



November 26, 2025

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

**RE: ZMA-2025-003**  
**Melwood Estates**

Dear Ms. Epps-McNeil:

On November 20, 2025, 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.

Very truly yours,

*Sherri Conner*

Sherri Conner, Chief  
Development Review Division

Enclosure



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Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

# Zoning Map Amendment Melwood Estates

# ZMA-2025-003

REQUEST	STAFF RECOMMENDATION
To rezone the property from the Agricultural-Residential (AR) Zone to the Residential, Single-Family-Attached (RSF-A) Zone, for the future development of single-family detached dwelling units.	With the conditions recommended herein: <ul style="list-style-type: none"> <li>• DISAPPROVAL of Zoning Map Amendment ZMA-2025-003</li> </ul>

<b>Location:</b> On the east side of Melwood Road, approximately 1,550 feet north of its intersection with MD 4 (Pennsylvania Avenue)	
Gross Acreage:	27.54
Zone:	AR
Planning Area:	78
Council District:	06
Municipality:	N/A
<b>Applicant/Address:</b> Day Land Investment, LLC 7607 Georgian Drive Upper Marlboro, MD 20772	
<b>Staff Reviewer:</b> Candra Teshome <b>Phone Number:</b> 301-952-3749 <b>Email:</b> Candra.Teshome@ppd.mncppc.org	



Planning Board Date:	11/20/2025
Planning Board Action Limit:	N/A*
Staff Report Date:	11/07/2025
Date Accepted:	08/25/2025
Informational Mailing:	03/14/2025
Acceptance Mailing:	08/04/2025
Sign Posting Deadline:	N/A

\*See Page 3 of the technical staff report for Planning Board action, in accordance with Code requirements.

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

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

**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  
Lakisha Hull, Planning Director

FROM: Candra Teshome, Planner III, Zoning Section  
Development Review Division

SUBJECT: Zoning Map Amendment ZMA-2025-003  
Melwood Estates

REQUEST: To rezone the property from the Agricultural-Residential (AR) Zone to the Residential, Single-Family-Attached (RSF-A) Zone for the future development of single-family detached dwelling units.

RECOMMENDATION: **DISAPPROVAL**

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NOTE:

Per Section 27-3601(c)(1) of the Prince George's County adopted Zoning Ordinance, the Planning Director has received the zoning map amendment application. Per Section 27-3601(d)(5) of the Prince George's County adopted Zoning Ordinance, the Planning Director shall prepare a technical staff report, which shall include a recommendation on the application.

The Prince George's County Planning Board has scheduled this application on the agenda date of November 20, 2025. Per Prince George's County Zoning Ordinance Section 27-3601(d)(7)(A-B), the Planning Board shall decide whether to hold a non-evidentiary hearing on the application within 15 days after receipt of the technical staff report, or at its first meeting after the preparation of the report if no meeting has occurred within the 15 days. If the Planning Board decides not to conduct a hearing, the recommendation in the technical staff report constitutes the Planning Board's recommendation, and the Planning Director shall transmit the technical staff report to the ZHE. If the Planning Board decides to hear the matter, it shall set a hearing date which shall be at least 30 days after its decision to hear the matter.

You are encouraged to become a person of record in this application. Requests to become Persons of Record should be submitted electronically, by email to: ZHE@co.pg.md.us. Questions about 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.

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## EVALUATION CRITERIA

The Zoning Review staff have reviewed the subject application and present the following evaluation and findings leading to a recommendation of DISAPPROVAL, as further described in the Recommendation section of this technical staff report. Section 27-3601(e) of the Prince George's County Zoning Ordinance sets forth the required findings in evaluating this request, as follows:

**In determining whether to adopt or disapprove a proposed zoning map amendment (ZMA), the District Council may consider many factors. No amendment to the CBCAO Zone shall be granted without the applicant demonstrating conformance with the decision standards in Section 27-3603(d), CBCAO Zoning Map Amendment Decision Standards. No amendment to a Transit-Oriented/Activity Center base zone shall be granted except in accordance with the locational standards of Section 27-4204(b)(2) of this Ordinance. No other zoning map amendment shall be granted without the applicant demonstrating either:**

- (1) There has been a substantial change in the character of the neighborhood; or**
- (2) There was a mistake in the original zone for the land subject to the amendment which has never been the subject of an adopted sectional map amendment; or**
- (3) There was a mistake in the current sectional map amendment.**

## BACKGROUND

- 1. Location and Site Description:** The subject property is located on the east side of Melwood Road, approximately 1,550 feet north of its intersection with MD 4 (Pennsylvania Avenue). The subject property totals 27.54 acres and is comprised of Lot 8, recorded in the Prince George's County Land Records in Plat Book NLP 118 page 67, approved on December 1, 1983; and Lot 11, Outlots A and B, recorded in Plat Book NLP 147, page 100, approved on July 13, 1989.
- 2. History:** The following applications were previously approved for the subject property:  
  
Lot 8 is subject to Preliminary Plan of Subdivision (PPS) 4-83005, titled Melwood Estates, which was approved on March 10, 1983 for 10 single-family detached dwelling units (PGCPB Resolution No. 83-29), one of which was for Lot 8. Lot 11, Outlots A and B, are subject to PPS 4-88049, also titled Melwood Estates, which was approved on June 30, 1988, for one single-family detached lot and two outlots to be conveyed to the owner of Lot 8 (PGCPB Resolution No. 88-307). The property is subject to both PPS 4-83005 and PPS 4-88049; however, if the Prince George's County District Council approves this rezoning, a new PPS for the contemplated development would be required. As a result, none of the conditions of approval of the prior PPS are applicable to this ZMA.
- 3. Neighborhood and Surrounding Uses:** The major roadways and features forming the general neighborhood are bounded by Westphalia Road to the north and west, MD 4 to the south, and a Potomac Electric Power Company (PEPCO) right-of-way to the east. The general neighborhood primarily includes residential subdivisions, commercial/retail uses,

and undeveloped land. The immediate properties surrounding the subject property and their current respective zoning designations are as follows:

- North—** Single-family detached dwelling units in the Agricultural-Residential (AR) Zone, with undeveloped single-family attached lots in the Residential, Multifamily-20 (RMF-20) Zone beyond.
- East—** PEPCO right-of-way in the AR Zone and residential uses in the Residential, Rural (RR) Zone beyond.
- South—** Vacant wooded Maryland-National Capital Park and Planning Commission parkland in the Reserved Open Space (ROS) Zone, with single-family attached dwellings in the Legacy Comprehensive Design (LCD) Zone beyond.
- West—** Single-family detached dwellings in the AR Zone, and Melwood Road, with single-family detached and attached dwellings beyond, in the Town Activity Center-Edge (TAC-E) Zone.

4. **Request:** This application seeks a zoning map amendment to rezone the subject property from the AR Zone to the Residential, Single-Family-Attached (RSF-A) Zone, pursuant to Section 27-3601 of the Prince George’s County Zoning Ordinance.

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

**General Plan:** Per the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035), the subject property is located in the Established Communities Growth Policy Area. The vision for Established Communities is that it is most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met (page 20).

**Master Plan:** The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA) recommends Low-Density Residential land use on the subject property. The sector plan is silent on the definition of Low-Density Residential. The intended character for the subject property is shown on Map 4: Land Use (page 19) as Low-Density Residential. Pursuant to the 2007 Westphalia SMA, Map 21: Approved SMA Zoning Pattern (page 84) shows that the subject property was retained in the prior Residential-Agricultural (R-A) Zone, at the time the SMA was adopted.

**Other Master/Sector Plans and SMA History**

**1980 Sectional Map Amendment for Planning Area 77 and 78 Melwood-Westphalia**  
The 1980 *Melwood-Westphalia Sectional Map Amendment* rezoned a portion of the subject property from the Residential Rural (R-R) Zone to the R-A Zone. The property is described as “woodland; located in the northeast quadrant of the intersection of Old Marlboro Pike and Melwood Road.” The property was rezoned because of its location “in Sewer System Area 6 with a small part of Parcel 11 in System Area 4” (page 79). The properties included in this application would have been impacted by a capital project to “extend sewer service from Turkey Branch to the Robershire Subdivision, which fronts on Brown Station Road”

(page 71). However, it is noted that these capital improvements were not completed because “no projects have been proposed to extend the Turkey Branch Line or provide sewer lines in other branches to allow suburban development on the south side of White House Road” (page 71).

**1994 Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Area 77 and 78)**

The 1994 Melwood-Westphalia Master Plan and SMA retained the subject property in the R-A Zone. This plan described the property as the “Roblee” area and is shown on Map 7 (page 51). The Roblee area appears to be an equestrian farm or house some other animal activities on the property. The area is surrounded by “nine homes on larger, more rural parcels in the O-S and R-A Zone; stables and horses are as much as part of this neighborhood landscape as are houses and people” (page 52).

## FINDINGS

6. **Compliance with Applicable Provisions of the Zoning Ordinance:** The following analysis is based on the referrals received and the statement of justification (SOJ) submitted by the applicant, to address the required findings for approval. To approve the requested zoning map amendment, Section 27-3601(e) of the Zoning Ordinance states the following:

**In determining whether to adopt or disapprove a proposed zoning map amendment (ZMA), the District Council may consider many factors. No amendment to the CBCAO Zone shall be granted without the applicant demonstrating conformance with the decision standards in Section 27-3603(d), CBCAO Zoning Map Amendment Decision Standards. No amendment to a Transit-Oriented/Activity Center base zone shall be granted except in accordance with the locational standards of Section 27-4204(b)(2) of this Ordinance. No other zoning map amendment shall be granted without the applicant demonstrating either:**

- (1) There has been a substantial change in the character of the neighborhood; or**
- (2) There was a mistake in the original zone for the land subject to the amendment which has never been the subject of an adopted sectional map amendment; or**
- (3) There was a mistake in the current sectional map amendment.**

### **Background on the Change/Mistake Rule**

The applicant’s SOJ contends that the ZMA should be granted, based upon Section 273601(e)(3) of the Zoning Ordinance, because there was a mistake in the current SMA.

a. **Applicant Mistake Analysis**

The applicant contends that retaining the subject property in the R-A Zone (current AR Zone) through the approval of the latest SMA was a mistake. The applicant states that the District Council failed to consider existing facts, including the subject

property's adjacency to the town center edge, to support development of the Westphalia Town Center. In addition, the applicant argues that the AR Zone is inconsistent with the policies outlined in the SMA, that retention in the AR Zone undermines connection and transition to surrounding residential areas, and that purposes of the R-A Zone established in Section 27-426(a) of the prior Zoning Ordinance are the basis for the mistake.

The applicant contends three distinct mistakes, as follows:

**Mistake 1 (Applicant's Argument)**

The District Council erred because, in approving the 2007 Westphalia SMA, it carried forward a mistake in the 1994 Master Plan and SMA. The 1994 Master Plan and SMA described the property and surrounding area as "nine homes on larger, more rural parcels in the O-S and R-A zone; stables and horses are as much as part of this neighborhood landscape as are houses and people" (page 52). The applicant's SOJ, submitted August 18, 2025, reads "...given the primary land use of the Subject Property is residential, retaining the subject property as R-A (now AR) was a mistake and inconsistent with the purpose of the zoning designation, inconsistent with the Sector Plan's land use recommendation, and based on an inaccurate factual predicate that there were agricultural uses on the Subject Property" (page 12). In the Subdivision and Development Review Committee (SDRC) comments, Staff requested that the applicant provide information demonstrating that the description of the property and surrounding area in the 1994 Master Plan and SMA was incorrect and that this description was relied upon in retaining the R-A zoning in the 2007 Westphalia SMA. The applicant responded that arguments regarding the 1994 Master Plan and SMA were "moot" because the 2007 Westphalia SMA supersedes the 1994 Master Plan and SMA (see SDRC response letter).

**Mistake 2 (Applicant's Argument)**

The District Council failed to consider that the AR Zone does not provide an appropriate transition from the Westphalia Town Center, from land to the west in the TAC-E Zone and the residentially zoned land to the east of the subject property. The applicant's SOJ, submitted August 18, 2025, reads "...it was a mistake to fail to consider the Subject Property for rezoning to further support this area and to transition between the town center and the residential densities of the surrounding properties – especially considering the adjacent property to the west beyond Melwood Road was rezoned with the SMA" (page 10). As support, the applicant cites Sector Plan recommendations for: (a) "townhomes and small lot single-family homes" as transitions between "higher density units and lower density single-family neighborhoods"; and (b) for "areas closer to the town center" to be "more compact and outlying areas more rural" (pages 30–31).

**Mistake 3 (Applicant's Argument)**

The District Council failed to consider the underlying merits of a rezoning request presented by the former property owner. On May 23, 2006, Jenny Day requested that the District Council retain the subject property, or

a portion thereof, in the R-A Zone, on the condition that it be rezoned to a residential multifamily zoning class upon sale or transfer:

“Another item that's not addressed and this will be my last point, on the SMA, is, could rezoning of our property to residential multifamily be accomplished with the provision that current zoning R-A remain in effect until the sale of the property which would then change with the express desire of the purchaser zoning of the property to residential multifamily. We desire such designation zoning. I want to thank you. Transcript of Proceedings, May 23, 2006 Joint Public Hearing on for the Preliminary Sector Plan and Proposed Sectional Map Amendment for Westphalia” (JPH Transcript, p. 71, ln. 4–10).

The applicant argues that both aspects of the request were deemed impermissible by the District Council—rezoning to a residential multifamily zoning class required a basic plan, and conditional rezonings are not allowed in SMAs. As a result, the District Council either dismissed the requests without evaluating their merits or interpreted the request as a desire to retain the R-A Zone. The applicant claims that, in so doing, the District Council overlooked the option of rezoning the property to a higher-density zone and states that this was a mistake, given nearby properties being rezoned to M-X-T under similar Sector Plan principals for similarly sited land.

b. **Staff Findings**

The following is staff’s analysis of the mistakes stated by the applicant:

**Mistake (Staff)**

As discussed in detail above, the “mistake” prong of the “change/mistake” test requires a showing that the underlying assumptions or premises relied upon by the District Council, during the rezoning, were incorrect. For example, there was some incorrect fact or evidence that the Council relied on when making its decision that resulted in it applying the wrong zoning. It does not, however, refer to a mere mistake in judgment.

**Mistake 1: Mistake in the 2007 SMA**

The applicant states that the 2007 Westphalia SMA carried forward a mistake in the 1994 Master Plan and SMA. The applicant’s revised SOJ, dated August 18, 2025, reads “Within the 1994 Melwood Westphalia Approved Master Plan and Sectional Map Amendment, the Subject Property was in an area described as “beyond the transmission lines, are nine homes on larger, more rural parcels in the O-S and R-A Zone; stables and horses are as much as part of this neighborhood landscape as are houses and people” (page 52).

The applicant goes on to argue that Section 27-4201(d)(1) of the Zoning Ordinance states that, “the purposes of the Agricultural-Residential (AR) Zone are: (A) To provide for large-lot single-family detached residential subdivisions, while encouraging the retention of agriculture as a primary land use; (B) To encourage the preservation of trees and open spaces; and (C) to prevent soil erosion and stream valley flooding” (page 12). The applicant contends that the subject property is

residential in use and character and that retaining the subject property's R-A zoning, at the time the District Council adopted the 2007 Westphalia SMA, was a mistake of fact and a failure to consider its use, location, and character within the context of the SMA.

As previously noted, in SDRC comments, staff requested that the applicant provide information demonstrating that the description of the property and surrounding area in the 1994 Master Plan and SMA was incorrect and that this description was relied upon in retaining the R-A zoning in the 2007 Westphalia SMA. The applicant responded that the arguments regarding the 1994 Master Plan and SMA were "moot" because the 2007 Westphalia SMA supersedes the 1994 Master Plan and SMA (see SDRC response letter). Given the lack of a link between the 1994 Master Plan and SMA and the 2007 Westphalia SMA, staff concur with the applicant. Arguments regarding the 1994 Master Plan and SMA are moot. Staff, nonetheless, address the substance of the applicant's arguments here for purposes of completeness.

First, regarding the existing use and character of the subject property, staff does not find that the description of the subject property and adjacent parcels in the 1994 Master Plan were inaccurate. There is no evidence that there were not "stables and horses" on the subject property or within the immediate vicinity. In fact, aerial imagery from 1993 reveals what appear to be agricultural structures on the subject property. Therefore, staff find there is no evidence that the District Council's adoption of the 2007 Westphalia SMA carried forward a mistake.

Second, regarding the contention that the subject property is residential in use and character, per Section 27-426(a), the purposes of the R-A Zone are identical to the purposes provided for in the current AR Zone noted above, in Section 27-4201(d)(1). Per Section 27-107.01(a)(9) of the prior Zoning Ordinance, the definition of "Agriculture" reads, in part, "Agriculture includes equine activities and equine facilities. Equine activities include teaching equestrian skills, participating in equestrian events, competitions, exhibitions or other displays of equestrian skills, and caring for, breeding, boarding, dealing, selling, renting, riding or training equines. Equine facilities include barns, stables, rings, paddocks or accessory buildings or structures used for equine activities." In addition, the principal use classification dwelling, one-family detached (in general) is permitted by right in the R-A Zone and as part of a property assembly with an equestrian recreational facility. Aerial imagery obtained by staff, via PGAtlas, demonstrate that the subject property contains residential and agriculture uses including horses, barn, paddock, stable and other agricultural equipment dating back to at least 1993. The property can simultaneously contain a residence and structures, activities, animals and equipment associated with agriculture.

**2025 Bird's Eye View**



**2024 Aerial Imagery**



2007 Aerial Imagery



1993 Aerial Imagery



In addition, the previous owner of the subject property or a portion thereof, Jenny Day, testified to the District Council on May 23, 2006, that “We have a 25-acre horse farm with an arena and two other families living in Melwood Estates have horses, as well. This area was an established Marlboro Hunt fixture and horses have been a time-honored tradition in this area. The horse community is accustomed to transversing neighboring fields, riding along pastures and trails and the PEPCO right-of-way. With inevitable and dramatic changes that will be occurring with development, it's important that trails be established and linked throughout the rezoned area for equestrian activities” (JPH Transcript, p. 70, ln. 12–14).

Staff find that the applicant has not demonstrated that the District Council made a mistake of fact when it adopted the 2007 Westphalia SMA. The District Council had at its disposal the necessary planning tools, studies, public input and data, which provided a comprehensive analysis of the planning area. This enabled it to make a deliberate legislative decision to retain the subject property’s R-A zoning designation.

**Mistake 2: Factual Inconsistency with Zoning Purpose**

The applicant states that the District Council erred when it failed to consider the subject property for rezoning to support the development of the Westphalia Town Center and to provide a transition between residential densities in the surrounding area. Specifically, the applicant argues that the District Council erred by failing to rezone the subject property to a higher density due to its adjacency to the TAC-E Zone stating “...that the requested RSF-A Zone provides the best comparable zone for development of single-family detached homes that will complement and be consistent with the surrounding Westphalia area” (page 3).

Staff find that this argument does not support a finding that the District Council made a mistake of fact when it retained the subject property in the R-A Zone. An argument for mistake that relies on the surrounding zoning should include proof that the District Council was unaware of or mistaken about the property’s location, with respect to the surrounding zoning (*see Beachwood I Limited Partnership*, 107 Md. App. at 654–56; *Howard County v. Doresy*, 292 Md. 351, 364–65 (1982)). The applicant has provided no such evidence. Under these circumstances, questioning whether AR (prior R-A) is an appropriate transition between TAC-E (prior M-X-T) and RR (prior R-R), considering the Sector Plan recommendations, would be questioning the Council’s judgement, rather than identifying an error in its assumptions. As mentioned above, the District Council had at its disposal the information necessary to make an informed, deliberative legislative decision. The District Council is within its right to choose the most restrictive zoning designation to transition from an urban edge. The applicant is essentially arguing that the District Council made a poor planning choice—and error in judgement—but provides no evidence that it relied on an incorrect or missing fact in its decision making. As noted above, even “a case of bad judgment [. . .] is immunized from second-guessing” *Id.* at 645.

**Mistake 3: Failure to Fully Consider Property Owner Testimony**

In the revised SOJ, the applicant contends that the previous owner’s (Jenny Day) May 23, 2006, request to rezone the subject property from the R-A Zone to a residential multifamily zoning class zone—while stipulating that the R-A Zone

remain in effect until the property was sold—demonstrates that the Council overlooked existing facts that supported higher residential density for the site.

The transcript analysis of the May 23, 2006 Joint Public Hearing (JPH Transcript), which was provided to the District Council for its July 11, 2006 Worksession, contains responses to Ms. Day's testimony. With respect to Ms. Day's request for residential multifamily zoning upon sale of the property, the Transcript Analysis provided an explanation of the proper means of securing residential multifamily zoning:

“There are established procedures in the Zoning Ordinance that allow an applicant to request a rezoning through a zoning map amendment process, whenever the applicant is ready to do so. Alternatively, rezoning may occur in an SMA, but under either process rezoning becomes effective upon approval. There are no procedures in the zoning ordinance that allow approval of any rezoning that becomes effective upon sale of the property” (page 63).

This is an accurate statement of how the requested residential multifamily zone may be approved. Specifically, the residential multifamily zone is a Comprehensive Design Zone (CDZ). Accordingly, under the prior Zoning Ordinance, a property owner could apply for the residential multifamily zone via ZMA, accompanied by a basic plan (prior Zoning Ordinance § 27-179). Notably, because the residential multifamily zone was a CDZ, no finding of mistake would have been required. The residential multifamily zone could also have been imposed via an SMA, if a ZMA application, including a basic plan, was provided (prior Zoning Ordinance §§ 27-223(b)(1); 27-179(c)(1)(D)). However, as noted in the applicant's SOJ, the 2007 Westphalia SMA did not include a basic plan for the subject property. Based on the foregoing, the subject property was retained in the R-A Zone. Accordingly, rather than demonstrating evidence of a mistake, the record demonstrates that the District Council granted the permissible part of Ms. Day's request – retaining the subject property in the R-A Zone. It also declined the improper portion of Ms. Day's request – rezoning to residential multifamily upon sale of the property – based on the accurate information that the residential multifamily zone could subsequently be requested through the ZMA process, under the prior Zoning Ordinance.

The applicant bolsters its argument that Ms. Day's testimony should have been treated only as a request for up-zoning by noting that “adjacent and nearby properties were rezoned to the M-X-T zone pursuant to the principals laid out in the Sector Plan for similarly situated land” and that “the District Council did not account for the Property's existing use, location and character.” This appears to be a call back to “Mistake 1” and “Mistake 2” above. As detailed above, staff does not find either “Mistake 1” or “Mistake 2” meet the standard for a finding of mistake.

Therefore, the applicant has not demonstrated that the District Council made a mistake of fact by granting the legally permissible portion of the prior owner's request.

Staff find that the applicant has failed to demonstrate that the District Council made a mistake of fact regarding the prior owner's testimony.

## Conclusion

For a mistake to be a legally justifiable basis for rezoning, there must have been a basic and actual mistake by the legislative body, in this case the District Council.

Staff find that the applicant has not demonstrated that a mistake of fact occurred when the District Council adopted the 2007 Westphalia SMA. Staff confirmed that the prior R-A (current AR) zoning designation is consistent with the use, location, and character of the subject property and the abutting and adjacent properties in the AR Zone. Per Section 27-441 of the prior Zoning Ordinance, the R-A Zone permits, by right, one-family detached dwellings, in addition to dwellings associated with equestrian recreational facilities, horses, and other agricultural activities. Recent aerial imagery shows an equine/agricultural use on a portion of the subject property and testimony from the previous owner confirms these uses and demonstrates the importance of equine culture in this community—as noted in the 1994 SMA.

Staff find that the applicant has not demonstrated a mistake of fact regarding the assertion that the District Council erred when it retained the property in the R-A Zone for the subject property (and surrounding area), which is located between land in the TAC-E (prior M-X-T) and RR (prior R-R) Zones. The Council had all necessary planning tools and data at its disposal to make a deliberate and informed legislative decision regarding the subject property's role as a transition area. The choice of the most restrictive zoning to buffer the TAC-E (prior M-X-T) Zone is a policy judgment, which cannot be second guessed at this juncture. The applicant's argument is legally insufficient to prove a "mistake of fact."

Staff find that the applicant has not demonstrated a mistake of fact regarding the previous property owner's testimony on May 23, 2006. The Council retained the R-A zoning, which was the only legally permissible portion of the owner's request. Rejecting the request for conditional residential multifamily zoning was a correct application of the law, not a factual oversight. The Council acted lawfully and consistently with the portion of the request that was viable.

