors including tan, light red, and dark red. All units feature multiple optional side elevation features, including partial or full brick, with horizontal siding as the finish for the remaining area of the side and rear elevations. There are some inconsistencies between the provided elevations and the architectural template sheet which need to be reconciled prior to certification of the plans.

The Planning Board found that a minimum of 70 percent of the single-family attached units in this section be built with a brick or other masonry front façade, and that no two units directly adjacent to or across the street from each other have identical front elevations to ensure a diverse mix of building materials throughout the development. A brick/masonry front façade tracking chart should be provided on the plans. A minimum of two standard architectural features should be shown on all side elevations and a minimum of four such features should be shown on all highly-visible side elevations. The current proposed architecture conforms to these requirements, but to ensure they are constructed accordingly, conditions requiring these features have been included in this resolution.

7. **Zoning Map Amendments A-9965-C and A-9966-C:** On August 18, 2006, the District Council approved Zoning Map Amendment A-9965-C to rezone 757 acres of the subject property from the R-A Zone to the R-M Zone, and Zoning Map Amendment A-9966-C to rezone 30 acres of the subject property from the R-A Zone to the L-A-C Zone, both subject to three conditions. Of the considerations and conditions attached to the approval of A-9965-C and A-9966-C, the following is applicable to the review of this SDP:

2. **The following conditions of approval shall be printed on the face of the Basic Plan:**

- P. **Prior to issuance of any residential building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed**

on the building plans stating that building shells of structures have been designed to reduce interior noise level to 45 dBA or less.

This condition has been carried forward in subsequent applications and has also been carried forward as a condition of approval of this application.

8. **Comprehensive Design Plans CDP-0501 and CDP-0501-01:** On February 23, 2006, Comprehensive Design Plan CDP-0501 for the Smith Home Farm site was approved by the Planning Board subject to 30 conditions. The District Council finally approved the comprehensive design plan on May 22, 2006. On December 1, 2011, CDP-0501-01 was approved by the Planning Board subject to four conditions, modifying Conditions 3, 7, and 16 of the original approval. On May 21, 2012, the District Council affirmed the Planning Board's decision and approved CDP-0501-01. Each relevant condition of the CDP approval is included in **boldface** type below and is followed by comment:

3.¹ Prior to issuance of each building permit for the Smith Home Farms, applicant or applicant's heirs, successors and/or assignees shall pay to Prince George's County (or its designee) a fee per dwelling unit based on either the current cost estimate to construct the MD4/Westphalia interchange and interim improvements or, if determined, the final cost estimate to construct the interchange. In no case shall the total per dwelling unit fees paid by Smith Home Farms, the applicant, its heirs, successors and/or assigns exceed the current or final cost estimate of \$80 million and any overpayment of the total per dwelling unit fees may be reimbursed to the applicant.

This condition was slightly modified and included as a condition of approval as part of previous SDP-1003 approvals. Therefore, this condition will be applicable to this application without the need to repeat it as part of this approval.

9. **At time of the applicable SDP, the following areas shall be carefully reviewed:**

h. The architectural design around the central park and the view sheds and vistas from the central park.

The subject revision involves an area of the site that is not visible from the central park.

i. The subject site's boundary areas that are adjacent to the existing single-family detached houses.

The subject revision involves an area of the site that is not adjacent to existing single-family detached houses.

- 12. All future SDPs shall include a tabulation of all lots that have been approved previously for this project. The tabulation shall include the breakdown of each type of housing units approved, SDP number and Planning Board resolution number.**

The specified tabulation is not shown on the submitted SDP; therefore, a condition has been included in this approval requiring this to be added prior to certification.

- 16. The following standards shall apply to the development. (Variations to the standards may be permitted on a case-by-case basis by the Planning Board at the time of specific design plan if circumstances warrant).**

R-M ZONE

| | Condominiums | Single-family Attached | Single-family Detached |
|---|---------------------|-------------------------------|-------------------------------|
| Minimum Lot size: | N/A | <u>1,300 sf</u> † | 6,000 sf |
| Minimum frontage at street R.O.W: | N/A | N/A | 45* |
| Minimum frontage at Front B.R.L. | N/A | N/A | 60** |
| Maximum Lot Coverage | N/A | N/A | 75% |
| Minimum front setback from R.O.W. | 10'**** | 10'**** | 10'**** |
| Minimum side setback: | N/A | N/A | 0'-12'**** |
| Minimum rear setback: | N/A | 10' | 15' |
| Minimum corner setback to side street R.O.W. | 10' | 10' | 10' |
| Maximum residential building height: | 50' | 40' | 35' |

Notes:

***For perimeter lots adjacent to the existing single-family houses, the minimum frontage at street shall be 50 feet and minimum frontage at front BRL shall be 60 feet.**

****See discussion of side setbacks in Section E of CDP text Chapter III. Zero lot line development will be employed.**

*****Stoops and or steps can encroach into the front setback, but shall not be more than one-third of the yard depth. For the multistory, multifamily condominium building, the minimum setback from street should be 25 feet.**

†No more than 50 percent of the single-family attached lots shall have a lot size smaller than 1,600 square feet. The minimum lot width of any single-family attached lot shall not be less than 16 feet with varied lot width ranging from 16–28 feet. The 50 percent limit can be modified by the Planning Board at time of SDP approval, based on the design merits of specific site layout and architectural products.