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

- a. **Historic Preservation**—In a memorandum dated October 17, 2025 (Smith to Teshome), the Historic Preservation Section noted that the sector plan includes goals and policies related to historic preservation (pages 66–68). However, these are not specific to the subject site, or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources.
- b. **Community Planning**—In a memorandum dated October 17, 2025 (Calomese to Teshome), the Community Planning Division noted that, pursuant to

Section 27-3601(e)(3), there was not a mistake made in the 2007 Westphalia SMA. The current zone classification of the subject property has been retained because it is consistent with the abutting properties, who at the time of the SMA, requested to retain the R-A Zone. The current zone maintains the integrity of the community and is appropriate because there is a history of the subject property being retained for residential, agricultural, and equestrian uses.

- c. **Environmental Planning**—In a memorandum dated October 17, 2025 (Kirchhof to Teshome), the Environmental Planning Section noted that the requested rezoning would decrease the woodland conservation threshold from 50 percent to 20 percent. The Environmental Planning Section recommends that, should this rezoning be approved, the 20 percent woodland conservation threshold be met on-site, in accordance with Section 25-121(c)(3) of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO). Staff also recommend that any unforested riparian buffers on-site shall be afforested, in accordance with Section 25-121(c)(1)(c) of the WCO. Per the applicable master plans and the environmental requirements in Section 24-4300 of the Prince George’s County Subdivision Regulations, Section 27-6800 of the Zoning Ordinance, and Subtitle 25, Division 2, of the Prince George’s County Code, woodland conservation requirements will be evaluated through the review of tree conservation plans associated with future development applications.
- d. **Transportation Planning**—In a memorandum dated October 17, 2025 (Smith to Teshome), the Transportation Planning Section noted that implementation of the master-planned bicycle and pedestrian facilities will be evaluated with subsequent applications. Both the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2007 Westphalia Sector Plan and SMA recommend a designated shared-use bikeway along Melwood Road, and to preserve segments of the road with a green buffer as part of the community’s trail and greenway network. In addition, if rezoned, staff would recommend extensive and comprehensive connections, facilities, and amenities throughout the site, to meet the intent of both the MPOT and sector plan. Amenities, such as long- and short-term bicycle parking, crosswalks, convenient pathways, wayfinding signage to the nearby transit stops, etc., would be evaluated with the development. Transportation Planning staff require the submission of a traffic impact study, should the request for rezoning be approved.
- e. **Subdivision**—In a memorandum dated October 21, 2025 (Bartlett to Teshome), the Subdivision Section noted that this property is subject to PPS 4-83005 and PPS 4-88049. However, if the rezoning is approved, the proposed development will require the filing of a new PPS, which will supersede the existing approvals. As such, none of the conditions of approval for the prior approved preliminary plans would be applicable. Instead, a new PPS and certificate of adequacy (in conformance with Section 24-4503(a)(2) of the Subdivision Regulations) will be required for the proposed development and division of land following approval of this application, per Section 24-3402(b)(3) of the Subdivision Regulations. The proposed site layout and lotting pattern will be further evaluated with a PPS and must comply with all design standards contained in the Subdivision Regulations. A final plat of subdivision is required subsequent to a PPS, before any permits may be approved for development of this site.

- f. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on the subject application.
  - g. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated October 27, 2025 (Guzman to Teshome), DPIE provided an analysis of site design and required approvals related to roadway frontage improvements, stormdrain, stormwater management, and floodplain. These items will be considered with any future development applications for the site.
  - h. **Prince George’s County Department of Public Works and Transportation (DPW&T)**—At the time of the writing of this technical staff report, DPW&T did not offer comments on the subject application.
- 8. Community Feedback:** At the time of the writing of this technical staff report, the Prince George’s County Planning Department received four written correspondences from the community, expressing support regarding the zoning map amendment proposed with this application. One letter dated September 22, 2025, from Robert Clagett, expresses strong support for the project and states that the development team have engaged the community on multiple occasions. Robert Clagett further states that he supports the construction of single-family dwelling units considering an influx of townhomes in the area.

In a letter dated September 25, 2025, Ralph Day also expresses strong support for the proposed rezoning. Ralph Day states the development team has been respectful, inclusive, and productive with outreach to the community and that single-family dwelling units are a balanced and appropriate fit for their community.

In a letter dated October 1, 2025, LaShauna Tillmon expresses full support for the proposed zoning map amendment and feels that Westphalia would benefit from the creation of a cohesive, well-managed community that enhances quality of life. LaShauna Tillmon states that beyond the provision of new single-family dwelling units, the development proposal offers investment in infrastructure, connectivity, and the long-term resilience of the community.

In a letter dated October 3, 2025, Tiana Wollard expresses trust in the development team to bring value and prosperity to the new development and the County, in general.

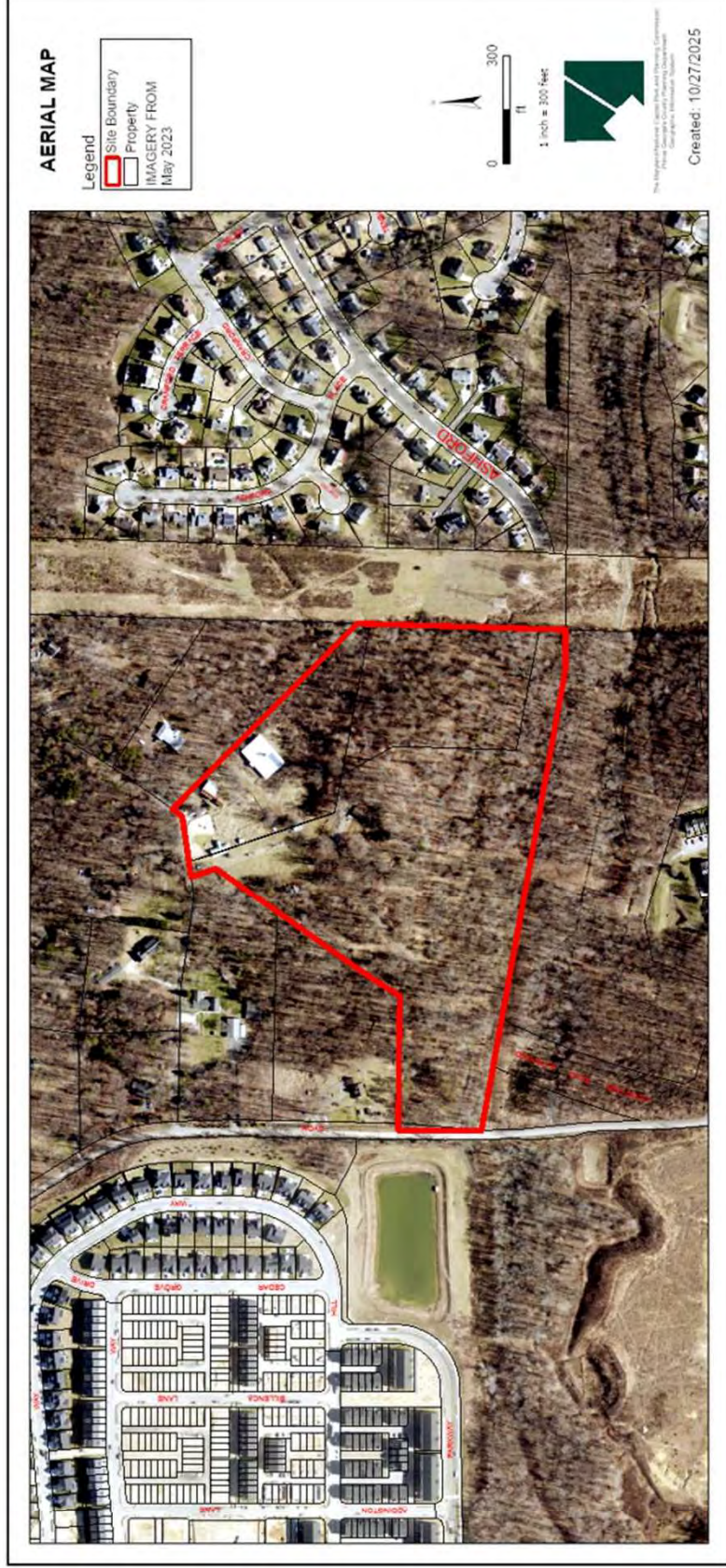
## RECOMMENDATION

Based upon the foregoing evaluation and analysis, as related to the applicant’s contention that a “mistake of fact” occurred when the Prince George’s County District Council adopted the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, staff recommend DISPROVAL of Zoning Map Amendment ZMA-2025-003, for Melwood Estates.

# MELWOOD ESTATES

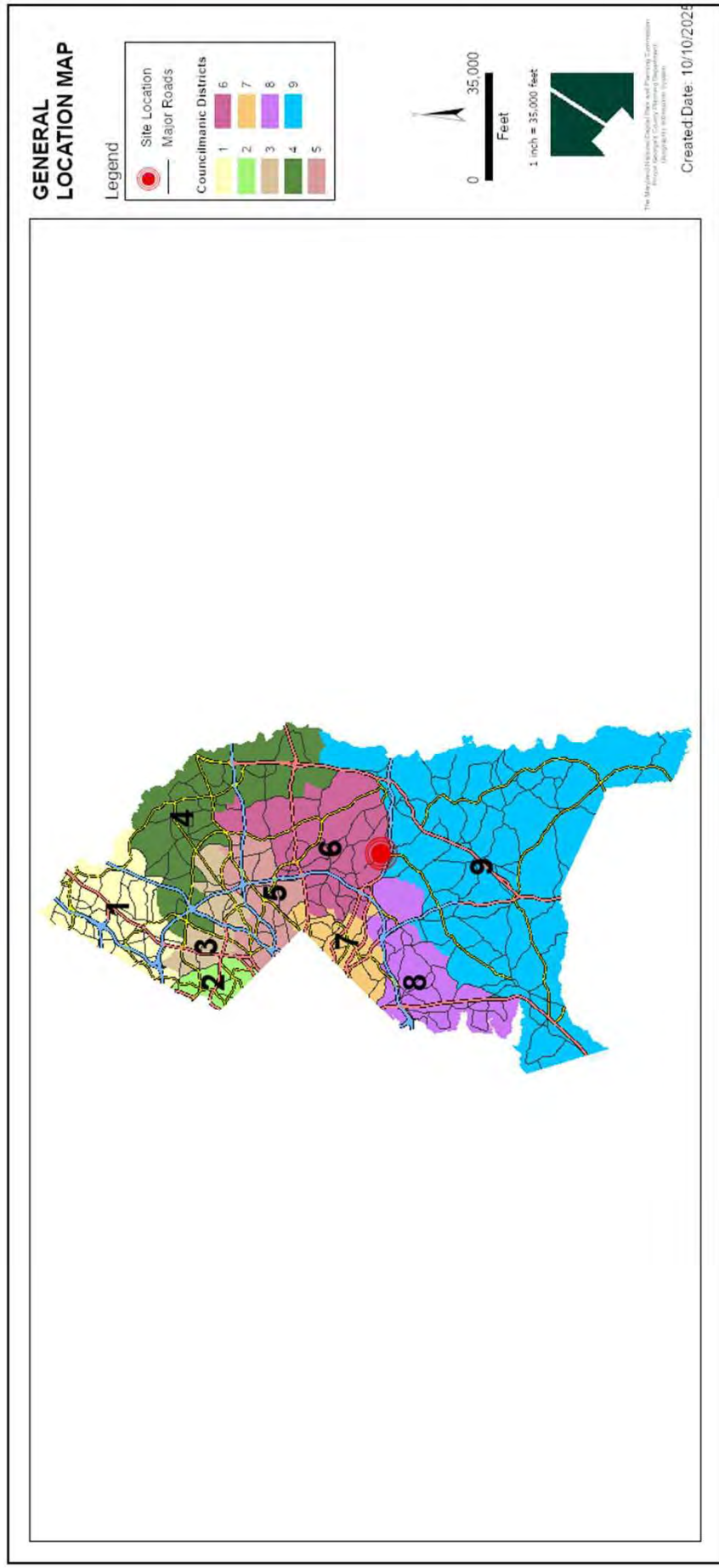
Zoning Map Amendment

Staff Recommendation: DISAPPROVAL



# GENERAL LOCATION MAP

Council District: 06  
Planning Area: 078



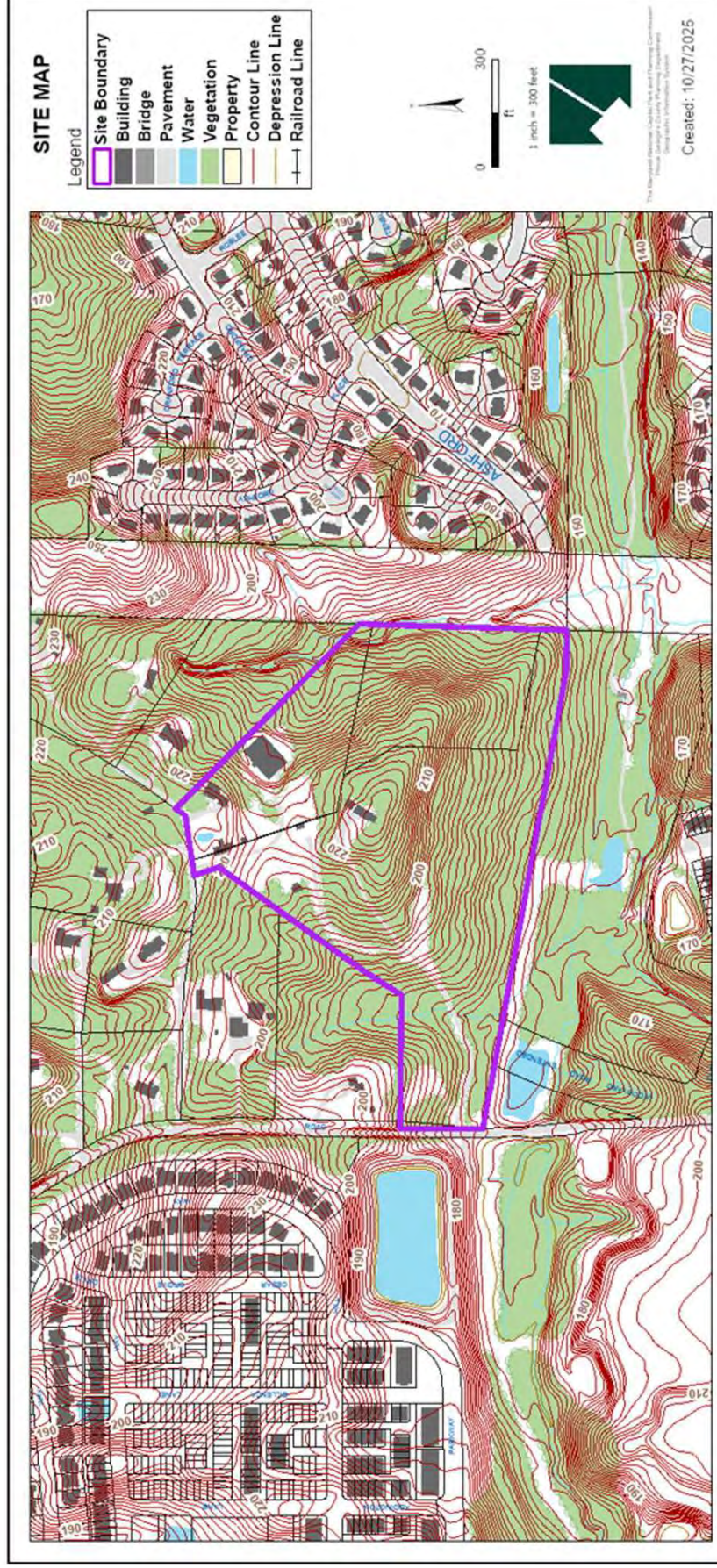




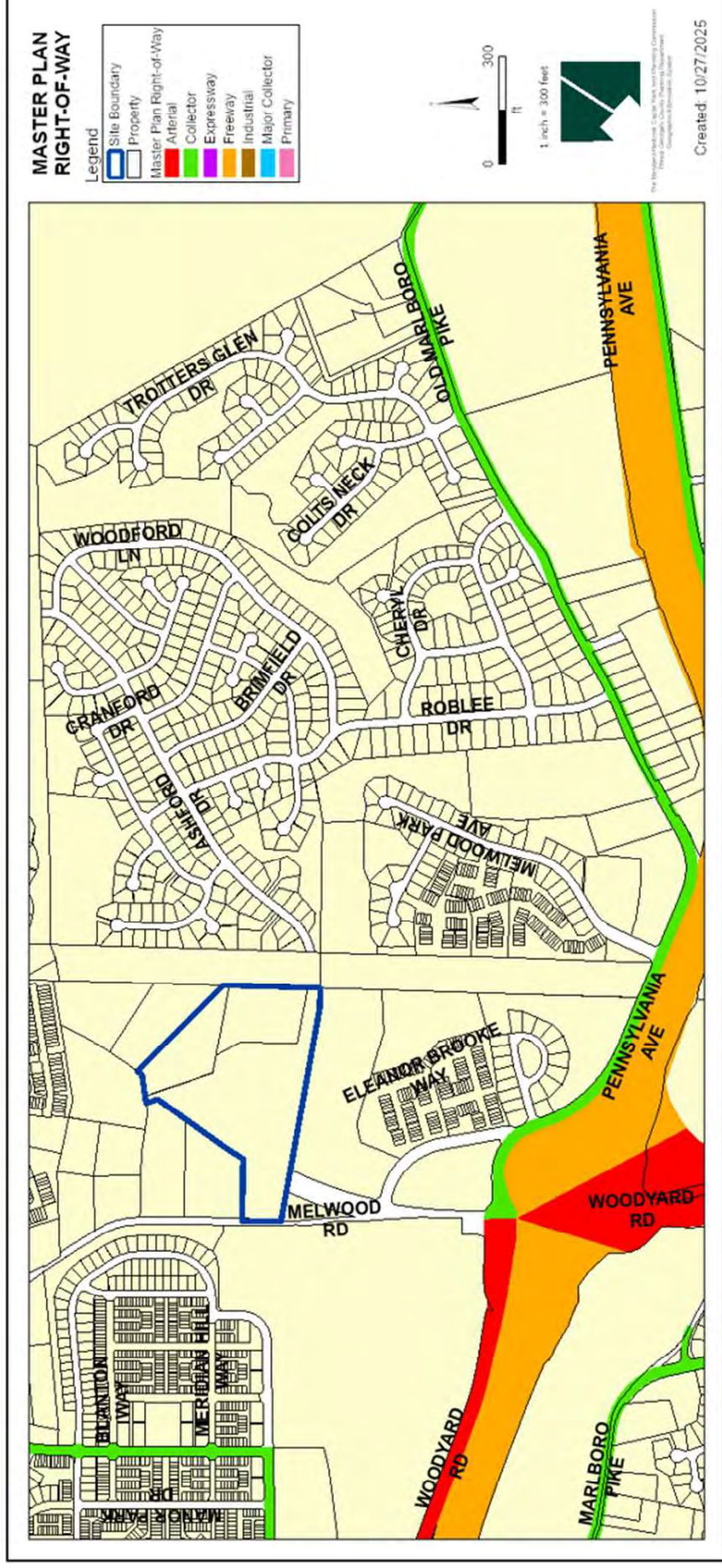
# OVERLAY MAP



# SITE MAP



# MASTER PLAN RIGHT-OF-WAY MAP



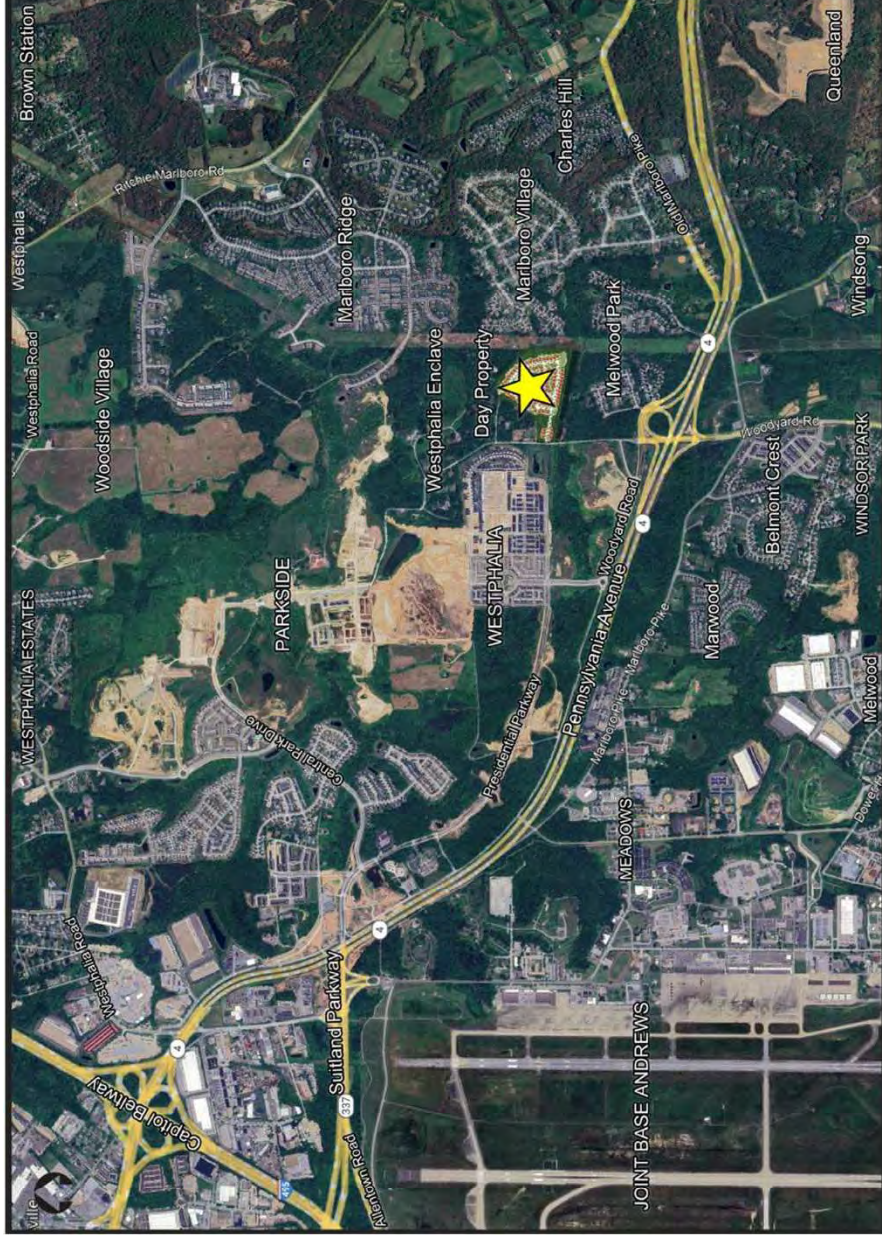
# BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



# CONCEPTUAL LAYOUT



# CONTEXT MAP EXHIBIT



## STAFF RECOMMENDATION

### DISAPPROVAL

- ZMA-2025-003

### Issues:

- The application fails to establish evidence that District Council erred when it retained the property in the R-A Zone upon adoption of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*

### Applicant Required Mailings:

- Informational Mailing: 03/14/2025
- Acceptance Mailing: 08/04/2025

**STATEMENT OF JUSTIFICATION**

**MELWOOD ESTATES**  
**ZMA-2025-003**

OWNERS: Day Family Trust  
4816 Melwood Road  
Upper Marlboro, Maryland 20772

Dempsey Tiana  
4920 Melwood Road  
Upper Marlboro, Maryland 20772

APPLICANT: Day Land Investment, LLC  
c/o Olumuyiwa Sobo  
7607 Georgian Drive  
Upper Marlboro, Maryland 20772

ATTORNEY/  
CORRESPONDENT: Matthew C. Tedesco, Esq.  
Carly H. Landolfi, Esq.  
Dominique A. Lockhart, AICP  
MCNAMEE HOSEA, P.A.  
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Greenbelt, Maryland 20770  
(301) 441-2420 Voice  
(301) 982-9450 Fax  
[mtedesco@mhlawyers.com](mailto:mtedesco@mhlawyers.com)  
[clandolfi@mhlawyers.com](mailto:clandolfi@mhlawyers.com)  
[dlockhart@mhlawyers.com](mailto:dlockhart@mhlawyers.com)

LAND PLANNING Mark G. L. Ferguson, R.A.  
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Upper Marlboro, Maryland 20772  
[mglferguson@engsite.tech](mailto:mglferguson@engsite.tech)

CIVIL ENGINEER Dewberry  
Daniel Schlegel  
Mercedes Ward, RLA  
4601 Forbes Boulevard  
Suite 300  
Lanham, MD 20706-4825  
[dschlegel@Dewberry.com](mailto:dschlegel@Dewberry.com)  
[mward@Dewberry.com](mailto:mward@Dewberry.com)

TRAFFIC ENGINEER

Lenhart Traffic Consulting, Inc.  
Mike Lenhart, P.E., PTOE  
231 Najoles Road, Suite 250  
Millersville, MD 21108  
[mленhart@LENHARTTRAFFIC.COM](mailto:mленhart@LENHARTTRAFFIC.COM)

REQUEST:

Zoning Map Amendment (ZMA) to rezone the property from the AR (Agricultural-Residential) Zone to the RSF-A (Residential, Single-Family Attached) Zone, to accommodate the future development of single-family detached dwelling units.

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I. DESCRIPTION OF PROPERTY

1. Address – 4816 Melwood Road, Upper Marlboro, Maryland 20772; and Part of Lot 11 and Outlot B, Tax Map 100, Grid B1.
2. Location – East side of Melwood Road, approximately 1,550 feet north of its intersection with Pennsylvania Avenue (MD Route 4).
3. Tax Account – 1776780, 1718741, 1718758, 3445335, 3445285, 3394517, 3445343 and 1718733.
4. Proposed Use – A Zoning Map Amendment to rezone the property from AR (Agricultural-Residential) Zone to the RSF-A (Residential, Single-Family-Attached) Zone to accommodate single-family detached dwelling units.
5. Election District – 15.
6. Councilmanic District – 6.
7. Record Plat – Plat Book NLP 147, at Plat 100 (5-89212); and Plat Book NLP 118, at Plat 67 (5-83219).
8. Total Gross Acreage – 27.54 Acres.
9. Water/Sewer Category – W4/S4.
10. Tax Map & Grid – 100-B1.
11. Zoning Map – 207SE09.
12. General Plan Growth Policy – Established Communities.

## II. NATURE OF REQUEST

Day Land Investment, LLC (hereinafter the “Applicant”) is requesting the approval of a Zoning Map Amendment (ZMA) to rezone the property from the AR (Agricultural-Residential) Zone to the RSF-A (Residential, Single-Family-Attached) Zone on the basis of mistake, to accommodate the future development of approximately 96 single-family detached dwelling units, which would equate to 3.5 dwelling units per net lot acre. Single-family detached dwellings are permitted by right in both the existing and requested zoning designations.

On April 1, 2022, the new Countywide Zoning Map became effective, along with the new Zoning Ordinance. Prior to the effectuation of the same, the Subject Property was in the R-A (Residential - Agricultural) Zone of the prior Zoning Ordinance; subsequently, and pursuant to the Countywide Map Amendment (CMA), the property was rezoned to the AR (Agricultural-Residential) Zone. Given the development and zoning of the properties in the immediate area, which consists of higher density single-family attached and detached dwelling units in the TAC-E and RMF-20 Zones (formerly the M-X-T Zone) and the LCD Zone (formerly the R-S Zone), the Applicant contends that the requested RSF-A Zone provides the best comparable zone for development of single-family detached homes that will complement and be consistent with the surrounding Westphalia area. A conceptual plan is included with this submittal, which illustrates the site layout for the proposed residential development. This conceptual layout illustrates approximately 96 single-family detached residential units, within a unified development concept. Access will be via Melwood Road, which is classified as a local roadway. The conceptual layout also includes a significant amount of on-site conservation to preserve any environmental features and provide a natural buffer from surrounding developments.

The requested ZMA will also further the Sector Plan’s recommendations for the Subject Property and surrounding area, which serves as a transition between the higher density single-family attached dwellings to the north and south with the single family detached dwellings to the east (beyond the PEPCO transmission lines). As explained in greater detail herein, notwithstanding the requested RSF-A Zone, the applicant will not ultimately propose single-family attached units on the property and proffers a condition to the ZMA that would restrict future development to single-family detached units only.

## IV. COMMUNITY

The subject property is in Planning Area 78, and Councilmanic District 6. More specifically, the site is located on the east side of Melwood Road, approximately 1,550 feet north of its intersection with Pennsylvania Avenue (MD Route 4). The Subject Property is comprised of Part of Lot 11 and Outlot B on Tax Map 100, Grid B-1, for a total of approximately 27.54 gross acres of land. The entire Property is located within Water and Sewer Categories W-4 and S-4.

The subject property is surrounded by the following uses:

*North:* Single-family detached dwellings in the AR (Agriculture-Residential) Zone, with undeveloped single-family attached lots in the RMF-20 Zone beyond.

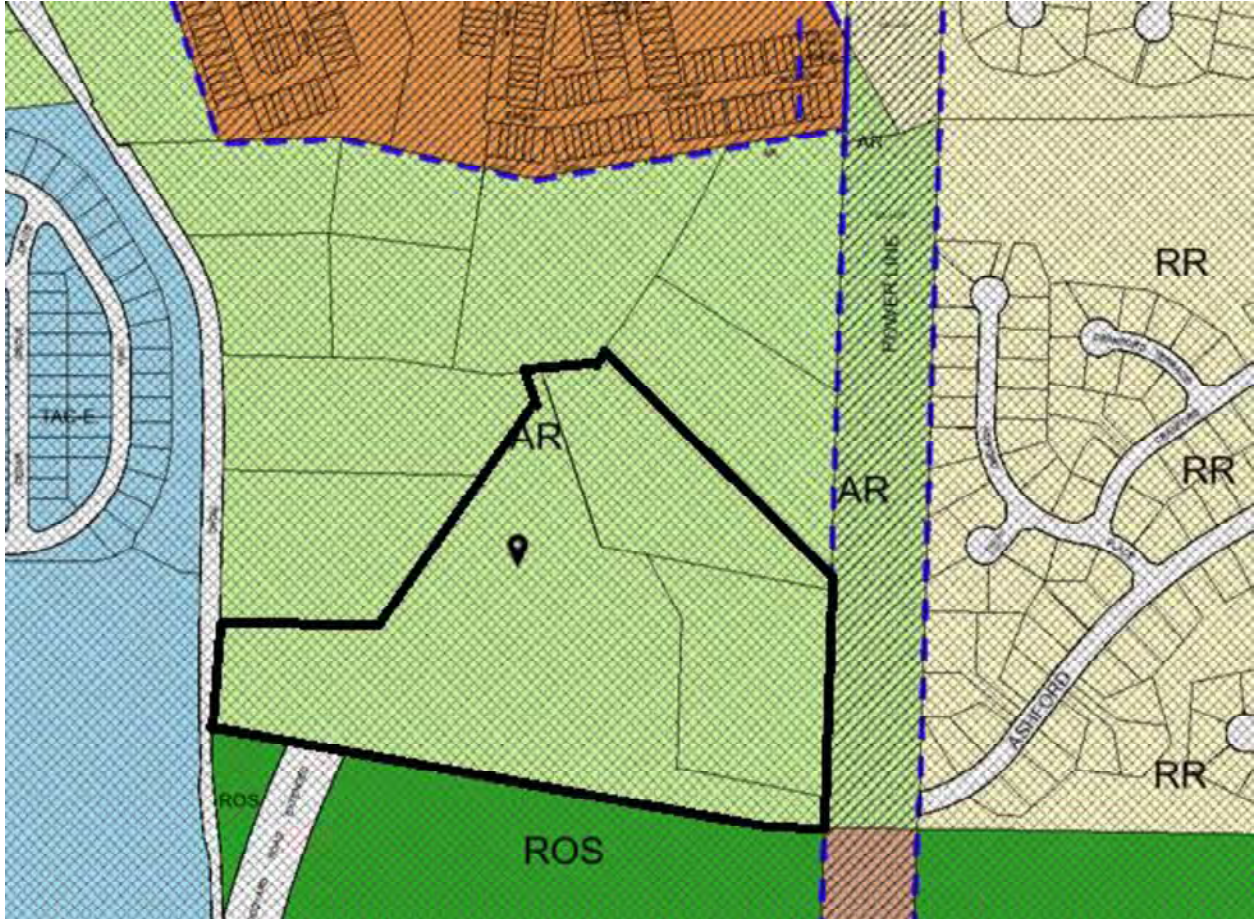
*South:* Vacant wooded MNCPPC parkland in the ROS Zone with single-family attached dwellings in the LCD Zone beyond.

*East:* Pepco Transmission line and beyond, single-family detached dwellings on clustered lots in the RR (Residential, Rural) Zone.

*West:* Single-family detached dwellings in the AR Zone and Melwood Road with single-family detached and single-family attached dwellings beyond in the TAC-E (Town Activity Center-Edge) Zone.

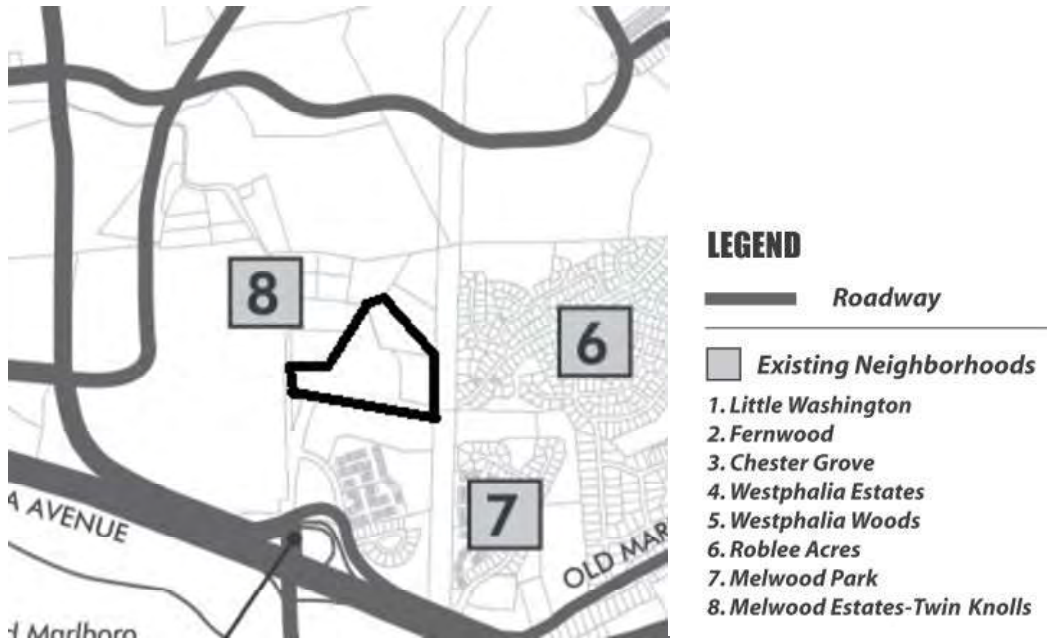
An aerial map and zoning map showing the Subject Property are depicted below.





### Neighborhood

Per the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (“Sector Plan” and “SMA”), the Subject Property is within the Melwood Estates-Twin Knolls neighborhood (p.60). A neighborhood description is not provided, but based upon the map within the Sector Plan, the neighborhood boundary consist of Bridale Vale Road to the north, PEPCO utility easement to the east, Pennsylvania Avenue to the south, and the Westphalia Town Center to the west.



## V. SECTOR PLAN RECOMMENDATIONS/CONFORMANCE

The site currently lies within the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (“Sector Plan” and “SMA”), which retained the Subject Property in the prior R-A (Residential-Agricultural) Zone. The Future Land Use Map (Map 4; p. 19), recommends the Subject Property for “residential low” land use designation. The Westphalia Sector Plan does not specify the density range associated with the various land use recommendations on Map 4, nor did the prior 2002 General Plan which was in effect at the time of the adoption of the Sector Plan. In comparing the “Low-Density Residential” land use recommendation with the previous, 1994 Master Plan for Melwood-Westphalia and Vicinity’s land use recommendation of “Large Lot/Alternative Low Density” category, it is clear that the Sector Plan’s intent was to increase the density of the desired development character of the Subject Property, and its immediate AR-zoned neighbors. The “Low-Density Residential” land use category of the Westphalia Sector Plan is comparable to the more modern “Residential Low” category, which has been defined by Master Plans since circa 2010 – and in the current Plan Prince George’s 2035 General Plan – as, “Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings” with a floor of 0.5 dwelling units per acre.”



The Sector Plan was approved with three distinct areas, each with their own personality: the Core, Edge and Fringe areas. The Core Area is to be a transit-oriented, 24-hour center of vertical and horizontal mixed uses in a pedestrian-friendly environment; it is the focal point of the entire Westphalia Town Center. Just beyond the Core Area, the Edge Area is to be “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.” (p. 24). This area is meant to complement the core, providing a transition in density to the Fringe Area, which will be a “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....” (p. 27). The Fringe Area is less dense than the Edge, and not characterized by the vertical and horizontal mixed uses of the Core. Finally, the Sector Plan discusses the surrounding “Residential Areas,” which the Subject Property is within. These areas are directed to “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.” (p. 30). Design Principles to implement the quoted Strategy direction include:

- “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.” (p. 31)
- “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.” (p. 31)
- “Provide a variety of single-family attached residential lot sizes in and near the Westphalia town center.” (p. 31)

In keeping with the Sector Plan’s Strategy for its Residential Areas and the quoted Design Principles, the envisioned residential development will be in a compact and distinctly organic form, with lot and block motifs consistent with emerging residential development abutting Westphalia Edge areas, while also preserving and enhancing environmental adaptation of the property. The development will also help to implement the Sector Plan and Master Plan of Transportation (MPOT) by providing roadways in a way that forms a livable and walkable edge to the neighborhood through provision of an extensive interior open space system and internal sidewalks. Designed in an integrated grid of public roads that are integrated with a hierarchy of pedestrian modes: walking, biking, jogging and riding.

### Plan 2035

Since the adoption of the Sector Plan and SMA in 2007, the County adopted a new General Plan, known as “Plan Prince George’s 2035” (Plan 2035), which recommends residential low as the future land use. Residential Low is further defined as “Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings.” (page 100).

## VI. GENERAL CRITERIA FOR ZMA APPROVAL

Pursuant to County Council Bills CB-13-2018 and CB-15-2018, the Prince George’s County Council adopted a new Zoning Ordinance (Subtitle 27 of the County Code) and new Subdivision Regulations, which were to become effective upon the approval of the Countywide Sectional Map Amendment (CMA). Pursuant to Council Resolution CR-136-2021, the new Zoning Ordinance became effective on April 1, 2022. As a result, the subject property was rezoned from the R-A/M-I-O Zones to the AR/MIO Zones. Pursuant to Section 27-3601(b) of the Zoning Ordinance, an amendment to the Official Zoning Map can be pursued as long as the criteria within this section are met. The Applicant notes that this ZMA application meets these criteria as the Property is not within a Safety Zone of the MIO Zone, does not propose a reclassification to a prohibited zone, and does not request an amendment to more than one zone.

### **Section 27-3601. Zoning Map Amendment**

#### **(c) Zoning Map Submittal Requirements:**

#### **(5) A zoning map amendment application shall include the following:**

- (G) A statement of justification detailing the legal basis by which the requested amendment can be approved, and any factual reasons showing why approval of the request will not be detrimental to the public health, safety, and welfare; and**

COMMENT: This statement of justification details herein the legal basis by which the requested amendment can be approved.

## Section 27-3601. Zoning Map Amendment

### (e) Zoning Map Amendment (ZMA) Decision Standards.

**In determining whether to adopt or disapprove a proposed zoning map amendment (ZMA), the District Council may consider many factors. No amendment to the CBCAO Zone shall be granted without the applicant demonstrating conformance with the decision standards in Section 27-3603(d), CBCAO Zoning Map Amendment Decision Standards. No amendment to a Transit-Oriented/Activity Center base zone shall be granted except in accordance with the locational standards of Section 27-4204(b)(2) of this Ordinance. No other zoning map amendment shall be granted without the applicant demonstrating either:**

- (1) There has been a substantial change in the character of the neighborhood; or**

COMMENT: The Applicant is not contending that there has been a substantial change in the character of the neighborhood as the basis for the requested rezoning.

- (2) There was a mistake in the original zone for the land subject to the amendment which has never been the subject of an adopted sectional map amendment; or**

COMMENT: The Applicant is not contending that there was a mistake in the original zone for land that has never been the subject of an adopted sectional map amendment as the basis for the requested rezoning.

- (3) There was a mistake in the current sectional map amendment.**

COMMENT: The current AR zoning was put in place through the CMA adopted in November 2021. However, the decision standards for a ZMA outlined in Section 27-3601(e)(3), states “[t]here was a mistake in the current sectional map amendment.” The current sectional map amendment for the Subject Property is identified as the 2007 Westphalia SMA, which will be utilized as the most recent zoning, at least with regard to whether there was a “mistake” in the zoning applied to the Subject Property. Therefore, the Applicant contends that retaining the subject property in the prior R-A Zone with the adopted 2007 Westphalia Sector Plan and SMA was a mistake by the District Council. The District Council failed to consider existing facts and trends within the Sector Plan and SMA, which had they been considered, would have resulted in a rezoning of the subject property comparable to the surrounding properties which were rezoned as part of the SMA. An applicant can establish mistake or error by showing that at the time of the rezoning, the zoning authority failed to consider then-existing projects or trends, which were reasonably foreseeable in the future.<sup>1</sup> Finding a mistake is concerned with “the adequacy and

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<sup>1</sup> See *Bonnie View County Club, Inc. v. Glass*, 242 Md. 46, 48–49 (1966); *Overton v. Bd. Of Cnty. Comm’rs of Prince George’s Cnty.*, 255 Md. 212, 216 (1961).

accuracy of the factual premises that underlie the conclusion-drawing.”<sup>2</sup> A conclusion based on a factual predicate that is incomplete or inaccurate may be deemed a mistake or error.<sup>3</sup>

Given that the subject property abuts the Edge area of the Westphalia Town Center, it was a mistake to fail to consider the Subject Property for rezoning to further support this area and to transition between the town center and the residential densities of the surrounding properties – especially considering the adjacent property to the west beyond Melwood Road was rezoned with the SMA.

As part of the SMA, change number 1 consisted of public rezoning requests (numbers 2, 3, and 4 on p. 81) to rezone approximately 468.12 acres of land from the R-A (Residential-Agricultural) and I-3 (Planned Industrial/Employment Park) Zones to the M-X-T (Mixed Use-Transportation Oriented) Zone. At the time, the properties consisted of a farm, institutional use, and mostly vacant wooded land located north of Pennsylvania Avenue (MD 4) on either side of Moore’s Way and Melwood Road. This area contemplated a development concept proposed during the plan review process, and aimed to reflect the intended land use and design character approved for that area. The M-X-T Zone was recommended and approved to promote implementation of a mixed-use development within the Westphalia town center area.



Map 20: Approved Zoning Changes – Sector Plan (P.83)

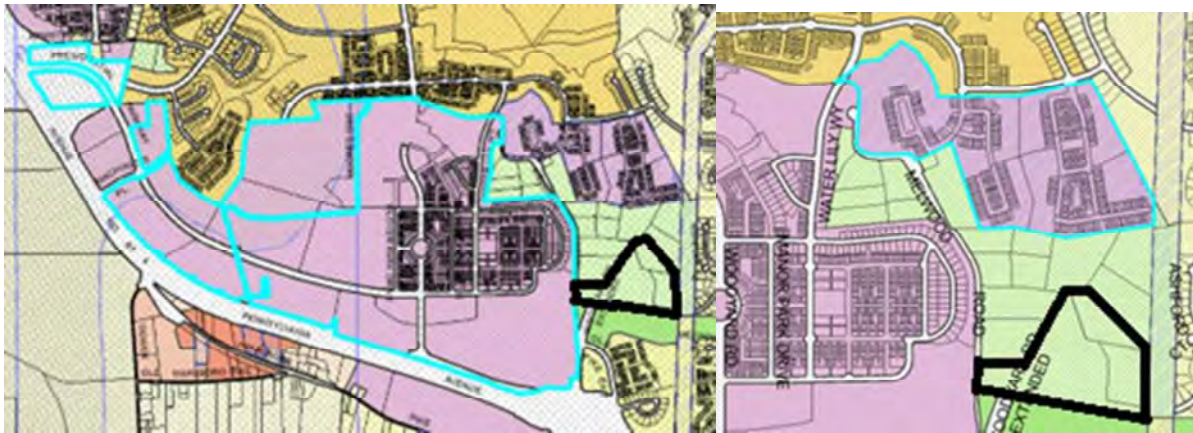
Currently, this area is composed of two major development projects, the Westphalia Town Center and the Enclave at Westphalia. The Westphalia Town Center Conceptual Site Plan application (Left Image - CSP-07004) approved single-family detached dwellings, townhouses, multifamily, office, and retail uses. The Enclave of Westphalia Conceptual Site Plan (Right Image

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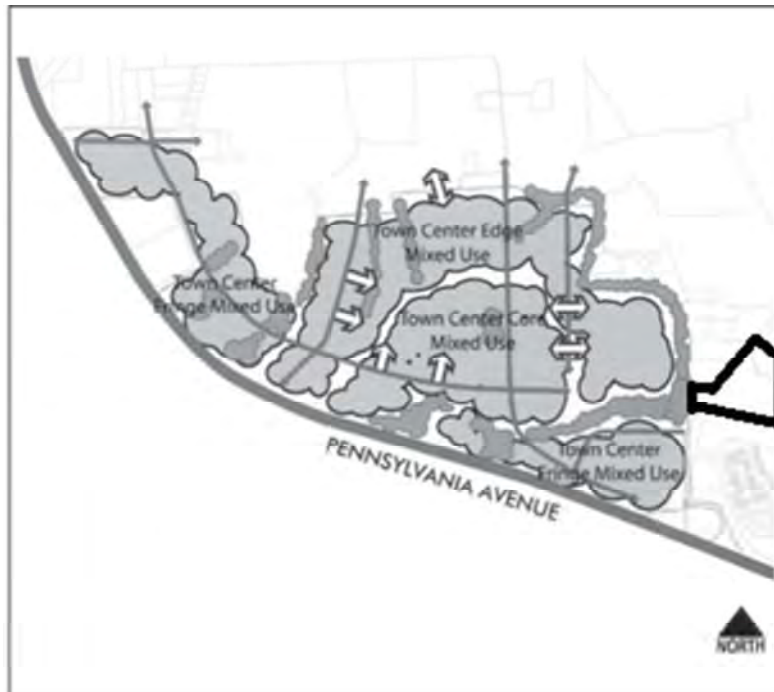
<sup>2</sup> *People’s Counsel for Baltimore Cnty. v. Beachwood I Ltd. P’ship*, 107 Md. App. 627, 645 (1995); *People’s Counsel for Baltimore Cnty. v. Prosser Co.*, 119 Md. App. 150, 179 (1998) (finding that there was sufficient evidence to support the finding of mistake where the proposed use was consistent with the Master Plan and the zoning authority could not have foreseen future development issues at the time of the rezoning).

<sup>3</sup> *Id.*

- CSP-19004) , located north of the subject property, approved the development of 475 townhomes. A contextual map exhibit was included in the submittal depicting the developments surrounding the Subject Property.



The M-X-T Zone was selected for these two development projects in order to implement the Sector Plan’s recommendation for mixed-use development within the Westphalia Town Center Area. The zone allowed “a high-density, urban, pedestrian-oriented character within the center core and edge with supportive development in the fringe area.” (p. 85) In line with the Sector Plan recommendations, the proposed town center was divided into Core (77± acres), Edge (260± acres), and Fringe (145± acres) areas.



Sector Plan Development Concept 1 (p.105)

The Subject Property is located adjacent to the Town Center Edge, within what the Sector Plan discusses as the surrounding “Residential Areas.” These residential areas are encouraged to

“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.” (p. 30). According to the SMA’s Development Pattern Element, the policy and design principles for Residential Areas also include “incorporation of a variety of housing types in single-family projects/subdivisions [by]: Build[ing] 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 . . .*” (Emphasis added). The design principles recommend designing residential developments that “connect and appropriately transition to pre-existing communities and neighboring commercial areas . . . 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.*” (p.31) (Emphasis added). Given the close proximity to the Town Center Edge, it was a mistake to fail to consider the Subject Property for rezoning to further support the Westphalia Town Center, and to provide a transition area between the residential densities of the surrounding properties. Especially given the Subject Property is in a prime location between M-X-T and R-R Zones. The AR zone is not only inconsistent with the use of the Subject Property, it is inconsistent with the land use recommendation and the policies and goals of the SMA because it fails to facilitate the intended transition from the dense, mixed-use of the Town Center to low-density residential areas. A medium to high density zoning designation—such as the RSF-A Zone—would permit a higher density residential area that would serve as a transition between the higher density single-family attached dwellings to the west, north, and south with the single family detached dwellings to the east. Rezoning the Subject Property to a higher residential zone would have met the intent for transitional areas as stated in the Sector Plan.

In addition to the above argument, given the primary land use of the Subject Property is residential, retaining the subject property as R-A (now AR) was a mistake and inconsistent with the purpose of the zoning designation, inconsistent with the Sector Plan’s land use recommendation, and based on an inaccurate factual predicate that there were agricultural uses on the Subject Property. Within the 1994 *Melwood Westphalia Approved Master Plan and Sectional Map Amendment*, the Subject Property was in an area described as “beyond the transmission lines, are nine homes on larger, more rural parcels in the O-S and R-A Zone; stables and horses are as much as part of this neighborhood landscape as are houses and people.” (P.52). Pursuant to Section 27-4201(d)(1) of the Zoning Ordinance, “the purposes of the Agricultural-Residential (AR) Zone are: (A) To provide for large-lot single-family detached residential subdivisions, *while encouraging the retention of agriculture as a primary land use*; (B) To encourage the preservation of trees and open spaces; and (C) to prevent soil erosion and stream valley flooding.” (Emphasis added).