The submitted plans for the subject application include the above regulation schedule and conform to its requirements.

- 19. Prior to the approval of any residential building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building plans in the R-M Zone stating that building shells of structures have been designed to reduce interior noise level to 45 dBA or less.**

This requirement was carried forward as a condition of subsequent approvals and has been included as a condition of approval of this SDP.

- 29. At time of the applicable Specific Design Plan approval, an appropriate bufferyard shall be evaluated and be determined to be placed between the proposed development and the existing adjacent subdivisions.**

This condition does not apply as the townhouse area of Section 1B is not adjacent to existing single-family detached houses.

- 34. Prior to SDP approval, the height for all structures shall be determined, and the density percentages shall be determined based on any variances necessary.**

The townhouse architecture submitted with the subject application proposes a maximum height of 35 feet, which is within the limit of 40 feet that was established with the original SDP-1003 approval.

9. **Preliminary Plan of Subdivision 4-05080:** On April 6, 2006, the Planning Board approved Preliminary Plan of Subdivision 4-05080 for Smith Home Farm, as formalized in PGCPB Resolution No. 06-64. Of those conditions, the following are applicable to the review of this SDP (underlining indicates new language pursuant to subsequent reconsideration approvals of 4-05080):

- 2. A Type II Tree Conservation Plan shall be approved with each specific design plan.**

The subject application is proposed for lots within approved Type II Tree Conservation Plan TCPII-009-12, which will not need to be revised as this application only involves the addition of architecture.

- 10. Prior to the issuance of building permits for proposed residential structures, the applicant shall submit certification by a professional engineer with competency in acoustical analysis to the Environmental Planning Section demonstrating that the design and construction of building shells will attenuate noise to interior noise levels of 45 dBA (Ldn) or less.**

This requirement has been carried forward as a condition of approval of this SDP.

62. Prior to the approval of any residential building permits within the 65 or 70 dBA Ldn noise contours, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building plans stating that building shells of structures have been designed to reduce interior noise level to 45 dBA or less.

This requirement has been included as a condition of approval of this SDP.

10. **Specific Design Plan SDP-1003:** Specific Design Plan SDP-1003 was approved by the Planning Board on March 8, 2012 (PGCPB Resolution No. 12-21) subject to 31 conditions. Subsequently, the District Council reviewed the case on July 24, 2012 and affirmed the Planning Board's resolution, with two additional conditions, for a total of 33. The relevant conditions of this approval are included below in **boldface** type, followed by comment:

5. Prior to issuance of each residential building permit for construction of a unit within the 65 dBA Ldn line, plans for that building shall be certified by an acoustical engineer stating that internal noise levels shall be 45 dBA Ldn or less.

This condition remains valid and has been carried forward as a condition of approval of this SDP.

9. At the time of approval of an umbrella architecture specific design plan for the subject project, the individual single-family detached units shall be dimensioned on a template sheet. Also in that application, set back requirements shall be established for additions, such as decks.

The subject SDP revision only includes architecture for townhouses and is not the umbrella architecture SDP for single-family detached units.

22. All future specific design plans for the project shall include a tabulation of all lots that have been approved previously for this project. The tabulation shall include a breakdown of each type of housing units approved, the specific design plan number, and the Planning Board resolution number.

The specified tabulation is not shown on the submitted SDP; therefore, a condition has been included in this approval requiring this to be added prior to certification.

11. **Zoning Ordinance:** The subject SDP revision is in general compliance with the applicable requirements of the Zoning Ordinance as follows:

a. The subject SDP is consistent with Sections 27-274(a)(7), 27-507, 27-508, and 27-509 of the Zoning Ordinance governing development in the Residential Medium Development (R-M) Zone.

b. Section 27-528 requires the following findings for approval of a specific design plan:

(a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**

(1) **The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual.**

The subject SDP has been evaluated and been found to be in conformance with approved CDP-0501 and CDP-0501-01 as discussed above in Finding 8. The architecture proposed with this SDP will have no effect on the previously approved specific design plans' conformance to the applicable standards of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

(2) **The development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.**

Findings for adequate public facilities including fire, rescue, police, and transportation have been made in conjunction with the preliminary plans of subdivision and subsequent specific design plans for infrastructure. The subject revision application will have no effect on previous findings of adequacy made in conjunction with the preliminary plans of subdivision and specific design plans.