Notably, the Subject Property is not used for agricultural uses, and with the planned development of the Westphalia Town Center the surrounding neighborhood will no longer primarily be characterized by agricultural uses. Retaining the site’s R-A zoning designation at the time of the adoption and implementation of the SMA was more than an error in judgment—it was a mistake of fact as the zoning authority failed to consider the Subject Property’s existing use, location, and character within the context of the SMA. The SMA also makes clear that “[t]o implement the sector plan policies and land use recommendations contained in [the SMA], many parcels of land must be rezoned to bring the zoning into conformance with the sector plan.” In

other words, it was the goal and purpose of the SMA to bring the zoning into conformance with the stated policies and recommendations of the SMA. After all, general principles of land use dictate that zoning implements that plan, and when there is a mistake in such implementation, a ZMA provides the proper remedy.

Lastly, a search of the transcripts, which are included within this ZMA application submittal package, noted that the previous property owner Ms. Jenny Day testified before the District Council. Based on the verbal information provided during the May 23, 2006 public hearing on the Preliminary Sector Plan and Proposed Sectional Map Amendment for the Westphalia area, the Applicant contends that the decision/outcome to not rezone the Subject Property relied upon only a portion of the owners' testimony versus her stated request to rezone the property to a higher density. Her request was as follows:

“Another item that's not addressed and this will be my last point, on the SMA, is, could rezoning of our property to R-M be accomplished with the provision that current zoning R-A remain in effect until the sale of the property which would then change with the express desire of the purchaser zoning of the property to R-M. We desire such designation zoning.” (full testimony can be found on pages 69-71)

Both such requests were for an impermissible result: The R-M Zone could not be granted without being the subject of a Basic Plan in the record; and, a grant of conditional zoning such as the requested time-deferred grant is not possible as part of an SMA (if a condition such as deferred grant of zoning upon sale is itself ever legally permissible). The Council therefore either simply dismissed both requests as impermissible without considering their underlying merits, or else chose to acknowledge the second request as the substance of Mrs. Day's request, to retain the R-A zoning and did not consider the request for a higher zoning designation, even though adjacent/nearby properties were rezoned to the M-X-T Zone pursuant to the principles laid out in the Sector Plan for similarly-sited land. The Subject Property was not considered for rezoning despite the fact that the R-A (now AR) zoning designation did not conform with the Sector Plan's land use recommendation and the character of other adjacent rezonings the SMA did provide for. The failure to consider the existing facts and circumstances concerning the Subject Property's existing use, location, and character, particularly within the context of the SMA, and given the unusual tenor of the request made by the property owner at the time was a mistake.

## VII. REMEDY

Once a finding has been made that there is a mistake in the current Sectional Map Amendment, the issue of the appropriate remedy remains. The language of the Sector Plan, along with the various rezonings in the SMA of surrounding properties to the prior M-X-T Zone (subsequently reclassified to the TAC-E and RMF-20 Zones by the CMA) with a similar situation and a similar land use recommendation, and the existence of an abutting development of single-family attached dwellings to the south, all suggest that a higher achievable density is an appropriate remedy here for the Subject Property. The Applicant, as stated above, desires to create a subdivision of single-family detached dwellings at a density which conforms to a stricter interpretation of the density associated with the Sector Plan's land use recommendation. In order

to achieve this goal, the lot area and width standards of the RSF-A Zone for single-family detached development represents the best way to achieve the goals of the Sector Plan’s Strategy for Residential Areas and the associated Design Principles, while simultaneously being able to accommodate the more recent environmental regulations in the County Code, to provide buffering to historic Melwood Road, and to provide buffering to the existing single-family dwellings which abut the Subject Property.

The Applicant understands that the provisions of the RSF-A Zone allow for the development of various types of attached dwelling units and for a higher density of development than proposed/envisioned, neither of which are the Applicant’s intent for the development of the Subject Property. Accordingly, the Applicant proffers that conditions be applied pursuant to the provisions of Section 27-3601(d)(9)(A)(ii) to further enhance the coordinated, harmonious, and systematic development of the regional district are an appropriate part of the remedy, as follows:


1. The Net Density of development of the subject property shall not be greater than 3.5 dwelling units per acre; and
2. “Dwelling, single-family detached” units shall be the only Residential Use permitted on the subject property, unless other dwelling units are permitted as part of a planned retirement community.


VIII. CONCLUSION

For all of the above-stated reasons, and based on all of the supporting documents and evidence that has (or will be) submitted into the record for this matter, the Applicant respectfully requests approval of ZMA-2025-003 in conformance with the requirements of Subtitle 27 of the Prince George’s County Zoning Ordinance.

Respectfully submitted,

MCNAMEE HOSEA, P.A.

By:   
\_\_\_\_\_  
Matthew C. Tedesco  
Attorney for the Applicant

By:   
\_\_\_\_\_  
Dominique A. Lockhart, AICP.  
Senior Land Use Planner

Date: August 14, 2025  
(Third Submittal)

A handwritten signature in black ink, appearing to read 'R. Yates', with a long horizontal flourish extending to the right.

Sincerely,  
**Robert "Yates" Clagett, Jr.**



Matthew C. Tedesco, Esquire  
Admitted in Maryland

E-mail: [MTedesco@mhlawyers.com](mailto:MTedesco@mhlawyers.com)  
Direct Dial: Extension 222

October 3, 2025

Via Electronic Delivery

Candra Teshome, Reviewer  
Development Review Division  
M-NCPPC  
1616 McCormick Drive  
Largo, MD 20774

**Re:    *ZMA-2025-003; Melwood***  
***SDRC Point-By-Point Comment Response Letter***

Dear Candra:

On behalf of the applicant, please find below point-by-point responses to the revised SDRC Comments transmitted to the applicant on September 24, 2025. **The Applicant incorporates by reference its previous justifications as to all relevant law and its application for purposes of this ZMA. In addition, the Applicant sets forth the following responses in response to the SDRC Comments:**

Zoning:

Based on the staff's review of your current Statement of Justification (SOJ), we have determined that the applicant's arguments are legally insufficient to prove a mistake of fact. You must substantially strengthen your arguments by providing legal precedent and factual evidence.

Mistake 1: Mistake in the 2007 Sectional Map Amendment (SMA): The SOJ reads, "...it was a mistake to fail to consider the Subject Property for rezoning to further support this area and to transition between the residential densities of the surrounding properties – especially considering the adjacent property was rezoned with the SMA."

- Questioning the AR zone's appropriateness as a transition challenges Council's legislative judgment, which is a legally insufficient basis for a ZMA. Can you provide evidence from the 2007 SMA record of a factual assumption the Council made about the property's transition role that has since been proven factually wrong?
- In general, incompatibility with the surrounding zones is not a sufficient argument for mistake (unless the record makes clear that the Council was mistaken about the surrounding zones). Can you provide evidence that the Council was mistaken about the surrounding zones?

***Response: In no case, this or any other, does the applicant have the ability to list the District Council's "assumptions" for non-actions. Maryland law is clear that, while the District Council is entitled to the presumption of correctness with regard to an SMA, the applicant may overcome the presumption where the District Council failed to take into account then-existing facts. See Anne Arundel County v. A-PAC Ltd., 67 Md. App. 122, 127 (1986) (quoting Boyce v. Sembly, 25 Md. App. 43, 53 (1975) ("When subsequent events demonstrate that any significant assumption made by the Council at the time of the comprehensive rezoning was invalid, the presumption of validity accorded to the comprehensive rezoning is overcome."). Importantly, the standard of review does not require an absolute dispositive piece of evidence to prove mistake. See id. (discussing the standard for showing that an assumption upon which a particular use was predicated was erroneous).***

***Here, the record shows that during the May 23, 2006 public hearing, the previous property owner testified before the District Council and requested to rezone the property to a higher density zone. As explained in the SOJ, the request was denied as impermissible, and therefore, dismissed without any consideration of the underlying merits of the request(s). The previous property owner's request to rezone to a higher density zone was supported by the Subject Property's existing use, location, and character, but the District Council did not reach the merits of the request, and such a failure to consider then-existing facts and circumstances supporting a request for a higher density was a mistake.***

***The applicant has offered evidence that, at the time of the 2007 SMA, there existed facts and circumstances supporting a request for an increased zoning classification.. The applicant has further offered evidence that, because the previous property owner's request was denied without considering the underlying merits of the request (or stated differently, the then-existing facts), the record is silent as to the assumptions the District Council relied upon when retaining the Subject Property's zoning designation as R-A. Maryland law permits a piecemeal rezoning on the basis of mistake where the applicant demonstrates that any significant assumption made by the District Council at the time of the Comprehensive rezoning was invalid. See id. It is now within the District Council's authority to decide whether or not it agrees a mistake occurred. The record here contains facts provided to the District Council at the time of the 2007 SMA which were not taken into consideration, and this raises the question that a mistake occurred. The District Council is authorized to make that finding based on "little more than a scintilla of evidence" making the issue fairly debatable, not beyond all reasonable doubt. Id. at 126-27 (explaining that in the context of determining a mistake in zoning, a fairly debatable standard applies).***

**Mistake 2: Factual Inconsistency with Zoning Purpose: Please link, in your analysis, the 1994 plan's description of agricultural use to the 2007 decision to retain the zoning. The underlying 1994 facts appear accurate. Please cite legal precedent that the factual changes resulting in the loss of a zone's intended purpose over the years constitute a legal mistake that warrants rezoning. And/or please provide factual evidence that the District Council relied on the description in the 1994 plan in retaining the R-A zone and a) the 1994 description was definitively inaccurate at the time the plan was adopted; or b) that it was inaccurate by 2007.**

***Response: This analysis is moot, as the 1994 SMA was superseded by the 2007 SMA. The mistake analysis must be limited to the 2007 SMA. See Mayor and Council of Rockville v. Rylyns Enter., Inc., 372 Md. 514, 538-39 (2002) (finding a mistake “requires a showing that the underlying assumptions or premises relied upon by the legislative body during the immediately preceding original or comprehensive rezoning were incorrect”).***

Mistake 3: Failure to Fully Consider Property Owner Testimony: The Council legally granted the permissible portion of the owner's request (to remain R-A) and correctly dismissed the impermissible, conditional part. Please provide legal precedent that the Council's decision to deny the owner's request for higher density upon sale of the property is a mistake of fact.

***Response: The previous property owner, Ms. Jenny Day, made a request for the rezoning of the Subject Property to the R-M Zone with the condition that the current R-A Zone remain in effect until the sale of the property. Both requests were for an impermissible result: the R-M Zone could not be granted without being the subject of a Basic Plan in the record, and the grant of a conditional rezoning is not possible as part of an SMA. The District Council, therefore, either dismissed both requests as impermissible without considering their underlying merits, or else chose to acknowledge the second request as the substance of Ms. Day's request to retain the R-A zoning and did not consider the request for a higher zoning designation, despite the fact that adjacent and nearby properties were rezoned to the M-X-T Zone pursuant to the principles laid out in the Sector Plan for similarly situated land. In either scenario, the District Council's decision to retain the R-A zoning designation was made based on apparent assumptions that failed to take into consideration then-existing facts and circumstances concerning the Subject Property's existing use, location, and character, particularly within the context of the SMA. There is no evidence in the record that the District Council looked at Ms. Day's request in any detail to evaluate the merits, or the fact that she made the request because she wanted the rezoning. Any assumption that Ms. Day's request was intended to retain the R-A designation (as Staff alludes to in this comment) is an incorrect assumption that belies the record, as Ms. Day's primary request was for “rezoning,” not the secondary and conditional request that the property remain in the R-A Zone until the sale of the property. To Staff's point, the record shows that the District Council failed to fully consider Ms. Day's testimony, as the record shows that the decision to retain the R-A zoning designation was based on assumptions, which again failed to take into account then-existing facts and circumstances concerning the Subject Property.. As explained above, Maryland law permits a piecemeal rezoning on the basis of mistake where the applicant demonstrates that any significant assumption made by the District Council at the time of the Comprehensive rezoning was invalid. See id. It is now within the District Council's authority to decide whether or not it agrees a mistake occurred. The record here shows evidence of facts and circumstances concerning the Subject Property's existing use, location, and character which were not taken into consideration, and this raises the question that a mistake occurred. The District Council is authorized to make that finding based on “little more than a scintilla of evidence” making the issue fairly debatable, not beyond all reasonable doubt. Id. at 126-27 (explaining that in the context of determining a mistake in zoning, fa fairly debatable standard applies).***

Community Planning:

The Community Planning Division requests that the Applicant provide additional justification as to why the zoning change should be granted on the basis of mistake, pursuant to Section 27-3601(e)(3) of the Prince George's County Zoning Ordinance. Staff cites below a history of master/sector plans guiding development on the subject property, as well as an understanding of the intentions of prior sectional map amendments (SMAs).

**Response:** *See responses herein and in the previously submitted SOJ.*

Environmental Planning:

1. While not required with this application, a valid approved natural resources inventory plan shall be required prior to any subsequent development applications on the site. NRI-2025-0082 is currently in review. Variances for the removal of specimen trees or statements of justification for impacts to the PMA shall be evaluated with subsequent development applications.

**Response:** *This comment is noted.*

2. The proposed ZMA application results in a significant change to the woodland conservation threshold for the site.

Zoning	Conservation Threshold	Afforestation Threshold
AR	50 percent	20 percent
RSF-A	20 percent	15 percent
Resulting Change	<b>30 percent loss</b>	<b>5 percent loss</b>

The applicant shall meet the minimum woodland conservation threshold on-site with the subsequent development application(s).

**Response:** *This comment is noted.*

Transportation Planning:

1. Prior to the acceptance of a preliminary plan and the certificate of adequacy, the applicant, and the applicant's heirs, successors, and/or assigns shall:

- a. Submit a Traffic Impact Analysis (TIA) to evaluate transportation adequacy as part of the Preliminary Plan of Subdivision application.

**Response:** *Noted. A revised TIA is included and will also be submitted as part of the Preliminary Plan of Subdivision / ADQ application(s).*

- b. Note the masterplan facilities and right-of-way (ROW). Both the MPOT and the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment recommend a designated shared use bikeway along Melwood Road and preserve segments of the road with a green buffer as part of the community's trail and greenway network. MPOT recommends Melwood Road with a 78-foot right-of-way.

***Response: After a review of the 2009 Master Plan of Transportation and the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment, Melwood Road is not a designated Master Planned roadway and the documents make no recommendation of right-of-way width. The sector plan and MPOT does not provide a recommendation for 78 feet of ROW. However, it should be noted that the 2009 Master Plan of Transportation does identify Melwood Road as a historic roadway and per DPWT's Standards and Specifications for Roadways and Bridges, and the recommended right-of-way width for a historic roadway is 60 feet. Furthermore, it was determined that a hard surface trail (not a shared use bikeway) is proposed and designated as the "Melwood Legacy Trail." The design of Melwood Road along the site's frontage will be finalized as part of the subdivision process.***

**Subdivision:**

1. The Boundary Survey and SOJ both reflect the development as being part of Lot 11, excluding a 2.5821-acre tract of land in the middle of Lot 11, developed with a single-family home. However, the concept plan provided indicates that that area will be included in the proposed development. Revise SOJ and Boundary survey to include that area if it is the applicant's intention to include that area in the rezoning.

***Response: All documents and plans included in the Acceptance Submittal (August 18, 2025) and this re-submittal reflect the inclusion of Lot 11.***

**DPIE:**

TIA review comments and recommendations:

- The applicant should have provided the Average Daily Traffic Volumes (ADTs) as part of this ZMA's TIA along the applicant's property frontage of Melwood Road.

***Response: The ADT along Melwood Road just north of Old Marlboro Pike (in the vicinity of the site) was provided in Appendix A as part of the signed scoping package. The data indicates the ADT along Melwood Road in the vicinity of the site is 1,425.***

- Intersection 6: Old Marlboro Pike & Melwood Chapel Lane:

Critical Lane Volume (CLV) Analysis: The Critical Lane Volume Analysis provided in Appendix B at this intersection was performed using incorrect volumes for all conditions (existing, background, and total). The volumes used in the analysis did not match the volumes from the Peak Hour Volume (PHV) Exhibits provided in the report. We performed an internal CLV analysis utilizing the correct volumes provided by the applicant; the results of the CLV analysis performed by us showed all the study intersections adequate.

***Response: The CLV analysis has been revised at Intersection 6 to include the correct volumes and the report has been updated.***

If you have any questions, please do not hesitate to contact me at 301-441-2420.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Tedesco".

Matthew C. Tedesco

Enclosures

**October 1, 2025**

Chairman Darryl Barnes  
Maryland-National Capital Park and Planning Commission  
6611 Kenilworth Avenue  
Riverdale, Maryland 20737

RE: Melwood DAY Project ZMA-2025-003

Dear Chairman Barnes,

My name is LaShauna Tillmon, a resident of Westphalia and a professional in community and association management. Over the course of my career, I have worked extensively with homeowner and condominium associations throughout Prince George's County, guiding boards and residents through complex matters of governance, budgeting, infrastructure planning, and long-term sustainability. With this perspective, I am writing to express my full support for the rezoning of the Melwood DAY Project ZMA-2025-003 and the promise it holds for our community's future.

The growth of Westphalia is not simply about adding new homes; it is about creating a cohesive, well-managed community that enhances quality of life, strengthens property values, and builds lasting stability. I have seen firsthand how successful development depends on thoughtful planning and meaningful community engagement. Mr. Mark Sobo and his team have demonstrated both. By engaging residents, listening to concerns, and integrating feedback, they have ensured that this project is not just another subdivision, but a plan rooted in collaboration and respect for the community it will serve.

The proposed single-family subdivision will expand housing opportunities while reinforcing the character of Westphalia as one of the county's most vibrant and forward-looking neighborhoods. Beyond providing new homes, the project represents an investment in infrastructure, connectivity, and the long-term resilience of our area. With my background in association management, I recognize how important it is to align development with sustainable financial practices and governance structures. The Melwood DAY Project ZMA-2025-003 has the potential to set a new standard for how growth is not only built but also maintained in the years ahead.

For these reasons, I strongly encourage the Planning Board to approve the Melwood DAY Project ZMA-2025-003. This development represents more than construction; it is a strategic step toward realizing Westphalia's full potential as a thriving, well-balanced community within Prince George's County.

Sincerely,

*LaShauna M. Tillmon*

**LaShauna Tillmon**  
Resident, Westphalia

Email: [LaShaunaTillmon@gmail.com](mailto:LaShaunaTillmon@gmail.com)- Phone: 301-704-8962

September 22, 2025

Chairman Darryl Barnes  
Maryland-National Capital Park and Planning Commission  
6611 Kenilworth Avenue  
Riverdale, Maryland 20737

RE: ZMA-2025-003 Day Property

Dear Chairman Barnes:

My name is Robert Clagett, and I have lived in Prince George's County my entire life. As both a land specialist and a District 6 landowner, I have had the opportunity to witness the county's transformation firsthand. Throughout my professional career, I have consistently aimed to support and enhance the long-term interests of Prince George's County.

I am writing this letter in strong support of **ZMA-2025-003, the proposed Day Subdivision**. Mr. Mark Olumuyiwa Sobo and his development team have engaged with the community on multiple occasions. These interactions have been overwhelmingly positive, and the proposed project has been met with a warm reception from nearby residents.

I am particularly supportive of this application because it proposes a **single-family home subdivision**—a welcome addition in an area that has seen a significant number of townhome communities. A thoughtfully designed single-family development will add long-term value, stability, and character to the neighborhood. It aligns with what we strive for in real estate and planning: projects that *fit* the community and simply *make sense*.

The broad community support for this proposal is a reflection of that fit. It's clear that this plan responds to the actual needs and desires of local residents, not just market trends or profit potential.

I am confident that Mr. Sobo and his team will continue to collaborate closely with the Planning Commission, the Maryland-National Capital Park and Planning Commission, and the Prince George's County Council. Their approach is not driven by the pursuit of high-density or maximum-profit development—**there are no townhomes and no high-density lots proposed**—but by a genuine commitment to ecological stewardship and community-minded planning.

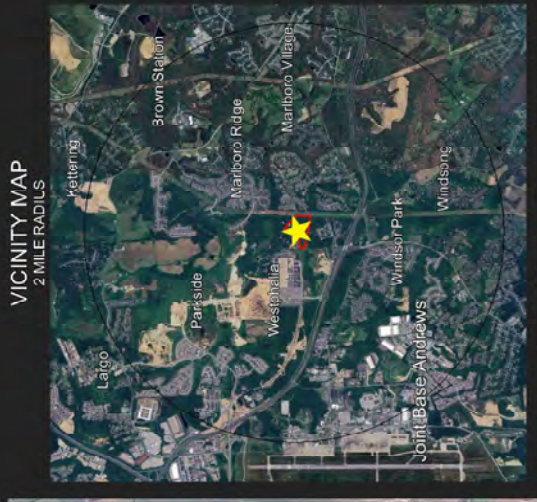
For these reasons, I respectfully request that the Planning Board approve ZMA-2025-003 for the Day Subdivision, including any amendments, waivers, or variances necessary to achieve this goal. It represents the kind of balanced, community-oriented development that Prince George's County deserves. Thank you for your time and consideration, and thank you for your service to our county.

A handwritten signature in black ink, appearing to read 'R. Yates', with a long horizontal flourish extending to the right.

Sincerely,  
**Robert "Yates" Clagett, Jr.**

# DAY PROPERTY

PRINCE GEORGE'S COUNTY, MARYLAND



VICINITY MAP  
2 MILE RADII





Countywide Planning Division  
Historic Preservation Section

301-952-3680

October 7, 2025

**MEMORANDUM**

**TO:** Candra Teshome, Zoning Section, Development Review Division

**VIA:** Thomas Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

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

**SUBJECT: ZMA-2025-003 Melwood**

The subject property comprises 27.49 acres and is located on the east side of Melwood Road, approximately 1,550 feet north of its intersection with Pennsylvania Avenue (MD Route 4). The subject property is zoned Agricultural-Residential (AR), is in the Military Installation Overlay-Height (MIO) Zone; located within the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* area. The subject application proposes rezoning the property from AR to Residential, Single-Family-Attached (RSF-A) for the future development of single-family detached dwelling units.

The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* includes goals and policies related to historic preservation (pages 66-68). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George's County Historic Sites or resources.

Historic Preservation staff recommends approval of ZMA-2025-003, Melwood, with no conditions.



October 17, 2025

**MEMORANDUM**

**TO:** Candra Teshome, Planner III, Zoning Section, Development Review Division

**VIA:** N. Andrew Bishop, Planner IV, Long-Range Planning Section, Community Planning Division *NAB*

**VIA:** Kierre McCune, Supervisor, Master Plans and Studies Section, Community Planning Division *KM*

**FROM:** Michael D. Calomese, AICP, Planner III, Master Plans and Studies Section, Community Planning Division *MDC*

**SUBJECT: ZMA-2025-003 - MELWOOD**

**FINDINGS:** Community Planning Division staff finds that, pursuant to Section 27- 3601(e)(3) Zoning Map Amendment (ZMA) of the Zoning Ordinance, there was not a mistake in the current sectional map amendment.

**BACKGROUND**

**Application Type:** Zoning Map Amendment for Euclidean Zone

**Zoning Ordinance Regulations:** Current Zoning Ordinance

**Location:** 4816 Melwood Road, Upper Marlboro, MD 20772 (on the east side of Melwood Road, approximately 1,550 feet north of its intersection with MD 4 (Pennsylvania Avenue))

**Size:** 27.54 acres

**Existing Use:** Wooded with three structures

**Future Land Use:** Low-Density Residential

**Proposal:** To rezone the subject property from the Agricultural Residential (AR) Zone to the Residential, Single-Family-Attached (RSF-A) Zone to accommodate the future development of approximately 96 single-

family detached units

**Zoning:** Agricultural Residential (AR) Zone  
Military Installation Overlay (MIO) Zone

**Prior Zoning:** Residential-Agricultural (R-A) Zone  
Military Installation Overlay (MIO) Zone

**Applicable Zoning Ordinance:** Current Zoning Ordinance

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

**General Plan:** This application is located in the **Established Communities Growth Policy Area**. The vision for Established Communities is that it is most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met. (p. 20)

**Master Plan:** The 2007 *Approved Westphalia Sector Plan* recommends **Low-Density Residential** land use on the subject property. The sector plan is silent on the definition of Low-Density Residential. The intended character for the subject property is shown on “Map 4: Land Use” in the sector plan (p. 19) as Low-Density Residential. Pursuant to the Sectional Map Amendment (SMA) “Map 21: Approved SMA Zoning Pattern” (p. 84) shows that the subject property was retained in the Residential Agricultural (R-A) Zone at the time the SMA was adopted.

### **Other Master/Sector Plan and SMA History**

**1980 Sectional Map Amendment for Planning Area 77 and 78 Melwood-Westphalia**  
The 1980 Melwood-Westphalia Sectional Map Amendment rezoned a portion of the subject property from the Residential Rural (R-R) Zone to the Residential Agricultural (R-A) Zone. The property is described as “woodland; located in the northeast quadrant of the intersection of Old Marlboro Pike and Melwood Road.” The property was rezoned because of its location and “in Sewer System Area 6 with a small part of Parcel 11 in System Area 4.” (p. 79). The properties included in this application would have been impacted by a capital project to “extend sewer service from Turkey Branch to the Robershire Subdivision, which fronts on Brown Station Road.” (p. 71) However it is noted that these capital improvements were not completed because “no projects have been proposed to extend the Turkey Branch Line or provide sewer lines in other branches to allow suburban development on the south side of White House Road.” (p. 71)

**1994 Melwood Westphalia Approved Master Plan and Sectional Map Amendment**

The 1994 Master Plan retained the subject property in the Residential Agricultural (R-A) Zone. This plan described the property as the “Roblee” area and is shown on Map 7. (p. 51) The Roblee area appears to be an equestrian farm or house some other animal activities on the property. The area is surrounded by “nine homes on larger, more rural parcels in the O-S and R-A zone; stables and horses are as much as part of this neighborhood landscape as are houses and people.” (p. 52).

**Planning Area:** 78

**Community:** Westphalia & Vicinity

**Aviation/MIOZ:** This application is located within the Military Installation Overlay (MIO) Zone for Height, Surface E (Conical Surface) and is required to conform to Sec. 27-548.54(e)(2)(D) of the prior Zoning Ordinance for Height Standards.

**SMA/Zoning:** The *2007 Approved Westphalia Sectional Map Amendment* retained the subject property in the Residential-Agricultural (R-A) Zone.

On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA), which reclassified the subject property from the R-A Zone to the Agricultural Residential (AR) Zone, effective April 1, 2022.

**SECTIONAL MAP AMENDMENT ANALYSIS**

The Community Planning Division staff finds that, pursuant to Section 27- 3601( e )(3) of the Zoning Ordinance, there was not a mistake made in the *2007 Approved Westphalia Sectional Map Amendment (SMA)*. The current zone classification of the subject property has been retained because it is consistent with the abutting properties, who at the time of the SMA requested to retain the R-A Zone. The current zone maintains the integrity of the community and is appropriate because there is a history of the subject property being retained for residential, agricultural, and equestrian uses.

cc: Long-Range Agenda Notebook



Countywide Planning Division  
Environmental Planning Section

301-952-3650

October 17, 2025

**MEMORANDUM**

**TO:** Candra Teshome, Planner III, Zoning Section, DRD  
**VIA:** Tom Burke, Supervisor, Environmental Planning Section, CWPD  
**FROM:** Alexander Kirchhof, Planner II, Environmental Planning Section, CWPD *AK*  
**SUBJECT:** **Melwood; ZMA-2025-003**

The Environmental Planning Section has reviewed the above-referenced Zoning Map Amendment (ZMA) received on August 11, 2025. Comments were delivered to the applicant at the Subdivision and Development Review Committee (SDRC) meeting on August 25, 2025. Revised plans were submitted in response to these comments by the applicant on October 3, 2025. The Environmental Planning Section finds the application in conformance with Section 27-3601 of County Code. The following comments are provided for your consideration.

**BACKGROUND**

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site applicable to this case:

<b>Development Review Case</b>	<b>Associated Tree Conservation Plan or Natural Resource Inventory</b>	<b>Authority</b>	<b>Status</b>	<b>Action Date</b>	<b>Resolution Number</b>
4-97070	TCPI-042-97	Planning Board	Approved	10/9/1997	PGCPB No. 97-289
N/A	NRI-2025-0082	Staff	Pending	Pending	N/A
ZMA-2025-003	N/A	Planning Board	Pending	Pending	Pending

**PROPOSED ACTIVITY**

The current proposal is to amend the zone of the property from Agricultural-Residential (AR) to Residential, Single-Family-Attached (RSF-A) on 27.54 acres.

## **APPLICABLE ENVIRONMENTAL REGULATIONS**

The project is subject to the current Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the environmental regulations contained in Subtitles 24, 25, and 27 of County Code because the site does not have an implemented tree conservation plan.

## **SITE DESCRIPTION**

The site is located in the northmost point of the Woodyard Road extension, east of Melwood Road. The site is zoned Agricultural-Residential (AR). The property does not have any frontage on a roadway classified as arterial or higher, but does have frontage on Melwood Road, a roadway designated historic. A natural resources inventory (NRI) plan is not required with ZMA applications; however, (NRI-2025-0082 was submitted to the Environmental Planning Section and is in review. The unapproved NRI indicates that the site is mostly wooded, with wetlands, streams, and steep slopes occurring on the property. Due south of the property 100-year floodplain occurs. There is potential forest interior dwelling species (FIDS) habitat mapped on-site. According to the Sensitive Species layer data on PGAtlas, as provided by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species on or in the vicinity of this property. The east portion of the site contains an unnamed tributary which makes up the majority of the primary management area (PMA). The site is located within the *Approved Westphalia Sector Plan and Sectional Map Amendment* (2007). The site is Residential Low of the General Plan Generalized Future Land Use as designated by *Plan Prince George's 2035 Approved General Plan* (Plan 2035). According to the 2017 *Approved Countywide Green Infrastructure Plan* (GI Plan), the site contains Regulated and Evaluation Areas.

## **PRIOR APPROVALS**

### **Preliminary Plan of Subdivision 4-97070**

Preliminary Plan of Subdivision (PPS) 4-97070 and its companion TCP1 were for a different development proposal. The PPS case has expired and the TCP was not implemented. As such, conditions relative to those approvals are not applicable to this subject application.

## **MASTER PLAN CONFORMANCE**

Development of this site is subject to the following master plans.

### ***Prince Georges Plan 2035***

The site is located within Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (Plan 2035), and within the Established Communities of the General Plan Growth Policy of that same plan. The project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

### **Green Infrastructure Plan**

The 2017 *Countywide Green Infrastructure Plan* (GI Plan) was approved with the adoption of the *Approved Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017. According to the GI Plan, this site contains Regulated and Evaluation Areas.

The following policies and strategies are applicable to the subject application. The text in **BOLD** is the text from the master plan, and the plain text provides staff findings on plan conformance:

**a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**

The majority of the subject property is within designated Evaluation Areas with Regulated Areas located along the eastern portion of the site and on the adjacent property to the south where the stream is located. The property is within the Western Branch of the Patuxent River watershed and is not within a Tier II catchment area. The GI Plan identifies the Western Branch of the Patuxent as being in very poor condition and a Special Conservation Area (SCA). The site contains an unnamed tributary of the Back Branch, a stream system which is within the Regulated Area of the Green Infrastructure network. With subsequent development applications, the applicant shall ensure that the regulated areas are protected to the extent practicable.

**POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.**

**2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.**

PGAtlas shows this site fully within the Evaluation and Regulated Areas with no network gaps. Further evaluation of the best locations for on-site preservation and new corridors will be made with subsequent development applications.

**2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**

No impacts to regulated environmental features are proposed at this time. Impacts to the regulated environmental features will be evaluated with subsequent development applications.

**2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

No mitigation is proposed at this time. Mitigation will be further evaluated with subsequent development applications.

**POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.**

**4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

Woodland conservation requirements will be evaluated through the review of tree conservation plans associated with future development applications. On-site woodland conservation shall be placed in Woodland and Wildlife Habitat Conservation Easements prior to the certification of an associated Type 2 tree conservation plan (TCP2).

**POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.**

**5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**

The plans submitted with the ZMA are conceptual in nature and the full design for stormwater has not been evaluated by the Department of Permitting, Inspections and Enforcement (DPIE) at this time. Impacts to the regulated environmental features will be evaluated with subsequent development applications.

**5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

The preservation of existing vegetation to protect streams and wetlands will be evaluated with the subsequent development applications. Based on PGAtlas, an unnamed tributary of Back Branch which should be protected is located on the eastern portion of the site and off-site to the south of this property.

**POLICY 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.**

***General Strategies for Increasing Forest and Tree Canopy Coverage***

**7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**

Woodland conservation will be further evaluated with the subsequent development applications. It is recommended that the development maximize the on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.

**7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**

The use of native plant species is required with the required by both the Environmental Technical Manual (ETM), and the Prince George's County Landscape Manual, and will be further assessed with the subsequent development applications.

- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

Woodland exists on-site, and along the stream system and throughout the site. Woodland conservation will be evaluated with subsequent development applications.

### ***Forest Canopy Strategies***

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**

This application does not propose any clearing at this time. Woodland conservation will be evaluated with subsequent development applications.

- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**

This application does not propose any clearing at this time. Woodland conservation will be evaluated with subsequent development applications.

- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

Clearing of woodland is not proposed with the subject application; however, the woodland conservation threshold of the RA Zone is 50 percent. With this ZMA the applicant seeks to rezone the property to the RSF-A Zone which has a woodland conservation threshold of 20 percent. This threshold should be shown to be met on-site with subsequent development applications through on-site woodland preservation and reforestation, limiting the use of off-site credits. Woodland conservation shall be designed to minimize fragmentation of woodland and reinforce new forest edges. Woodland conservation should be located along the PMA. The preservation of existing woodlands and specimen trees to provide additional buffering for Back Branch is recommended. This site does contain potential forest interior dwelling species (FIDS) habitat. Green space is encouraged to serve multiple eco-services.

### **Approved Westphalia Sector Plan and Sectional Map Amendment**

The site is located in the *Approved Westphalia Sector Plan and Sectional Map Amendment* (2007). In the Approved Master Plan and Sectional Map Amendment, the Infrastructure section (Pages 35 to 39) contains goals, policies, and strategies. The following policies are applicable to the current project with regards to natural resources preservation, protection, and restoration. The text in **BOLD** is the text from the SMA, and the plain text provides staff comments on plan conformance:

## **Policy 1—Green Infrastructure**

**Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area. (Page 35)**

### **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.**

This site contains Evaluation and Regulated Areas. Future development should seek to limit impacts the Regulated Areas of the Green Infrastructure network.

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

Preservation of PMA will be further evaluated with the subsequent development applications.

**3. 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.**

Preservation of regulated environmental features will be further evaluated with the subsequent development applications.

**6. 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.**

This policy will be further evaluated with the subsequent development applications; however, the WCO does not allow the use of street tree credits outside of a General Plan transit-oriented center.

**7. Enhance regulated areas by concentrating required woodland conservation adjacent to regulated areas and in an interconnected manner.**

This policy will be further evaluated with the subsequent development applications. In accordance with this master plan policy, it is encouraged that woodland conservation be located adjacent to Regulated Areas to protect the green infrastructure network.

**9. Place sensitive environmental areas within conservation easements to ensure preservation in perpetuity.**

The location of woodland conservation easements will be further evaluated with the subsequent development applications. On-site woodland conservation shall be placed in Woodland and Wildlife Habitat Conservation Easements prior to the certification of an associated Type 2 tree conservation plan (TCP2).

**10. 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.**

This site features a tributary to Back Branch. This policy will be further evaluated with the subsequent development applications. In accordance with this master plan policy, it is encouraged that woodland conservation be located adjacent to the Regulated Areas of the Back Branch to protect the green infrastructure network.

**11. Limit overall impacts to sensitive environmental areas to those necessary for infrastructure improvements such as road crossings and utility installations.**

This policy will be further evaluated with the subsequent development applications.

**12. Evaluate and coordinate development within the vicinity of primary and secondary corridors to reduce the number and location of impacts to sensitive environmental areas.**

This policy will be further evaluated with the subsequent development applications. Development should limit any impacts within Back Branch and associated buffer. Back Branch is identified as a secondary corridor in the Master Plan.

**13. Develop flexible design techniques to maximize preservation of environmentally-sensitive areas.**

This policy will be further evaluated with the subsequent development applications.

**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. (Page 38)**

**Strategies**

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

The agricultural use is not near the streams and will be discontinued with the development of this site.

**2. Require stream corridor assessments 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.**

This policy will be further evaluated with the subsequent development applications.

**3. Follow the environmental guidelines for bridge and road construction as contained in the transportation section of this sector plan.**

No bridges are proposed with this application. This policy will be further evaluated with the subsequent development applications.

**4. Construct shared public/private stormwater facilities as site amenities using native plants and natural landscaping.**

This policy will be further evaluated with the subsequent development applications.

**5. Use 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.**

This policy will be further evaluated with the subsequent development applications. The proposed development will be subject to current stormwater management requirements and will be reviewed and approved by the County's Department of Permitting, Inspections and Enforcement (DPIE).

**Policy 3—Energy Consumption**

**Reduce overall energy consumption and implement environmentally-sensitive building techniques. (Page 38)**

**Strategies**

**1. Use 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.**

This policy will be further evaluated with the subsequent development applications.

**2. Use alternative energy sources such as solar, wind and hydrogen power. Provide public examples of uses of alternative energy sources.**

This policy will be further evaluated with the subsequent development applications.

**Policy 4—Noise**

**Plan land uses appropriately to minimize the effects of noise from Andrews Air Force Base and existing and proposed roads of arterial classification and higher. (Page 38-39)**

**Strategies**

**1. Limit the impacts of aircraft noise on future residential uses through the judicious placement of residential uses.**

This site is located in the Andrews Air Force Base (Joint Base Andrews) overlay for height, but not noise. This policy will be further evaluated by the Development Review Division with the subsequent development applications.

**2. Restrict uses within the noise impact zones of Andrews Air Force Base to industrial and office use.**

This site is located in the Joint Base Andrews overlay for height, but not noise. This policy will be further evaluated by the Development Review Division with the subsequent development applications.

**3. Evaluate development proposals using Phase I noise studies and noise models.**

This policy will be further evaluated by the Development Review Division with the subsequent development applications.

**4. Provide for adequate setbacks and/or noise mitigation measures for projects located adjacent to existing and proposed noise generators and roadways of arterial classification or greater.**

This policy will be further evaluated by the Development Review Division with the subsequent development applications.

**5. Provide for the use of appropriate attenuation measures when noise issues are identified.**

This policy will be further evaluated by the Development Review Division with the subsequent development applications.

**ENVIRONMENTAL REVIEW**

**Existing Conditions/Natural Resource Inventory**

Section 27-3601 of the Zoning Ordinance does not require an approved natural resources inventory plan (NRI) with ZMA reviews. An application for NRI-2025-0082 is currently under review. The plan identifies a total of 30 specimen trees on-site or within the immediate vicinity of the site's boundary.

The NRI shows regulated environmental features (REF), including a stream buffer for unnamed tributary to Back Branch and wetlands comprising the PMA. South of the site is 100-year floodplain. The forest stand delineation (FSD) indicates that there are six forest stands identified as Stands A through F, which have high (Stands A, B, D, and E) and medium (Stands C and F) ratings for preservation. Areas of steep slopes are scattered across the site.

**Woodland Conservation**

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A tree conservation plan is not required with ZMA applications but will be required with subsequent entitlement reviews.

Based on the unapproved NRI plan, 21.73 acres of woodlands exist on-site, and there is no wooded floodplain. This ZMA proposes to amend the zone from Agricultural-Residential (AR) to Residential, Single-Family-Attached (RSF-A), which results in a substantial decrease in the woodland overall conservation requirements.

The AR Zone requires a conservation threshold of 50 percent and an afforestation threshold of 20 percent. The RSF-A Zone requires a conservation threshold of 20 percent and afforestation threshold of 15 percent. As a result of this reduction with the rezoning to RSF-A, the Environmental Planning Section recommends that the minimum woodland conservation threshold for the RSF-A Zone be retained on-site, in addition to providing on-site conservation or afforestation to maximize the on-site woodland conservation requirements in accordance with the WCO and as recommended by the Westphalia Sector Plan.

### **Specimen Trees**

The unapproved NRI-2025-0082 identifies a total of 30 specimen trees on-site. With subsequent development applications, if specimen trees are proposed for removal, the applicant shall submit a specimen tree variance for evaluation that addresses the findings of Section 25-119(d)(3) of County Code. The applicant shall strive to retain as many specimen trees as practicable.

### **Regulated Environmental Features (REF)**

The unapproved NRI-2025-0082 identifies wetlands, streams, and steep slopes on-site comprising the PMA. With subsequent development applications, if impacts are proposed to the PMA, the applicant shall submit a statement of justification for evaluation. The applicant shall limit impacts to REF to those allowable impacts as detailed in Part C, Section 2.0 of the Environmental Technical Manual (2018).

### **Stormwater Management**

An approved Stormwater Management Concept plan is not required with a ZMA. Stormwater management shall be evaluated with subsequent development application. Stormwater facilities shall be located outside of the PMA except for outfalls.

### **Soils**

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include Adelphia-Holmdel Complex, Croom Marr complex, Dodon Fine Sandy Loam, Marr-Dodon Complex, Marr-Dodon-Urban Land Complex, and Widewater and Issue soils. According to available information, no unsafe soils containing Christiana complexes or Marlboro clay exist on-site.

### **SUMMARY**

If the proposed ZMA is approved to rezone the property from AR to RSF-A, the woodland conservation threshold will decrease from 50 percent down to 20 percent. The Environmental Planning Section recommends that the 20 percent woodland conservation threshold be met on-site, in accordance with Section 25-121(c)(3) of County code. Staff also recommend that any unforested riparian buffers on-site shall be afforested in accordance with Section 25-121(c)(1)(c) of County code. Per the applicable master plans and the environmental requirements in Subtitles 24-4300, 27-6800, and 25 Division 2 of County code, woodland conservation requirements will be evaluated through the review of tree conservation plans associated with future development applications.



Countywide Planning Department  
Transportation Planning Section

301-952-3650

October 17, 2025

**MEMORANDUM**

TO: Candra Teshome, Zoning Section, Development Review Division

FROM: Alyssa Roff, Transportation Section, Countywide Planning Division

VIA: *NS* Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division  
*CH* Crystal Hancock, Transportation Planning Section, Countywide Planning Division

**SUBJECT: ZMA-2025-003, Melwood**

**Proposal**

The subject application is a Zoning Map Amendment (ZMA) that proposes to rezone the approximate 27.54-acre Agricultural-Residential (AR) property, located in Upper Marlboro, to the Residential Single-Family-Attached (RSF-A) zone. The Transportation Planning Section (TPS) review of the referenced ZMA application was evaluated using the standards of Section 27 of the current Zoning Ordinance.

**Background**

The property is located at 4816 Melwood Road; and part of lot 11; and Outlot B, Tax map 100, Grid B1 has no prior approvals that impact the subject application.

**Analysis of Traffic Impacts**

The subject property is located within the AR zone with a request to rezone to RSF-A, within Transportation Service Area (TSA) 2, as defined in the *Approved Plan Prince George's 2035 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 procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections, a three-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if the delay exceeds 50 seconds, (c) if the delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed and the standard of CLV is 1,150 or less.

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 the delay exceeds 50 seconds, the CLV is computed and the standard of CLV is 1,150 or less.

**Comment:** The subject application will be followed by a preliminary plan of subdivision (PPS), certificate of adequacy (ADQ), and detailed site plan (DET). A traffic impact study (TIS) was provided with this application. However, adequacy will be determined at the time of PPS and ADQ.

### **Master Plan Compliance**

This application is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.

### **Right of Way (ROW)**

The subject property fronts Melwood Road, which is not a master planned roadway. However, all right-of-way and/or dedication requirements will be addressed at the time of PPS.

### **Pedestrian and Bicycle Facilities**

Melwood Road: Planned Melwood Legacy Trail (side path and on-road bicycle facilities)

### **Recommendations, Policies and Goals**

MPOT Complete Streets Policies:

**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 proposals in the Developed and Developing Tiers for conformance with the complete streets principles.**

The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* recommend the following policy related to multimodal transportation:

**Policy 3 – Sidewalks, Bikeways, and Trails (Page 43): Provide appropriate trails and bicycle and pedestrian facilities throughout the Westphalia area.**

**Comment:** The implementation of the master-planned bicycle and pedestrian facilities will be evaluated with subsequent applications. Both the MPOT and the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* recommend a designated shared use bikeway along Melwood Road and preserve segments of the road with a green buffer as part of the community's trail and greenway network.

In addition, staff recommend extensive and comprehensive connections, facilities and amenities throughout the site to meet the intent of both the master and area sector plans. Amenities such as long- and short-term bicycle parking, crosswalks, convenient pathways, wayfinding signage to the nearby transit stops, etc., will be evaluated with the development.

### **Zoning Ordinance**

Section 27-3601 of the zoning ordinance provides guidance to amend the Official Zoning Map to reclassify an area to a base or overlay zone. Section 27-4202(f) of the zoning ordinance provides the general purposes and provisions of Residential Base Zones. The elements of this section which are specific to transportation have been provided below:

**(A) To provide for development in a form that supports residential living and walkability, is pedestrian oriented and is well connected to surrounding lands;**

### **Conclusions**

Based on the findings presented above, staff find that transportation facilities as well as pedestrian and bicycle facilities within the proposed application are consistent with Section 27-3602 of the zoning ordinance. The proposed re-zoning of the property will not impair the ability to make transportation-related recommendations that are supported by an approved Master Plan or Functional Master Plan or included in the subdivision regulations and zoning ordinance, with the following condition:

1. Prior to the acceptance of a preliminary plan of subdivision, the applicant, and the applicant's heirs, successors, and/or assigns shall:
  - a. Submit a Traffic Impact Study (TIS) to evaluate transportation adequacy as part of the preliminary plan of subdivision and certificate of adequacy applications.



October 21, 2025

**MEMORANDUM**

**TO:** Candra Teshome, Planner III, Zoning Section

**VIA:** Mridula Gupta, Acting Planning Supervisor, Subdivision Section *JDH*

**FROM:** Jason Bartlett, Planner II, Subdivision Section *JB*

**SUBJECT:** ZMA-2025-003 RST Melwood Estates

The property subject to this Zoning Map Amendment (ZMA-2025-003) is located in Tax Maps 91, Grid B4 and 100, Grids A1 and B1. It contains a total of 27.54 acres and consists of Lot 8, recorded in the Land Records in Plat Book NLP 118, page 67, approved on December 1, 1983; and Lot 11, Outlot A, and Outlot B, recorded in Plat Book NLP 147, page 100, approved on July 13, 1989. The property is currently developed for commercial use and is occupied by a catering service on Lot 8. The remainder of the subject property is wooded and vacant. Lot 8 is subject to Preliminary Plan of Subdivision (PPS) 4-83005, titled Melwood Estates, which was approved for 10 single-family detached dwelling units (PGCPB Resolution No. 83-29), one of which was Lot 8. Lot 11, Outlot A and Outlot B are subject to PPS 4-88049, also titled Melwood Estates, which was approved for one single-family detached lot and two Outlots to be conveyed to the owner of Lot 8 (PGCPB Resolution No. 88-307).

The applicant has requested to rezone the subject property from its current Agricultural-Residential (AR) Zone to the Residential, Single-Family-Attached (RSF-A) Zone, pursuant to Sections 27-3601 and 27-3602 of the Prince George's County Zoning Ordinance, for development of residential single-family detached dwelling units.

This application is solely to rezone the subject property to the RSF-A Zone. However, the applicant has provided a development concept plan indicating that, if the rezoning is approved, the applicant plans to propose razing the existing structures to accommodate the development of residential single-family detached dwelling units. The following comments are provided for informational purposes and do not pertain to the rezoning request, but rather to the contemplated development proposal. The development shown on the concept plan would be required to file preliminary plan of subdivision (PPS), detailed site plan, certificate of adequacy (ADQ) and final plat applications for the property. These applications would be required following the ZMA, if approved, and prior to the approval of building permits.

The 2018 Water and Sewer Plan placed this property in the Water and Sewer Category 4, "Community System Adequate for Development Planning". Administrative amendment from Category 4 to 3 is required prior to a final plat.

The western boundary of the property has frontage on Melwood Road, a scenic and historic road with a variable width right-of-way requiring buffering from the proposed development, which would be reviewed with the subsequent applications.

Access to the site is proposed from its frontage on Melwood Road. The site also has access via an existing 22-foot-wide access easement (also known as Melyard Road) at its northern boundary, which connects to Melwood Road. Access to the property will be evaluated at the time of PPS in accordance with Section 24-4200 and Section 27-6200, should this ZMA be approved. The review of mandatory dedication of parkland and master plan trails, among other requirements, would also be reviewed with a PPS. The southern boundary of the property abuts property owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) containing Melwood Parke Park (Park ID R06), which is developed with the Black Branch Trail. A connection to that trail may be appropriate and the location of recreational facilities should be incorporated with design of the site, should this project move forward to PPS.