(3) **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.**

The proposed architectural model will have no effect on findings that adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties, which have been made for Section 1B with the previously approved SDP-1003.

(4) **The Plan is in conformance with an approved Tree Conservation Plan.**

Four Type 2 Tree Conservation Plans (TCP2-008-12, TCP2-009-12, TCP2-010-12, and TCP2-011-12) were approved together with SDP-1003, and revisions were approved with SDP-1003-01. The architecture proposed in this application will have no effect on previous findings of conformance to the approved TCPs.

(5) **The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible.**

Specific design plans for grading, development, and tree conservation have been approved separately and contain findings regarding regulated environmental features. The subject revision application will have no impact of any kind on regulated environmental features or on the preservation of those features.

12. **The Prince George's County Landscape Manual:** The approval of architectural models has no impact on the previous findings of conformance to the 2010 *Prince George's County Landscape Manual* made in conjunction with the approval of previous SDPs for the subject property.
13. **Prince George's County Woodland Conservation Ordinance:** The approval of architectural models has no impact on the previous findings of compliance with the requirements of the Woodland and Wildlife Habitat Conservation Ordinance (previously known as the Woodland Conservation and Tree Preservation Ordinance) made in conjunction with the approval of previous SDPs for the subject property.
14. **Prince George's County Tree Canopy Coverage Ordinance:** The approval of architectural models has no impact on the previous findings of compliance with the requirements of the Tree Canopy Coverage Ordinance made in conjunction with the approval of previous SDPs for the subject property.
15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Westphalia Sector Development Review Council (WSDRC)**—WSDRC did not provide comments on the subject application.

CONSIDERATION

On September 19, 2013, the applicant's representative, Marva Jo Camp, Esquire, verbally proffered that the client, SHF Project Owners, LLC, would place 100 percent brick on all highly visible side elevations of the single-family attached residential units covered by SDP-1003-03. This proffer was made after the close of the Planning Board hearing on the subject application and the Board made no specific findings or actions in regards to this issue.

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 Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to certification of the specific design plan (SDP), the applicant and the applicant's heirs, successors, and/or assignees shall:

- a. Include a tabulation of all lots that have been approved previously for this project. The tabulation shall include a breakdown of each type of housing unit approved, the SDP number, and the Planning Board resolution number.
 - b. Revise the SDP coversheet to include the required building setbacks pursuant to Comprehensive Design Plan CDP-0501-01 and include a provision that decks or patios may encroach into the rear setback, but not more than one-third of the yard depth.
 - c. Include a brick/masonry front façade tracking chart for the single-family attached lots on the plan set.
 - d. Provide the overall dimensions of the proposed units and all options as shown on the elevations on the template sheet.
 - e. Provide the width of all townhouse driveways and a note regarding driveway material on the site plan, in conformance with Sections 27-558(a) and 27-554 of the Zoning Ordinance, respectively.
 - f. Provide all townhouse building setbacks, including front yard, rear yard, and side of each stick, and yard area calculations on the site plan.
 - g. The applicant shall indicate the highly-visible lots within the townhouse portion of Section 1B on the coversheet, which are Lots 1, 6, 7, 11, 12, 38, 39, 58, 59, 70, 71, 81, 82, 86, 87, 92, and 93.
 - h. Revise the architectural elevations as follows:
 - (1) All garage doors shall have an appearance per Applicant's Exhibit #1.
 - (2) Revise the plans to show a minimum of two standard architectural features, such as windows, doors, or fireplace chimneys, arranged in a reasonably balanced design, on all side elevations, and a minimum of four such features on all highly-visible side elevations.
 - (3) Revise the elevations to include all options as shown on the template sheet.
2. Prior to issuance of each residential building permit for construction of a unit within the 65 dBA Ldn line, plans for that building shall be certified by an acoustical engineer stating that internal noise levels shall be 45 dBA Ldn or less.
 3. Seventy percent of the single-family attached homes in each section shall feature a full brick or other masonry front façade.

4. No two units directly adjacent to or across the street from each other may have identical front elevations.
5. The following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a roof feature containing either a reverse gable or dormer window(s):
 - a. Four dwelling units in any building group containing five or six units; or
 - b. Three dwelling units in any building group containing four units; or
 - c. Two dwelling units in any building group containing three units.

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 Bailey, seconded by Commissioner Shoaff, with Commissioners Bailey, Shoaff, Geraldo and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, September 19, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of October 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:JK:arj