This case was accepted for review on August 4, 2025. Comments were previously provided at the SDRC meeting held on August 25, 2025, and this referral memo is based on revised plans and documents received on October 3, 2025.

This property is subject to preliminary plan of subdivision 4-83005 and 4-88049. However, if the rezoning is approved, the proposed development will require the filing of a new PPS, which will supersede the existing approvals. As such, none of the conditions of approval for the prior approved preliminary plans would be applicable. Instead, a new PPS and certificate of adequacy (in conformance with Section 4503(a)(2)) will be required for the proposed development and division of land following approval of this application per Section 24-3402(b)(3) of the Subdivision Regulations. The proposed site layout and lotting pattern will be further evaluated with the PPS and must comply with all design standards contained in Subdivision Regulations. A final plat of subdivision is required subsequent to approval of this zoning map amendment and following the approval of the PPS before any permits may be approved for development of this site.

**Additional Comments**

None.

**Recommended Conditions**

None.

This referral is provided for the purpose of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. All bearings and distances must be clearly shown on the zoning map amendment plan and must be consistent with the legal descriptions of the property. There are no other subdivision issues at this time.

**POLICY 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.**

**1.1 Ensure that areas of connectivity and ecological functions are maintained, re-stored, and/or established by:**

**a. Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**

Plans at this time are conceptual in nature. In accordance with this master plan policy and strategy, it is encouraged that the Regulated Areas of the green infrastructure be preserved to protect ecological functions. Amenities shall be placed outside the Regulated Areas of the Green Infrastructure network.

**b. Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**

**c. Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**

The submitted conceptual layout does not identify specific areas as woodland conservation and shows the majority of the site developed. This site borders a property owned by the Prince George's County Department of Parks and Recreation (DPR) to the south consisting of 100-year floodplain and regulated environmental features including a stream with associated buffers. Staff recommend that future development provide an adequate buffer for the park use and additional buffering to protect the regulated environmental features. With subsequent development applications, the applicant shall provide an approved natural resources inventory plan and tree conservation plans. These plans will provide further details on woodland conservation, specimen trees, primary management area, and stormwater management.

**d. Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these.**

The majority of the site is wooded, and does not contain meadows, farms, or grasslands. A tree conservation plan is not required for review with ZMAs.

**1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.**



Aisha N. Braveboy  
County Executive

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



**MEMORANDUM**

October 27, 2025

**TO:** Candra Teshome, Subdivision Review Section  
Development Review Division, M-NCPPC

**FROM:** Rey de Guzman, P.E., Associate Director  
Site/Road Plan Review Division, DPIE *Reynaldo de Guzman*

**Re:** Melwood  
Zoning Map Amendment (ZMA-2025-03)

**CR:** Melwood Road

This memorandum is in response to the Zoning Map Amendment (ZMA-2025-03) referral, to rezone the property from the AR (Agricultural-Residential) Zone to the RSF-A (Residential, Single-family-Attached) Zone for the future development of single-family detached dwelling units. The property address is 4816 Melwood Road, part of Lot 11 & Outlot B, Upper Marlboro, MD 20772. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

Background Information

- **Melwood Road** is an existing County-maintained roadway to the west of subject development, requiring an 80' right-of-way width. The applicant shall provide right-of-way dedications and construct roadway/frontage improvements as required in accordance with the Department of Public Works and Transportation (DPW&T). This work shall be permitted prior to or concurrent with the issuance of a fine grading permit.

Water and Sewer Plan

- The 2018 Water and Sewer Plan designates lots 8, 11, and outlots A & B in Water and Sewer Category 4, inside the Sewer Envelope, in the Growth Tier, and within Tier 1 under the Sustainable Growth Act – approved for sewer service.
- Category 3, obtained via the Administrative Amendment process, must be approved before recordation of a final plat. Please contact the Water and Sewer Plan Coordinator, DPIE, for further information and instructions.
- There are water and sewer lines on Melwood Road at the southwest corner of Lot 11. Water and sewer line extensions or onsite systems are required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission before recordation of a final plat.

9400 Peppercorn Place, Suite 230, Largo, Maryland 20774  
Phone: 301.636.2060 ♦ <http://dpie.mypgc.us> ♦ FAX: 301.925.8510

### Geotechnical Comment

- A soil investigation report, which includes subsurface exploration and geotechnical engineering evaluation for all proposed roadways and Marlboro clay, is required.

### Roadway Frontage Improvements

- At the time of fine-grading permit stage, the applicant shall provide ultimate ROW frontage improvements along Melwood Road per DPW&T standards. Improvements include, but are not limited to, 5-foot sidewalk, a grass buffer, ADA-compliant pedestrian curb ramps with detectable warning surface (DWS), curb and gutter, street trees, and LED streetlights.
- The applicant shall dedicate rights-of-way for public use along Melwood Road.
- At time of fine-grading permit stage, the applicant shall provide pavement widening from road centerline along Melwood Road property frontage per DPW&T roadway standard.
- The applicant shall provide sight distance analysis showing clear sight triangles (stopping and intersection sight distance) for all proposed vehicular access points along Melwood Road prior to the approval of site development concept plan (SDCP).
- At the time of PPS, the applicant should obtain a stormwater management (concept) and site development concept plan (SDCP) approved by DPIE.
- The applicant shall identify ownership of the internal roads, whether public or private roads, as shown on the conceptual design.
- The applicant currently shows one access point into the development off Melwood Road. Having one access to the development may create challenges for the resident. The applicant should be required to provide a second access point off Melyard Road.
- At the time of concept application and Preliminary Plan of Subdivision (PPS), the applicant should design the vertical and horizontal alignments within the subdivision to meet the County's design standards if any of the roads are to be dedicated for public use.
- Full-width, 2-inch mill-and-overlay for all existing County roadway frontages is required.
- Compliance with DPW&T's utility policy is required. Based upon the plans submitted, proper temporary and final patching and the related mill and overlay in accordance with "DPW&T Policy and Specifications for Utility Installation and Maintenance Permits" is required.
- Sidewalks are required along all roadways within the property limits in accordance with Sections 23--105 and 23-135 of the County Road Ordinance. Any new sidewalk installation is to match existing sidewalks in the area. In addition, sidewalks must always be kept open for pedestrians.
- Conformance with DPIE street lighting specifications and standards is required. Adjustments to street lighting, to accommodate the proposed plan improvements, are required in accordance with Section 23-140 of the Prince George's Road Ordinance.
- Roadside trees will be required along County-maintained roadways within the limits of the permit area.
- All improvements within the public right-of-way as dedicated to the County are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards, and the Americans with Disabilities Act (ADA).

## Storm Drain and Stormwater Management and Floodplain

- Stormwater Management Concept Plan approval by DPIE is required at the time development phase. DPIE has no objection to this proposed zoning map amendment.
- All stormwater management facilities and drainage systems, including their recreational features and visual amenities (if applicable), are to be designed and constructed in accordance with the standards and specifications set forth by DPIE and DPW&T. Approval of all facilities is required prior to permit issuance.
- The proposed development will require a site development permit approved by DPIE.
- A maintenance agreement is to be approved by DPIE and recorded prior to technical approval.
- This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
  - a) Final site layout, exact impervious area locations are not shown on plans.
  - b) The exact acreage of impervious areas has not been provided.
  - c) Proposed grading is not shown on plans.
  - d) Stormwater volume computations have been provided with the concept submittal. These computations shall be further updated with the site development fine-grading permit submission.
  - e) Erosion/sediment control plans that contain the construction sequence, any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion and sediment control practices are not included in the submittal.
  - f) A narrative in accordance with the code has not been provided.
  - g) Applicant shall provide items (a-g) at the time of filing final site permits.

If you have any questions or require additional information, please contact Mr. Aschalew Haile, District Engineer for the area, at 301.636.2060.

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE  
Mariwan Abdullah, P.E., Chief Engineer, S/RPRD, DPIE  
Aschalew Haile, P.E., District Engineer, S/RPRD, DPIE  
Salman Babar, CFM, Engineer, S/RPRD, DPIE  
MJ Labban, Engineer, S/RPRD, DPIE  
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE  
Irfanullah Irfan, Engineer, S/RPRD, DPIE

PGCPB No. 83-29

File No. 4-83005

RESOLUTION

WHEREAS, Milton Liptin is the owner of a 65+-acre parcel of land, known as Mellwood Estates, said property being in the 15th Election District of Prince George's County, Maryland, and being zoned R-A; and

WHEREAS, on January 17, 1983, Wayne A. Bowie, et al., filed an Application for Approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 14 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat #4-83005, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on Thursday, March 10, 1983, for its review and action in accordance with Article 66D, §7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with modifications; and

WHEREAS, on March 10, 1983, the Prince George's County Planning Board heard testimony and received evidence submitted in the record on the aforesaid application;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board Approved Preliminary Plat of Subdivision 4-83005 with the following modifications:

As revised in red on Staff Exhibit #1, and subject to Health Department approval. Subject to approval of the 100-year flood plain, if applicable.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. Certain limitations must be placed on the development of this property in order to assure compliance with the adequate public facilities requirements of the Subdivision Regulations (transportation facilities).



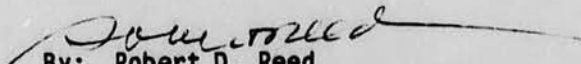
PGCPB No. 83-29  
File No. 4-83005  
Page Two

2. Sewer and water are not currently available to the property and development is contingent upon the approval of a private sewer and water system by the Health Department.
3. There is a 100 year flood plain within the property which should be restricted from development.
4. The Subdivision, as modified, meets the legal requirements of Subtitle 24 of the Prince George's County Code and of Article 66D, Annotated Code of Maryland.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Cumberland, with Commissioners Brown, Cumberland, Dukes, and Keller voting in favor of the motion, with Commissioner Shoch absent, at its regular meeting held on Thursday, March 10, 1983, in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.  
Executive Director

  
By: Robert D. Reed  
Community Relations Officer

THC:RDR:DRA:fvh

REVIEWED AS TO SUFFICIENCY  
OF LEGAL FORM.

DATE 3 22 83  
Mo. Day Yr.

  
K. H. Alford  
County Council

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

PGCPB No. 88-307

File No. 4-88049

R E S O L U T I O N

WHEREAS, Henk G. Boerlage, et ux., are the owners of a 22.7-acre parcel of land known as Mellwood Estates (Lot 11 & Outlots A & B), said property being in the 15th Election District of Prince George's County, Maryland, and being zoned R-A; and

WHEREAS, on March 2, 1988, Henk G. Boerlage, et ux., filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 1 lot and 2 outlots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-88049 was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on June 30, 1988, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with modifications; and

WHEREAS, on June 30, 1988, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board approved Preliminary Plat of Subdivision 4-88049 with the following modifications:

1. Prior to signature approval of the preliminary plat, the plat shall be revised to show: a 150-foot building restriction line from the centerline on both sides of Proposed A-37; the area labeled Proposed A-37 shall be relabelled to read Future A-37 Right-of-way; and, the relocated right-of-way for Mellwood Road shall be shown on the plat as "Dedicated to Public Use" per the Transportation Planning Division's Exhibit #2.
2. Approval of all perc and well sites by the Department of Health prior to final plat. Actual approval of all well and septic systems by the Department of Health shall be done at the time of building permit.

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3. Prior to final plat, the applicant shall obtain approval of any needed floodplain study by the Department of Environmental Resources.
4. Prior to final plat, the applicant shall enter into an agreement with The Maryland-National Capital Park and Planning Commission to transfer any agricultural rights that she/he may have within that portion of the Potomac Electric Power Company right-of-way that is to be used as a public trail.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitle 24 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. A Master Plan road runs through the property.
3. The property is in Sewer and Water Category 6 so it must be served by private water and sewer systems.
4. A floodplain is contained on the site which should be restricted from development.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Dabney, seconded by Commissioner Keller, with Commissioners Dabney, Keller, Yewell, Botts and Rhoads voting in favor of the motion at its regular meeting held on Thursday, June 30, 1988, in Upper Marlboro, Maryland.

APPROVED AS TO LEGAL SUFFICIENCY

*S. Hewlett*  
MNCPPC Legal Department

Date 7/11/88

Thomas H. Countee, Jr.  
Executive Director

*Robert D. Reed*  
BY Robert D. Reed  
Public Affairs Officer

THC/RDR/TVAB:lg

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THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PRELIMINARY SECTOR PLAN

AND

PROPOSED SECTIONAL MAP AMENDMENT

FOR

WESTPHALIA

T R A N S C R I P T

O F

P R O C E E D I N G S

COUNTY ADMINISTRATION BUILDING

Upper Marlboro, Maryland

May 23, 2006

VOLUME 1 of 1

*Deposition Services, Inc.*

6245 Executive Boulevard

Rockville, MD 20852

Tel: (301) 881-3344 Fax: (301) 881-3338

BEFORE:

CAMILLE A. EXUM, County Council Vice Chair

WILL CAMPOS, Council Member, District 2

SAMUEL H. DEAN, Council Member, District 6

DAVID C. HARRINGTON, Council Member, District 5

TONY KNOTTS, Council Member, District 8

SAMUEL J. PARKER, JR., CHAIRMAN, M-NCPPC

SYLVESTER J. VAUGHNS, Commissioner, M-NCPPC

JOHN H. SQUIRE, Commissioner, M-NCPPC

OTHERS PRESENT:

GREGORY BAKER, Community Planning Division

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Chris Seymour	28
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1           COMMISSIONER SQUIRE: John Squire, also member of  
2 the Planning Board.

3           VICE-CHAIR EXUM: Thank you, the County Council and  
4 Planning Board are holding this joint public hearing to  
5 obtain comments on the Preliminary Sector Plan and Proposed  
6 Sectional Map Amendment for Westphalia. The sector plan and  
7 the sectional map amendment are being processed concurrently.

8       Tonight's testimony is part of the public evaluation and  
9 decision-making process that will lead to an updating of a  
10 portion of the 1994 approved Master Plan and Sectional Map  
11 Amendment for Melwood-Westphalia, Planning Areas 77 and 78  
12 and the 2002 Prince George's County Approved General Plan.

13           The Westphalia sector planning area encompasses  
14 approximately 6,067 acres. It is generally bound to the  
15 north and east by Ritchie Marlboro Road, to the south by  
16 Pennsylvania Avenue, and to the west by the Capital Beltway.

17       The preliminary plan recommends a high-density, urban mixed-  
18 use town center, residential neighborhoods with a mix of  
19 housing types and densities, adequate public facilities to  
20 serve existing and proposed development provided prior to or  
21 concurrently with new development and new and improved public  
22 facilities in the communities that already exist in  
23 Westphalia.

24           The preliminary sector plan we are considering this  
25 evening evolved from the Westphalia Comprehensive Concept

1 Plan study, also known as the WCCP, which was prepared in  
2 2005 with contributions from community members and  
3 stakeholders who participated in five public meetings held  
4 between June and August 2005, three public charrettes and two  
5 team working charrettes. Several outstanding issues related  
6 to the WCCP need to be addressed in parallel with this public  
7 hearing process to avoid delays in the approval and adoption  
8 of the final sector plan. These issues include road design  
9 standards, transportation and traffic mitigation, development  
10 patterns, project and development phasing, minority  
11 participation in economic development, and the financing and  
12 provision of sufficient public facilities to serve both  
13 proposed development and existing communities.

14 Therefore, subsequent to the initiation of this  
15 planning process, an on-going collaborative and transparent  
16 evaluation and decision-making process has sought additional  
17 input from community leaders, residents and property owners  
18 of the Westphalia area as well as developers, local and state  
19 government agencies. This process includes bi-weekly  
20 stakeholder meetings, numerous technical staff meetings,  
21 solicitations from the public, participation in civic and  
22 homeowners association meetings, and a public workshop held  
23 on May 6. The testimony you provide tonight is part of this  
24 on-going process and will help guide the continued  
25 development and refinement of the plan.

1           When approved, the sector plan and corresponding  
2 sectional map amendment will guide future growth and  
3 development and serve as a policy document that guides land  
4 use and public facility decisions for years to come. A  
5 public facilities implementation and financing program, to be  
6 prepared in parallel with this sector plan, is intended to  
7 provide a formula for ensuring the provision of adequate  
8 public facilities for all parts of the community prior to, or  
9 at the same time as new development.

10           To allow everyone a chance to speak, we are  
11 requesting that comments be limited to three minutes per  
12 speak. Again, three minutes per speaker. One minute before  
13 the allotted time has elapsed, a yellow light will come on,  
14 then be followed shortly thereafter by a tone and a flashing  
15 light indicating that no time remains. Your cooperation in  
16 immediately concluding your comments is appreciated.

17           At the end of this hearing, the record will be held  
18 open for 15 days, or until the close of business on  
19 Wednesday, June 7, 2006. This 15-day extension provides an  
20 opportunity for written comments to be submitted into the  
21 record and be officially considered as part of the hearing.

22           If you wish to submit written remarks to supplement  
23 testimony you may give tonight or prefer submitting written  
24 comments, please send your comments to the Clerk of the  
25 Council at the address printed on today's agenda.

1           Following the close of the record, the Planning  
2 Board will review the testimony. The Board will transmit its  
3 recommendations on the sector plan and sectional map  
4 amendment to the Council. The County Council, in turn, will  
5 consider the Planning Board's recommendations along with the  
6 spoken testimony heard tonight and written testimony  
7 submitted for the record and will take final action on the  
8 plan and sectional map amendment early this fall.

9           At this time, I would like to call on Gregory  
10 Baker, the project leader, for a brief summary of the  
11 preliminary sector plan and sectional map amendment. We will  
12 then go to the sign-up sheet and start with elected officials  
13 who wish to speak. So, if you have not signed up to speak, I  
14 would ask you to do so now. It's been a very long day for  
15 the Council and we want all persons that desire to speak to  
16 be heard. So, if you would please sign up at this time.  
17 Thank you. Mr. Baker.

18           MR. BAKER: Thank you and good evening, Council  
19 Members and Planning Board Members. My name is Greg Baker as  
20 was mentioned, I'm with the Community Planning Division of  
21 the Prince George's County Planning Department and I'll be  
22 doing a brief presentation for you this evening to set the  
23 context and the background for this particular project.

24           This slide illustrates the study area of the  
25 original Westphalia Comprehensive Concept plan study which

1 the sector plan or the preliminary sector plan is based upon.  
2 The area is basically north of Andrews Air Force Base, north  
3 of Pennsylvania Avenue. It's approximately 6,000 acres. The  
4 study itself was bound to the north by Ritchie Marlboro Road  
5 and White House Road, and to the west by the Capital Beltway.  
6 There were certain principles that were adhered to in the  
7 development of this particular study and those were basically  
8 the guiding documents such as the 1994 Melwood-Westphalia  
9 Master Plan as well as the existing conditions in the area  
10 and development proposals that were under review, in addition  
11 to other documents.

12 There was significant public input that went into  
13 the development of the WCCP's study itself, which was  
14 initiated in 2005. There were five public meetings, one pre-  
15 charrette, three public charrettes and one public  
16 presentation. Additionally, there was visual preference  
17 survey and a community survey that was done and there was  
18 many forms of notification, including flyers and engagement  
19 of the local media.

20 This slide illustrates the vision that came out of  
21 the WCCP, the basically, the key recommendations. It didn't  
22 depart significantly from the 1994 Melwood-Westphalia Plan  
23 which essentially called for a concentrated note of  
24 commercial and residential development off of Maryland 4 and  
25 increasingly less dense bands of residential development

1 around it. The proposal is approximately 14,000 to 15,000  
2 residential units and upwards of 650,000 square feet of  
3 retail and commercial uses. Public facilities will also  
4 address, as is mentioned on the slide.

5 In early January, the Planning Board and the County  
6 Council requested that staff go ahead and initiate a sector  
7 plan and sectional map amendment process and this is what  
8 we're bringing here today for the public hearing to speak on  
9 is essentially a preliminary Westphalia sector plan and  
10 sectional map amendment. This graph that illustrates the  
11 process, the essentially, the rationale behind engaging in a  
12 sector plan process was to implement the WCCP study and also  
13 to implement the vision of the study and the sector plan  
14 through zoning.

15 If you look at the graphic on the left, that linear  
16 sequence of charts basically illustrates the time frame and  
17 the constraints that we're under in terms of completing this  
18 process. As was mentioned, the process began in January.  
19 February through March we developed the actual preliminary  
20 sector plan. April, we published it and distributed it to  
21 the public. We are at the state now, obviously where we are  
22 before you for a public hearing and from here on out, there  
23 will be subsequent meetings including a Planning Board work  
24 session and ultimately, County Council, which we're aiming to  
25 bring it to Council in September-October.

1           Parallel to this process, if you notice on the  
2 right of this graphic, there's an entire other parallel  
3 process that we're calling the stakeholder/implementation and  
4 coordination process. And this essentially stems from the  
5 fact that WCCP had many elements that were outstanding in  
6 terms of different issues that weren't quite addressed to the  
7 level that they need to be addressed in the sector plan. And  
8 I will speak to that more shortly.

9           This graphic illustrates the land use and zoning  
10 recommendations which are included in the actual plan  
11 documents. It wasn't a significant departure from the WCCP  
12 study. It kept with the same theme essentially, the  
13 community center, in this case, we're referring to it as a  
14 town center core, town center edge off of Maryland 4, and  
15 several mixed use village areas, in addition to lowered  
16 density developments surrounding it. The graphic that refers  
17 to zoning shows how this vision was translated through a  
18 sectional map amendment and preliminary proposal for  
19 rezoning. The majority of the area designated for mixed-use  
20 development is designated here as M-X-T, including the two  
21 village areas to the north and to the southeast. There's  
22 also a significant portion which is primarily the Smith Home  
23 farm site, which is being designated for R-M zoning.

24           Many of the issues that I referred to earlier that  
25 stem from the WCCP study and that we have encountered in our

1 stakeholder coordination and issue coordination process can  
2 be divided into essentially two categories, one of them being  
3 those pertaining to existing communities in the areas and the  
4 other one pertaining to new developments. With respect to  
5 existing communities, there are multiple issues. Both  
6 transportation, environmental and public facilities issues.  
7 For instance, there's the maintenance and upgrade of existing  
8 roads which neighborhoods and residents in existing areas  
9 have asked us to pay special attention to. With respect to  
10 environmental issues, there's landfills in the area. There's  
11 also public facility concerns, in terms of existing schools  
12 which are already somewhat overcrowded. And the lack of fire  
13 and police service or sufficient fire and police service and  
14 lack of community meeting spaces are other examples of this.

15           The other breakdown of the issues would basically  
16 refer to the new development that is being proposed by the  
17 plan which is obviously significant new development. One of  
18 those would be the town center orientation, urban design. We  
19 are looking more closely at that and how that may change  
20 somewhat from the WCCP study and what's in the preliminary  
21 plan right now. We are also looking more closely at how we  
22 can make this town center transit ready to either be serviced  
23 by either standard bus service or perhaps even bus/rapid  
24 transit or eventually Metro service. We're also looking at,  
25 more closely at, the park system, the central park system

1 design and the remainder of the park system in terms of the  
2 total acreage and making sure that the County and the public  
3 are receiving what they need out of that system. And then we  
4 will be looking at some economic development elements, as  
5 well.

6           In order to deal with those issues as was  
7 mentioned, there is that parallel process that we've been  
8 engaged in and we've had multiple meetings. As a result of  
9 that, staff is kind of looked at how some of those  
10 outstanding issues can be addressed within the preliminary  
11 plan process and from here, through the remainder of the  
12 process, we will be looking more closely at forming  
13 strategies to include in the actual document that address  
14 things such as new roads in existing communities, the actual  
15 alignment of the proposed transportation network, looking at  
16 possibly realigning some of the roads, including MC-634 and  
17 perhaps P-612, as well. Also looking at level of service  
18 designation issues with respect to transportation. There's  
19 also an area designated as the rural hamlet that we'll be  
20 looking more closely in terms of what that actually means.  
21 Some of the definition that resulted from teh WCCB study and  
22 it's now in the preliminary plan is not exactly definitive  
23 with respect to that.

24           This is the last slide illustrating some of the  
25 additional strategies that we're looking at. You can

1 obviously look through this at your leisure, but we wanted to  
2 have this up here to basically identify or flag certain  
3 strategies which included more complete description of the  
4 proposed central park, which I mentioned earlier, as well as  
5 looking more closely and how we can approach this area from a  
6 sector, sector-wide vision or approach and particularly with  
7 respect to some of the environmental issues such as tree  
8 conservation and stream restoration as well as storm water  
9 management.

10           And finally, one of the things we will be looking  
11 at as the process continues is actually changing the current  
12 preliminary SMA re-zoning proposal, particularly as it  
13 relates to some of the areas that call for the mixes of uses,  
14 maybe looking more closely at how our actual zoning Code  
15 could be amended to basically implement the vision which is a  
16 unique vision in this particular plan. And you can see the  
17 slide illustrates some of the examples of things that we may  
18 be looking at.

19           This concludes the PowerPoint presentation. At  
20 this juncture, I'd like to go ahead and submit a couple of  
21 items for the public record, one of them being the actual  
22 plan document itself. Another would be a list of issues, as  
23 I mentioned earlier, we have been categorizing and tracking  
24 outstanding issues from the WCCP study and now the  
25 preliminary plan and hopefully addressing most of them

1 through the stakeholder coordination process. I will be  
2 submitting this list to you all as well and one final item  
3 would be a listing of approximately nine additional requests  
4 for rezoning, essentially that we received after our cutoff  
5 for the sector plan document.

6           Once again, that concludes the presentation. If  
7 there's any questions, I'll take them now.

8           VICE CHAIR EXUM: Seeing no questions, we'll move  
9 into, there is one elected official, council member Brian  
10 Shivers from Seat Pleasant, signed up to speak. Is he here?

11       Okay, we're moving on. The first person, Melvin McCleary.  
12 The person following him will be Billy Crawford. I ask that  
13 your name, if you're next, please come down toward the front,  
14 so we can keep this process moving smoothly. Melvin  
15 McCleary. Billy Crawford. Following Billy Crawford, Darryl  
16 Bogans.

17           MR. CRAWFORD: Good afternoon, Planning Board  
18 members. My name is Billy Crawford. I am a resident of  
19 Prince George's County. I've been living in Prince George's  
20 County for well over 25 years and I noticed a lot of change  
21 in Prince George's County, but one thing I have noticed that  
22 has not changed that much, and that's high end retail stores.

23       If we decide to go shopping to stores such as Macy's, Lord  
24 and Taylor, or other stores of that caliber, we have to drive  
25 out of our communities, out of our cities and all the way out

1 of the County to Montgomery County, Anne Arundel County, and  
2 Arlington County. In other words, when we go out there and  
3 spend our hard earned money, it does nothing to benefit  
4 Prince George's County. We have certain stores here like  
5 Hecht and so forth. We have an abundance of dollar stores,  
6 but we need high end retail stores. That's one of the main  
7 reasons why I support the Rosewood town center. This will  
8 allow Prince George's County to compete with the surrounding  
9 counties, but most of all, it would generate revenue that  
10 will give Prince George's County the social and economic  
11 boost that we so greatly need. So, in closing, I jsut want  
12 to say that if we build this, people will come. Thank you  
13 very much.

14 VICE CHAIR: Thank you, sir. Mr. Bogans.  
15 Following Mr. Bogans, I'm going to ask that we keep proper  
16 decorum. There will be no clapping or anything of that  
17 nature. Mr. Bogans and then following him, Russell Shipley.  
18 Thank you.

19 MR. BOGANS: Good evening. My name is Darryl  
20 Bogans. I am a long time resident of Prince George's County.  
21 Me and my wife and our children, we live in Prince George's  
22 County. I'm going to be reading a lot because I can talk a  
23 lot, so I'm going to be reading from this paper so that I can  
24 stay within the time frame. Me and my daughter was in  
25 attendance at the Surratt Meetings in Westphalia not much

1 long ago. During the Surratt process, we talked with some of  
2 the residents of Westphalia who shared with all of us during  
3 that time, their interest in the development, Rosewood City  
4 Town Center at Westphalia. During these Surratt meetings, we  
5 were put in different groups, as each group was given the  
6 opportunity to express their views on map locations, road  
7 constructions, historic places to be reserved, preserved, but  
8 upgraded, of course, with the scenery of new development. We  
9 also talked about economic benefits that would be needed such  
10 as police station, a fire department, response time for  
11 emergency care, a school system large enough to to  
12 accommodate the estimated population of othe Rosewood Center  
13 which included also a local church, the Rosewood Medical  
14 Center which would provide affordable medical services for  
15 the people, subsidized and affordable housing program for the  
16 elderly, the disabled and for the residents of Westphalia who  
17 would desire to move into the new homes. And an  
18 employment/training center in partnership with government  
19 agencies so that both young and old that needed training for  
20 position in the Rosewood business district, could receive the  
21 training and get hired for the position. And if desired,  
22 could possibly walk or cycle or drive to work. In view of  
23 all that was spoken of thus far, there, have we only  
24 scratched the surface. I was talking to my daughter who was  
25 in attendance with me at one of the Surratt meetings,

1 explained to her with excitement the Rosewood city is going  
2 to be the greatest hhistorical city ever built in Prince  
3 George's County. And we do thank our elected officials for  
4 that. And internationally and how did Prince George's Couty  
5 is making plans for her future and her brothers' and sisters'  
6 future and also your children and all of our grandchildren.  
7 What an awesome plan and what could be better than this plan  
8 for us and our children. Well, the answer to that question  
9 is simply nothing. Rosewood will be very close to being or  
10 having heaven on earth, a city so desirable that people will  
11 travel to and from all over the world to visit, to shop, to  
12 live, to worship and to enjoy life in abundance. So now --

13 VICE CHAIR EXUM: Mr. Bogans, I thank you. You can  
14 submit the rest of your testimony in writing. I appreciate  
15 your time.

16 MR. BOGANS: Okay, thank you.

17 VICE CHAIR: Thank you. Russell Shipley.

18 Following Mr. Shipley, we have Robert Antonetti.

19 MR. SHIPLEY: Good evening, members of the District  
20 Council, Members of the Planning Board, for the record, my  
21 name is Russell Shipley. I'm with the firm of Shipley and  
22 Horne in Largo, Maryland and I speak in behalf of Toll  
23 Brothers with specific reference to page 56 of the proposed  
24 sector plan identified as Item number 11, Woodside Village,  
25 370 acres. Toll Brothers, the applicant in that case, the

1 property consists of four small farms that are located on the  
2 southside of Westphalia Road, about a third of a mile west of  
3 its intersection with Ritchie Marlboro Road. It is  
4 significant in that it's a proposed for the R-M zone and that  
5 is suggested and recommended by teh staff and the Planning  
6 Board. I should mention that it is the subject of a  
7 piecemeal application for comprehensive design zoning to the  
8 R-M which has been heard and recommended for approval by teh  
9 Planning Board and by your staff with numerous conditions,  
10 all of which we are in concurrence with. I mention that in  
11 the context of the fact that Toll Brothers filed this  
12 application quite some time ago, perhaps a year. They began  
13 venturing into Prince George's County a few years ago and  
14 acquired a paroperty called the Claggett Farm which is on the  
15 west side of Ritchie Marlboro Road, south east of the subject  
16 property. That is 550 acres, it's called Marlboro Ridge,  
17 sometimes the Villages of Claggett Farm. We'll have over  
18 1,000 homes and 150 acre equestrian center which is being  
19 planned at the present time. These are very luxurious  
20 executive homes. The executive models sell for \$600,000 and  
21 up. I make mention that that has been preliminary subdivided  
22 and the R-R equestrian center zone and the sales office  
23 recently opened to sell the first units that were available,  
24 some 50 units and it sold out over a weekend. Toll has every  
25 intention of complementing the luxury that began at the

1 Claggett Farm. That's the sole purpose in pursuing these  
2 other properties to make them compatible with the other  
3 properties in the area, particularly the large Smith farm and  
4 Presidential Park, etc and so, we are here to speak in favor  
5 of the staff's recommendation in regard to that property and  
6 hope for your support thereof. Thank you very much.

7 VICE CHAIR EXUM: Thank you, Mr. Shipley. Robert  
8 Antonetti. Following Mr. Antonetti, is Arthur Horne.

9 MR. ANTONETTI: Good evening, Madam Chair, members  
10 of the Council, Chairman Parker, members of the Planning  
11 Board. My name's Robert Antonetti from the law firm of  
12 Shipley and Horne, here tonight to speak on behalf of two  
13 land developers in the Westphalia area who have requested  
14 rezoning changes through the instant sector plan and that is  
15 Amay. The first property is located near Pennsylvania Avenue  
16 on the north side of Armstrong Lane and contains  
17 approximately 23 acres, zoned R-R and I-3. The developer,  
18 VP, LLC is requesting approval of the X-M-T zone for the  
19 development of residential uses as consistent with the  
20 recommendations in the WCCP and the preliminary sector plan.  
21 The preliminary sector plan and SMA recommend X-M-T as well,  
22 on page 60 of the draft document. The site is located near  
23 the gateway for the Westphalia Center, near the future  
24 Criddle intersection of A-66 extended and the Suitland  
25 Parkway extended. The approval of the X-M-T zone for the

1 development of the site will lead to improvements of local  
2 roadways, including Armstrong Lane and the construction of a  
3 portion of A-66.

4 My client would ask that the staff and the Board  
5 and Council give strong consideration to showing a connection  
6 from this property onto the adjacent Smith-farm site to  
7 ensure access for future residents to the core area and to  
8 other public amenities, including the grand central park that  
9 is being planned. My client has been involved with the  
10 public input process and has heard, on several occasions,  
11 that the Council is considering zoning a number of properties  
12 in and near the core to X-M-T and that these X-M-T zoned  
13 properties will be considered for a mix of uses  
14 comprehensively among all the properties. This will require  
15 legislative change and my client is very much in favor of  
16 that legislative change.

17 I'm also here to speak on behalf of Washington  
18 Management and Development Company, Inc with regards to  
19 approximately 24 acres located near, on the south side of  
20 Ritchie Marlboro Road, near the interchange with the Capital  
21 Beltway. The property is currently zoned R-R and R-A and the  
22 applicant is requesting a rezoning to the M-X-T zone. The  
23 sector plan, and SMA recommends the rezoning of the property  
24 to M-X-T zone and identifies it as a village gateway for the  
25 Westphalia center. The applicant is seeking ultimately to

1 develop the site with an appropriate balance of residential  
2 and commercial uses and it will be applying those commercial  
3 uses along a main street along Sansbury Road and two to four-  
4 story buidlings with commercial on the first floor and  
5 residential above it and including a variety of towns and two  
6 over two town homes.

7 Briefly, my client is being contacted by an  
8 adajacent property owner on the north side of Ritchie  
9 Marlboro Road about submitting a joint development proposal.

10 My client supports such a request. I'll defer to the  
11 representative for that developer to speak to that but we  
12 would concur with including that property inside the  
13 boundaries of the SMA and rezone it to X-M-T. And thank you  
14 for your consideration.

15 VICE CHAIR EXUM: Thank you, Mr. Antonetti. Mr.  
16 Horne. Following Mr. Horne is Dennis Whitley.

17 MR. HORNE: Good evening, Madam Chairman, Members  
18 of the Council, Mr. Parker, Chairman and Members of the  
19 Planning Board. For the record, Arthur Horne with teh law  
20 offices of Shipley and Horne in Largo, Maryland, here on  
21 behalf of the property that Mr. Baker described in his  
22 presentation aproperties that's been designated as the Hamlet  
23 properties, that would be properties owned by Rovall and  
24 Dorothy Washington, it is about 80 acres off of Ritchie  
25 Marlboro and Westphalia, properties owned by Rock Creek

1 Baptist Church and by A. Dean. When the designation for the  
2 Hamlet property took hold on these properties we requested  
3 definition of hamlet. What is rural hamlet? And I'm  
4 embarrassed to say that not only I not know or my clients not  
5 know, nobody at Park and Planning was able to tell us what  
6 the definition of rural hamlet was, as well. So, we did a  
7 little search and see if we could find what rural hamlet  
8 means and the only definition I found was in Black's Law  
9 Dictionary and they defined rural hamlet as a village or  
10 hamlet in a rural community which may be no more than a  
11 store, a school, a church or two or three residents. And  
12 they get that definition from a court case in Kansas.  
13 Looking at the history of rural hamlets, we find that they  
14 were like tiny communities built up to serve off the lord of  
15 an estate, so the lord of an estate built little rural  
16 hamlets on his property so that his servants can have a place  
17 to live, they had to pay taxes to him. That's where rural  
18 hamlet came from and I think over the years, maybe the  
19 definition has changed, but it's not defined in our zoning  
20 ordinance and it's not defined in anything that we can find.

21 So, we would object to being placed in a category that  
22 nobody has a definition of in nothing that we can describe.

23 We really appreciate the opportunity to work with  
24 teh staff on coming up with a development proposal for these  
25 properties. Certainly, working with Mr. Dean and his goals

1 and concepts of this area, we were told that perhaps all the  
2 properties would be rezoned to M-X-T, then we could look at  
3 it from that perspective. We certainly support that, if that  
4 was to occur. If not, then a comprehensive zone would be  
5 appropriate for that area. We already have applications for  
6 R-M in that area. We think that that would probably be  
7 appropriate for these properties, as well. I think that  
8 it's important to note that, and you'll hear from the  
9 Washington family here and members of Rock Creek Church coming  
10 up that they have attended every single meeting that goes  
11 through to the summer time and the meetings that have been  
12 here throughout and, again, they are very, very supportive of  
13 what's going on in the Westphalia area, want to work very  
14 closely with Mr. Dean and all the members, but just want to  
15 be treated fairly and I see my time has run out.

16 VICE CHAIR EXUM: Sir, thank you.

17 MR. HORNE: Thank you very much.

18 VICE CHAIR EXUM: Mr. Whitley. Following Mr.  
19 Whitley, Earl Adams.

20 MR. WHITLEY: Good evening, Madam Chair, chairman  
21 Parker, members of the Planning Board, Members of the  
22 District Council. My name is Dennis Whitley, III. I'm also  
23 attorney with the law firm of Shipley and Horne, with  
24 offices in Largo, Maryland and I am here to speak on two  
25 properties. First, I'm here on behalf of BPV, LLC to request

1 that the Merick property which is located at 8711 Westphalia  
2 Road be rezoned from I-1 to X-M-T. The property consists of  
3 approximately 86.96 acres and can be viewed by the District  
4 Council and the Planning Board on page 57, map 15. The  
5 property is currently improved by a 100,000 square foot  
6 office warehouse space and it is my client's vision to build  
7 approximately 260 townhomes on the 20 acres of property which  
8 lies outside of the H-U Noyes area. It also be noted that my  
9 client's request for M-X-T zoning and it's desire to build  
10 residential units is consistent with the modified preferred  
11 WCCP which calls for residential units on the property.  
12 Lastly, M-X-T is also appropriate because it allows the  
13 density, the flexibility designs needed to incorporate the  
14 structure that is currently on the property and also minimize  
15 any negative effects which may exist from the property's  
16 proximity to Andrews Air Force Base.

17 I'm also here to speak on behalf of Samuel T. Woods  
18 Company to request that the properties located at 8580  
19 through 8600 Pennsylvania Avenue be rezoned from I-1 to M-X-  
20 The properties consist of approximately 22.9 acres and can be  
21 viewed by the District Council and the Planning Board on page  
22 57, map 15, item number 4.

23 In the time I have left, I'd like to request the  
24 staff's recommendation improve and relocate I-603 be  
25 eliminated. Currently, a majority of the properties in the

1 I-603 area are zoned industrial. However, during the WCCP  
2 process, most of these properties are requested M-X-T zoning.

3 As such, there's no need for an industrial road on  
4 properties which are requesting M-X-T zoning.

5 In the alternative, should the Council decide that  
6 the road is still needed, we would request that the road be  
7 moved to run parallel with the property as to not bisect the  
8 property and interfere with traditional M-X-T property.

9 VICE CHAIR EXUM: Following Mr. Adams, Melvin  
10 Henderson. Following Mr. Henderson, Chris Seymour.

11 MR. ADAMS: Good evening, Madam Chair, members of  
12 the Council, members of the Planning Board, for the record,  
13 my name is Earl Adams, Jr. I'm also an attorney with the law  
14 firm of Shipley and Horne with offices in Largo, Maryland. I  
15 am here tonight to speak on behalf of Mr. Ali Askari who is  
16 the representative of Armstrong-Lane, LLC. The property is  
17 identified in the SMA document as property number 12. The  
18 property was two parcels of approximately four acres which  
19 ran on the south side of Armstrong Lane. The property is  
20 currently zoned as I-1 and we are here tonight requesting  
21 that the property be rezoned CX-T in accordance with the  
22 staff's recommendation. This rezoning is appropriate, in our  
23 opinion, because the properties at the Gateway of the core,  
24 the Westphalia project, and as a result of its proximity to  
25 the core, the M-X-T rezoning will complement the proposed

1 development that is going to occur within Westphalia. Our  
2 client is proposing that appropriate mixture of residential  
3 and commercial uses for this property and we just ask that  
4 the Council and Planning Board support the recommendation of  
5 the staff and I thank you for your time.

6 VICE CHAIR EXUM: thank you, Mr. Adams. Melvin  
7 Henderson. On Mr. Henderson, Chris Seymour. John Trader.

8 MR. HENDERSON: Good evening and distinguished  
9 Council Members. I am the president of Little Washington  
10 Civic Association. I'm not here to develop anything. I'm  
11 here to support what we have. My main concerns are Arrowhead  
12 Elementary and Melwood school, Melwood Elementary. With all  
13 of the ongoing and upcoming development that's going on, the  
14 impact on the schools that are already overcrowded. We need  
15 to take into consideration that they need to be updated to be  
16 able to accommodate the incoming traffic and incoming members  
17 coming into the school because I know there's plans for  
18 future schools, but they won't be built immediately. Also,  
19 the infrastructure, the roads. We are already overburdened  
20 with truck traffic and traffic as you know. I mean, we need  
21 to have the road looked at to be updated, to be broadened,  
22 whatever needed to be done, we need a good study to update  
23 our roads because there are potholes, there's no traffic  
24 control per se that's being monitored.

25 I'm also here to support the D'Arcy Park Place

1 which, D'Arcy Park Place, that is going to help us keep two  
2 landfills closed, one rubble filled and one DC Sand and  
3 Gravel. We support them because that's going to help control  
4 the truck traffic in our area.

5 We do need medical facilities in all upcoming  
6 development. We need to think about development because the  
7 major part of my community is over 60, so let's not travel  
8 40, 50, 60 miles to try to get decent medical facilities when  
9 we can have it right at home. And with the amenities that  
10 are being all developed in all the new communities, I would  
11 like for it to be open to the public, not to be per se  
12 controlled by an HOA, but to be open to other associations  
13 around the area that we can enjoy the same things they have.

14 I thank you for your time.

15 VICE CHAIR EXUM: Thank you, Mr. Washington. Mr.  
16 Seymour. Following Mr. Seymour, I'm sorry, Mr. Henderson.  
17 Mr. Seymour, John Trader.

18 MR. SEYMOUR: Good evening, Madam Chair.

19 VICE CHAIR EXUM: How are you?

20 MR. SEYMOUR: Council members, I'm here on behalf  
21 of Rock Creek Baptist Church. My name is Chris Seymour. I'm  
22 Chairman of the Trustee board of Rock Creek Baptist Church.  
23 And we're here to bring some clarification. As you heard,  
24 Arthur Horne mentioned a rural hamlet. I want to go back,  
25 just briefly, just to mention how we had come to this point.

1 We were in the inception of the Rosewood project. I believe  
2 there was a hearing. And from that point on, we attended  
3 every charrette. And the pastor and the leadership at the  
4 church had a desire to not just build a church in this area,  
5 but to have something in place where it can feed the  
6 community and the community can be a part of with the church  
7 was going to be about, in terms of ministries. And we had  
8 not just considered having the church, but we also wanted to  
9 have houses, which will, and schools and a little retail that  
10 was in the mind of the church, but now the properties of  
11 rural hamlets, as I remember it, was considering the Bean  
12 property, the Washington property and the church property and  
13 we have a layout here that the church and the supporting  
14 members, the Washington property and the Bean property where  
15 we think something will look good, either as called a rural  
16 hamlet or something thereof such like a rural hamlet. And we  
17 just wanted to be able to be on record on this is the ideal  
18 way where we're thinking. And we talking about a senior  
19 citizen facility being able to take care of people who desire  
20 to maybe in their, 55 and plus to be able to be in a place  
21 like this. We're also considering a school and we also  
22 consider people where I would call workforce housing within  
23 that area. And in order for us to reach this. We've all come  
24 to the conclusion that we should be an R-M zoning and I think  
25 at some of the meetings at the hearing, at the Westphalia

1 Shareholders meeting, they were talking about this being a  
2 park area. I just want to briefly say in terms of where we  
3 are with that, the Washington's, Rock Creek Baptist Church,  
4 are minorities in here and we know from our County Council in  
5 that area, Sam Dean, that we want to be a part of this whole  
6 process and this process should be about us and so we don't  
7 want to get left out and saying we are going to cover all  
8 these three parcels, this park area. So, I certainly  
9 appreciate your time, your consideration on where we're  
10 coming from and thank you very much.

11 VICE CHAIR EXUM: Thank you, Mr. Seymour. Don  
12 Trader. Following Mr. Trader, Joan Marshall and Alan  
13 Feinberg.

14 MR. TRADER: Good evening, Madam Chairman, members  
15 of the Council and Planning Committee. I'm actually going to  
16 speaking for myself and Ms. Marshall, so we can skip over  
17 here. My name is John Trader and I work for the College  
18 Savings Plans of Maryland. I'm the Public Relations and  
19 Marketing Manager and we were approached by Rosewood City  
20 group with a proposal to offer families that move into the  
21 residential units in the proposed project, to offer them a  
22 college savings plan of Maryland account as an incentive to  
23 move into the community. And I'm here this evening just to  
24 give you a brief explanation of our state agency and exactly  
25 what we do. Our agency is responsible, we are the non profit

1 state agency that's responsible for administering Maryland's  
2 2529 college savings plans. The first plan being the  
3 Maryland prepaid college trust which actually gives families  
4 the ability to lock into tomorrow's tuition at today's prices  
5 and that plan is actually also backed by a Maryland  
6 legislative guarantee. The second plan that we administer is  
7 the Maryland college investment plan which is a plan that is  
8 a mutual fund portfolio investment. Also a 529 plan, also a  
9 college savings vehicle. Both of these plans offer  
10 affordable, flexible ways for parents to help to pay for  
11 their children's future higher education expenses and the  
12 plans also offer the ability to qualify for Maryland state  
13 income deduction for contributions made to the plan, up to  
14 the \$2500 amount on each plan, depending on the plan that you  
15 choose. So, I just came here this evening to explain exactly  
16 what our state agency is and we do encourage parents to save  
17 as early as possible for their children, for their future  
18 higher education expenses to help get a jump start on that  
19 savings. Thank you very much.

20 VICE CHAIR: Thank you. Alan Feinberg. Following  
21 Mr. Feinberg, Ms. Rose Lewis.

22 MR. FEINBERG: I'm sorry, Madam Chairman. District  
23 Council, Planning Board, Chairman Parker, my name is Alan  
24 Feinberg. I lived in Prince George's County when I first got  
25 here in the Air Force and then I had an opportunity to move

1 to a very exciting place that this could be even more  
2 exciting, Reston, Virginia. I moved there in the early '70's  
3 and there was a spirit just like the spirit that's imbued in  
4 this concept of Rosewood. I didn't even know about Rosewood  
5 until I was working in the Gulf Coast this fall and I met a  
6 bunch of very sharp Black entrepreneurs down there and they  
7 said when you get back home at Thanksgiving, call up some  
8 folks and see about this whole idea of Rosewood. Rosewood is  
9 a much bigger thing than a bunch of properties that are split  
10 up and talked about like piece goods. It's a concept that is  
11 enormous. After all, how many opportunities are we going to  
12 have on this planet to have a city, a new urban place on the  
13 nation's avenue, Pennsylvania Avenue, on the nation's  
14 Beltway, next to an enormous opportunity of Andrews Air Force  
15 Base? It's not going to happen again. And if we do it the  
16 same way we always do it, business as usual, politics as  
17 usual and development as usual, we will miss the boat here,  
18 enormously. And that's what I, essentially, that's what I  
19 really learned from being in Baton Rouge and New Orleans. We  
20 cannot do business as usual any more in this country. We  
21 have to aspire to the kind of dream that Reston was. Reston  
22 was a failure because the guy that started it, Robert E.  
23 Simon, was pushed off the stage, but he came back. He's  
24 there now. And the dream that he started that pushed him  
25 away, was picked up by the citizens of Reston and that is why

1 you probably have the best town center in the world at Reston  
2 which could be much better here at Rosewood because Sam was  
3 there the other night, there were no people of color there  
4 practically. It's all rich folks. It's a rich people's  
5 ghetto and it can be much better because if Rosewood, as a  
6 concept is real, then the people of Prince George's County  
7 are going to own it and change it and control it and make it  
8 work. And be an urban place that everybody in this world can  
9 be proud of and that's why I'm here. I don't live anywhere  
10 near here, I live in Frederick, Maryland now but Frederick,  
11 Maryland is a real place, too. And what you want to do is  
12 you don't want to divide up a whole bunch of property and not  
13 create a real place.

14 VICE CHAIR EXUM: Thank you, Mr. Feinberg. Ms.  
15 Rose Lewis. Following Ms. Lewis, Gerald McDonough and Joseph  
16 King.

17 MS. LEWIS: Good evening.

18 VICE CHAIR EXUM: Good evening.

19 MS. LEWIS: My name is Rose Lewis. I am a mother,  
20 a grandmother, a concerned citizen and a former resident of  
21 Little Washington. I grew up on D'Arcy Road. I lived in the  
22 big stone house that's now the Ridgeley Church of God in  
23 Christ. My mother raised eight children there by herself.  
24 My mother has since gone on but now, being a mother and a  
25 grandmother myself, my question is, what legacy do I have to

1 hand down to my children and my grandchildren. The concept  
2 of Rosewood is a great concept, there will be museums and  
3 family life centers and training centers and centers for  
4 senior citizens. If I was to bring my children to Little  
5 Washington to show them where I grew up, what do I have to  
6 show them? I remember the dirt roads there which has since  
7 been paved when we would walk to the store for my mother up  
8 to Eadland Market which is located on Westphalia Road, and we  
9 would pick blackberries out of the field to bring home for  
10 dinner and poke salad and to bring home for dinner and on the  
11 other end, there was a playground there that has since been  
12 closed down and overcome with weeds, but my question is, what  
13 do we have to hand down to our children? As a concerned  
14 citizen and a former resident, this is a great project. This  
15 is a great project. Thank you very much.

16 VICE CHAIR EXUM: Thank you, Ms. Washington. Mr.  
17 McDonough.

18 MR. MCDONOUGH: Good evening, Chair people and  
19 members of the Board. My name is Gerald McDonough, attorney  
20 with offices in Washington, D.C. and Upper Marlboro,  
21 Maryland. On behalf of TSC Flowers, LLC, which owns a  
22 approximate 40 acre parcel and the last industrial parcel  
23 coming off of Flowers Road off of Westphalia Road and  
24 obviously, we support the designation as industrial and  
25 employment in the plan and the SMA recommendation, however,

1 we do have to express some concern within 634 which is the  
2 alignment of the road through the subject property. It  
3 showed as, we question the need for the road, but given the  
4 fact that even hypothetically, it is necessary, would  
5 question the necessity of its status as a designation as a  
6 major collector as opposed to a simple collector. And also  
7 that the alignment, if the road is put through, be adjusted  
8 to a fashion that would lend itself to the most efficient  
9 development of the properties along the alignment, as opposed  
10 to running as close to the Beltway as it showed on the plan  
11 right now. There are issues with ratings and curb and take  
12 off points, but we would like to see some language in the  
13 plan that when we face future development review based on  
14 this adopted master plan, that we would have the flexibility  
15 to adjust that alignment as requested. Thank you.

16 VICE CHAIR EXUM: Thank you. Joseph King.

17 Following Mr. King, Teena Green, and George Hodge.

18 MR. KING: Good afternoon, good evening,  
19 Chairwoman, Council and Chairman Parker. My name is Joseph  
20 King. I'm an attorney. I represent Mr. and Mrs. Dale Keenan  
21 at 12909 Old Marlboro Pike and Mr. Alfred Bachmaier, 12905  
22 Old Marlboro Pike. Both of these parcels are identified as  
23 property number 6 on page 55 of the sector plan. They  
24 comprise approximately 14.26 acres and are currently zoned  
25 rural, residential. It is our purpose here this evening to

1 request that the zoning be changed to rural townhouses or  
2 possibly to a mixed use development and in furtherance of  
3 that cause, I'd like to point out that this parcel is  
4 approximately a few hundred feet from the intersection of  
5 Ritchie Marlboro Road and Old Marlboro Pike. This  
6 intersection is designated as a rural gateway and right at  
7 this intersection, there is a mixed use development which is  
8 identified as a property number 1 which is 8.9 acres for  
9 commercial development. Therefore, by rezoning our property  
10 to a more intense zoning where higher density would be  
11 commensurate with the designation with a rural gateway as  
12 well as to the moderate and high density goal of the plan.  
13 Additionally, this intersection, this property that I'm  
14 talking about is within a quarter mile of the rural gateway  
15 and the major intersection which does have a public  
16 transportation. So, it does seem to fit properly within the  
17 definition of an area which can have higher density property.  
18 Thus, on behalf of my clients, I'm requesting the rezoning be  
19 made to townhouses or to a mixed use development. Thank you.

20 VICE CHAIR EXUM: Thank you, Mr. King. Teena  
21 Green. Following Ms. Green, George Hodge, Sharon Howard.

22 MS. GREEN: Good evening, Members of the Council,  
23 Members of the Planning Board. My name is Teena Green. I'm  
24 president of the Villages of Camp Springs Civic Association  
25 and the coordinator with the Branch Avenue Metro Focus Group.

1 I would just like to commend the Planning Board on their  
2 efforts in assembling the Westphalia plan. It's an  
3 impressive body of work. I'd also like to commend Councilman  
4 Dean for taking on this project in his (INAUDIBLE) as  
5 champion for this project. I think the gentleman a few  
6 before me said it right, it has to be someone that champions  
7 these huge projects and we commend that. In looking over the  
8 plan, there seems to be an adequate amount, if not, overly  
9 adequate amount of residential, but we are disappointed in  
10 the low amount of office. We think that this project is the  
11 ideal opportunity to establish an employment center in the  
12 southern part of Prince George's County. Plus we think the  
13 plan lacks specificity in the transportation plan to bring  
14 Metro from Branch Avenue Metro Station to Andrews and then on  
15 to Westphalia. Given that there are a number of properties  
16 in-between, we think that some specificity needs to be given  
17 now because there may be homes impacted. Also, we think more  
18 study needs to be done on Route 4 and Route 5, the most  
19 heavily traveled roads in the southern part of the County and  
20 look at also options to have bus service from this site to  
21 either the Branch Avenue Metro Station or the Suitland Metro  
22 Station. Thank you. That's all I have.

23 VICE CHAIR EXUM: Thank you, Ms. Green. George  
24 Hodge. Following Mr. Hodge, Sharon Howard. Mr. Hodge? Ms.  
25 Howard? Calvin Ruffin. Following Mr. Ruffin, Alfred Joel.

1           MR. RUFFIN: Good evening, everyone, Madam Chair.  
2 All right. My name is Calvin Ruffin. I'm involved with the  
3 very strong citizenship group here in PG County. I live at  
4 613 63rd Place, Seat Pleasant, Maryland. I just have a few  
5 bullet points I'd like to point out. That is, number one,  
6 that the Rosewood City Group upholds their promises made to  
7 us in order to garner support for this project. We are well  
8 aware of the celebrity attention this project has received  
9 since it was first brought to our attention by the Rosewood  
10 City Group. Therefore, I would like to go on record stating  
11 that we are still in full support of this project as long as  
12 the original agreement is upheld by the RCG. The citizens of  
13 PG County must remain first as we will be most affected,  
14 whether positive or negative. After state officials and TV  
15 celebrities got involved with this project, we citizens have  
16 to make sure our voice is heard. Also, needless to say,  
17 there have been some unfortunate changes to the Rosewood City  
18 Group's plan that was originally presented to us three years  
19 ago. Now, the land has been sold and the new entity doesn't  
20 have the same amenities in mind for PG County and its  
21 citizens, such as the Rosewood city center. Now, this was a  
22 critical component in the Rosewood City Group's plan to  
23 foster employment, retail business, schools, etc. for the  
24 community. This was a way to put us, the taxpaying citizens,  
25 to pay us back for our support. As a matter of fact, it was

1 their central focus in getting us to recognize the benefit  
2 this community could bring to the County. Now, is it  
3 possible this won't happen? Well, we have power and with the  
4 support of the rest of the citizens, of the County, we'll  
5 fight to make sure this is not another victory for the rich.  
6 Our city center would be a concrete testimony to our piece of  
7 setting up the Rosewood community. It would be in stone, for  
8 us to shop, work and plan, not just broken promises at the  
9 beginning and then an excuse for doing nothing. Those were  
10 City Group promised, this is a part of their push to gain  
11 community power to get behind this project. We want ours,  
12 period. This is simply a statement that we made, being  
13 pushed aside at this point, that the community health and  
14 well being has been trumped once again by money mongers. And  
15 our tax money will be used once again for something not for  
16 our benefit. I would like to commend the County Council for  
17 its continuing efforts to make sure that the residents are  
18 served properly. We know this is true. We know you can't do  
19 it alone, so lastly, we, the people, can assist this process,  
20 if needed by empowering our legislatures through initiative  
21 or referendum, whichever is necessary. Thank you.

22 VICE CHAIR EXUM: Thank you. Alfred Joel.

23 Following Mr. Joel, Harold Johnson.

24 MR. JOEL: Good evening.

25 VICE CHAIR EXUM: Good evening, sir.

1           MR. JOEL: My name, again, is Alfred Joel. I am  
2 current resident of Prince George's County. I was actually  
3 born in Prince George's County. I've been located, living  
4 within Prince George's County for 36 years. I am a single  
5 parent of two teenage sons who actually attend school in  
6 Prince George's County. My main apprehension is the future  
7 design here for my two sons. With all of the new buildings  
8 and homes being built within the metropolitan surrounding, we  
9 consistently see more DC residents relocating to the Prince  
10 George's County area. With this being the case, the schools  
11 are overwhelmingly crowded. The ratio from teacher to  
12 student is enormously high. I've noticed my kids being  
13 influenced by other kids to do unethical things,  
14 consistently. What we need is a community that not only my  
15 kid, but all of the kids within the Prince George's County  
16 can look at, number one, with pride. Number two, a legacy  
17 and heritage. What we also need is a community that will  
18 focus on the activities for our youth whereas they won't have  
19 to travel a lengthy distance to attend activities, but they  
20 will be in proximity, close to one another. I would like, you  
21 know, for someone to inform me, before I leave here, as to  
22 the questions, why can't we have, you know, museums here and  
23 training centers here, employment centers here? You know,  
24 what seems to be the real challenge here? Again, thank you  
25 for your time.

1                   VICE CHAIR EXUM: Thank you, Mr. Joel. Harold  
2 Johnson. Following Mr. Johnson, Elaine Griffin.

3                   MR. JOHNSON: Good evening and greetings to the  
4 Honorable Council Members, Chair Exum, Council Member Dean,  
5 to the Planning Board and guests here tonight, most  
6 importantly, I'm here representing Rock Creek Baptist Church  
7 and you have heard from the church's attorney and engineers  
8 and identified compelling arguments for properly rezoning of  
9 the assemblies of land identified on page 5 of the  
10 preliminary plan of Westphalia SMA property number 8, 9 and  
11 10. That assemblage, as you noticed, included what was  
12 called a rural hamlet. And I think our attorney, Arthur  
13 Horne has arguably put forth the case of what was the meaning  
14 of rural hamlet. But more importantly, we were asked to go  
15 back, the church and its property owners, fellow property  
16 owners, were asked to go back and bring forth a plan which  
17 would take into consideration its neighbors, its surrounding  
18 areas and most importantly, what I want to bring to bear is  
19 the environmental features. That plan is represented here,  
20 today. And as you can see, the church, along with its fellow  
21 property owners came together to ensure that proper  
22 representation is given and due consideration is given to  
23 effect this type of plan in this area. The church and its  
24 fellow citizens have been here for two years, through the  
25 process of the preliminary plan, through the process of the

1 charrette and even before that. They waited patiently,  
2 brought forth their energies and efforts to ensure that what  
3 they bring forward would resonate with the community and its  
4 citizens. So again, I thank you for this time and I thank  
5 you, Council Member Dean, for your efforts, whom we champion  
6 in this vision. Thanks again.

7 VICE CHAIR EXUM: Thank you, Mr. Johnson. Elaine  
8 Griffin. Following Ms. Griffin, Dorothy Troutman. Ms.  
9 Troutman. Following Ms. Troutman, Susan Nicowski.

10 MS. TROUTMAN: Good afternoon. Good evening, Madam  
11 Chair, Members of the Council, and Members of the Planning  
12 Board. Thank you for the opportunity to be here tonight.  
13 It's a very, very exciting project and I think everybody  
14 involved should be commended on what has been accomplished.  
15 Now, I'm concerned, not just about the density which effects  
16 us because we share Pennsylvania Avenue with this project.  
17 I'm just the other side of Pennsylvania Avenue. But I'm also  
18 concerned that there's no mention of a horse in this whole  
19 project. There's no picture, that happened in the sub region  
20 6 plan, but we ended up getting it on the cover and then we  
21 have pictures on two other pages and even tobacco barns  
22 mentioned. Now, there is on page 9, a mention of that, the  
23 historic sector plan area has been used largely for  
24 agricultural and equestrian uses. So, with all this open  
25 space, the central park, the Bridewood Historic Manor, I

1 think it's fairly important to bring out the character of  
2 this area. Bridewood was a top breeding farm and they had  
3 Toscalee, the top steeplechase horse of all time at  
4 Bridewood, so I think it would be very appropriate to have  
5 the park police in the central park, to give it character and  
6 remind people, you know, this was horse country and it's  
7 still horse country because we have Toll Brothers, they're  
8 the other side with an equestrian development. Across  
9 Ritchie Marlboro Road, are two horse farms, Steve D'Arcy and  
10 his mother have 150 acre farm. They have an indoor arena  
11 there and Anna Rousch has a horse farm, she has Morgan  
12 horses. So, you know, they are going to be effected very  
13 much by --

14 (End of Tape 1 side 2)

15 -- all of this and it would be nice if they had a  
16 place to ride. On page 27, there's a top, a heading, map 8,  
17 bicycle/pedestrian trail network. Why not include  
18 equestrian? They show Cabin Branch hiker equestrian trail.  
19 That branch, hiker/biker/equestrian trail. Well, let's put  
20 it up at the top and maybe have a horse somewhere. I think  
21 it would be great. I think it would be great for marketing  
22 to emphasize the positive in Prince George's County instead  
23 of letting people constantly bring out the negative. Here we  
24 have equestrian history. We have equestrian activities. We  
25 have equestrian farms. So, let's have a horse and let's

1 emphasize the positive. Thank you very much.

2 VICE CHAIR EXUM: Thank you, Ms. Troutman. Susan  
3 Nicowski. Following her, David Nicowski.

4 MS. NICOWSKI: Good evening, Madam Chair, Members  
5 of the Council, Members of the Planning Board. My name is  
6 Susan Nicowski. I've been a Prince George's County resident  
7 for over 34 years, more recently just moved in closer to work  
8 in Annapolis. I'm here before you this evening to address  
9 the 15.6 parcel adjacent to the Westphalia proposed project.  
10 I'm very supportive of the project and have participated in  
11 the charrette as well as the most recent Westphalia  
12 charrette. I'd like to draw your attention to page 11 of the  
13 handout of the Westphalia booklet and essentially, what  
14 you'll see on the map, at the bottom of the page, the lower  
15 middle gateway. The little right triangle right there by  
16 that gateway is the 15.6 parcel that I'm discussing. What  
17 I'd like to do is be sure that gateway parcels that are  
18 adjacent, they are given fair consideration as well. With  
19 your consideration, what you'll see on the map just below  
20 here, you can see that parcel page 11. This is an original  
21 map that was brought in 2000 before a zoning hearing and the  
22 Council. At that time, we had requested a change in the  
23 zoning but they were trying to keep things rural, that was  
24 just 2000. With the magnitude of this proposal, we just are  
25 requesting like several of the folks that have spoken before

1 me, parcels that are adjacent to gateways and gateways  
2 specifically that are right by the core, are given the same  
3 fair consideration. We applaud your efforts. If you have  
4 any questions, just ask. Thank you.

5 VICE CHAIR EXUM: Thank you. David Nicowski.  
6 Following David Nicowski, Yvette Jardine.

7 MR. NICOWSKI: Good evening. My name's Dave  
8 Nicowski and I'd like to address you all this evening as a  
9 businessman in Prince George's County for the past 25 years.  
10 And quite simply, what I'd like to do is see some restaurants  
11 come into the area. Specifically, the area that my sister  
12 just spoke about. There needs to be some restaurants in the  
13 area. We have Momma Stella's. We have Red Lobster, we have  
14 a few, but to entertain clients, to take them out to dinner  
15 with family, friends, we don't have any restaurants in Prince  
16 George's County right now in this area. And quite frankly,  
17 that's all I am really asking the Council to consider and the  
18 Planning Board.

19 VICE CHAIR EXUM: Thank you, sir. Yvette Jardine.  
20 Following Ms. Jardine, Calvin Ruffin.

21 MS. JARDINE: Good evening, Madam Chair, Council  
22 board members, Planning Board members, my name is Yvette  
23 Jardine. I'm a proud resident of Camp Springs, Maryland. As  
24 a 12 year County homeowner, I can appreciate Councilman  
25 Dean's efforts to improve his district, the 6th District as

1 well as the County Executive's commitment to grow the County.  
2 In all of this growing, I ask that you keep in mind the  
3 impact that growth will have on the homeowners already in  
4 residence. The thousands of new homes and retail space being  
5 considered will leave a tremendous impact on not only  
6 District 6, but Districts 8 and 9. Mr. Knott, Ms. Bland who  
7 is not here, what are you doing to mitigate the impact on  
8 your constituents? While the planned development borders  
9 Route 4, the impact will be felt on all roads leading in and  
10 out of southern Prince George's County, as well as the west  
11 and north as many of these new or migrating residents will  
12 follow the existing traffic routes to Washington, D.C.,  
13 northern Virginia and of course, 495 north to places of  
14 employment. Branch Avenue, Route 5, already cannot handle  
15 existing traffic. Several weeks ago, I received a mailer  
16 from the Maryland State Highway Administration, concerning  
17 this very issue. From 2001 until 2003, during the peak  
18 commuter period, 780 crashes occurred. This is after the  
19 widening of the three lanes on Branch Avenue. This is  
20 between Route 301 and Auth Road. Three hundred-forty were  
21 injury related, eight deaths and 433 involved property  
22 damage. That's nearly three years old. One can only imagine  
23 what they are today. The State is requesting input from the  
24 residents as to the impact on this worsening traffic, but  
25 mind you, they've already stated there's no money available

1 to fix it. I live 15 minutes from my office in southwest  
2 D.C., yet I can never get through Branch Avenue going or  
3 coming in a timely fashion. To get from Manchester Road onto  
4 Branch Avenue takes nearly an act of God because of the back  
5 up traffic coming from south county onto 495 north. These  
6 are existing traffic issues. What happens when the  
7 Westphalia communities are built? What are you doing  
8 concerning, to ensure that traffic issues, County service  
9 issues, are all addressed? This is going to become a  
10 nightmare because, guaranteed, if the developer builds it,  
11 the traffic will come. I urge you, I implore you, I demand  
12 from my Councilman, Mr. Knott, and from you as the Council,  
13 to look at a global, to take a global vision as to the  
14 development for our County. Westphalia is not just a  
15 District 6, there's six issues, it's a County issue with  
16 devastating consequences if it's not done correctly. In the  
17 long term vision and the global vision impact is not taken  
18 into account, where are we going to go from here? Thank you.

19 VICE CHAIR EXUM: Thank you, Ms. Jardine. Rollie  
20 Washington. Following Mr. Washington, Brenda Foxx.

21 MR. WASHINGTON: Good afternoon. My name is Rollie  
22 Washington. I appreciate the opportunity that the Council  
23 and the Planning Board has given me and the others to address  
24 our concerns, concerning this project. I have attended all  
25 of the prior meetings regarding the Westphalia as stated,

1 charrettes and the other planning sessions that were actually  
2 placed regarding the actual Westphalia sector plan. Now, I  
3 was told in one of these charrette meetings that if we agreed  
4 to a rural hamlet, we would have an opportunity to put in a  
5 combination of the various types of housing, some commercial  
6 and other types of activities, that they were being able to  
7 put in on the Smith property. And as a result, I went back  
8 to my neighbor, Mr. Tom Bean, and I explained the situation  
9 to him. Mr. Bean, being an elderly white man who has a  
10 development disabled daughter, he felt that he had certain  
11 concerns that he didn't want his daughter to have to be  
12 displaced as a result of all the actual, massive development  
13 that was planned. Now, when we purchased our property, it  
14 was determined that our property line extended to the south  
15 side of Westphalia Road. Now, it just so happens that the  
16 entire Westphalia Road section, that is the front of our  
17 property based upon our deed and legal description, based on  
18 survey, is a part of our property that we had purchased and  
19 at no time, up to date, has there been any type of adjustment  
20 in our property taxes made by the County. Now, it also turns  
21 out that you are proposing a new major roadway that will be  
22 coming the south side of our land and that will also have a  
23 major impact on our property.

24 VICE CHAIR EXUM: Thank you, Mr. Washington. I  
25 encourage you to submit the rest of your testimony in writing

1 to the Clerk of the Council. Ms. Foxx. Following Ms. Foxx,  
2 Rachell Garcia.

3 MS. FOXX: Good evening, the County Council. My  
4 name is Brenda Foxx. I've been a resident of Prince George's  
5 County for 59 years. I was educated in the County and I have  
6 enjoyed 37 years of employment in the County. I was a  
7 teacher for 25 years in the County and I'm now the principal  
8 of one of the best elementary schools in the County,  
9 University Park Elementary School. I am going to address two  
10 issues, I feel confronting the County Council in terms of the  
11 Rosewood town center development of Westphalia. These two  
12 concerns can be characterized in two words, beginning with  
13 the letter P, promise and process. Our County was promised  
14 an outstanding town center that would benefit all of the  
15 citizens under the Rosewood plan. We are now in the process  
16 of either making or breaking that promise to the citizens of  
17 Prince George's County. Since we are in the mode of rezoning  
18 the area known as Westphalia, it is imperative that Prince  
19 George's County gain optimum from this rezoning process  
20 because our tax dollars will be used prior to, during, and  
21 after the project is completed. We will be responsible for  
22 schools, infrastructures, improvements, environmental  
23 concerns and all the other extras that come with new  
24 development. Developers and land owners have their rights  
25 and deserve their profit, but the carpetbagger mentality

1 cannot be the modality here. Prince George's County deserves  
2 its share of the pie. If the County Council and the  
3 developers cannot actualize the Rosewood vision, then we, as  
4 members of the community, must empower our Council through an  
5 initiative or referendum. We cannot afford to let Rosewood  
6 burn again because this promise to our community can be  
7 realized through the process, through the proper process.  
8 Thank you very much.

9 VICE CHAIR EXUM: Thank you, Ms. Foxx. Ms. Garcia.  
10 Following Ms. Garcia, Pastor Darrell and Annette Dreher.

11 MS. GARCIA: Good evening. My name is Rachelle  
12 Washington Garcia. I've lived in Prince George's County on  
13 Westphalia Road for well over 21 years. I've lived on that  
14 road since we knew when people were lost when they were  
15 coming down our road. And now, we know that the traffic just  
16 will not stop. I want to thank publically my parents for  
17 having the foresight and planning to think about us instead  
18 of going out and doing what their resources as they would.  
19 Instead, they planned for us. I've heard people speak of  
20 legacy. My parents planned for our legacy. Historically, as  
21 a Black family, as Black people, we've been stripped of our  
22 history. My parents have tried to build that for us and give  
23 us an identity, not by stereotypes, but by the things that  
24 they loved and presenting that to us. We live on a farm with  
25 our whole family. I live with my parents and my siblings and

1 my nieces and nephews and I look forward to one day having  
2 that same opportunity to do the same with my grandkids.  
3 That's what my parents planned for. I'm before you today to  
4 ask that you not take away our opportunity to plan and  
5 strategize. Just because we're not our large developer does  
6 not mean that we do not have the foresight to strategize and  
7 to plan. And to make good use of what is in our possession.  
8 Thank you.

9 VICE CHAIR EXUM: Thank you. Pastor Darrell and  
10 Annette Dreher. Following them, Ardenia Williams.

11 MS. DREHER: Good evening, Madam Chair.

12 VICE CHAIR EXUM: Good evening.

13 MS. DREHER: Members of the Council and the  
14 Planning Board. I'm standing here, first of all, I'd like to  
15 say in support of the Westphalia sector plan, but we have  
16 Spirit of God Deliverance Church. We've purchased the  
17 property April 2004, Westphalia and Melwood, parcel 67 which  
18 is about an acre and that's on page 66. They are proposing  
19 to change it from a C-A to R-R. We're asking it to be  
20 rezoned to C-S-C. Parcel 211, which is approximately three  
21 acres, 2,86 acres, they are requesting it from R-A, to be  
22 changed to R-R and we want that to be zoned to C-S-C and we  
23 are asking for it mainly because this would help us  
24 tremendous, being zoned as commercial, it would help us as  
25 far as when we get ready to go to the bank for purchasing a

1 building on the property. We have a phase I and phase II and  
2 we've been going through different hearings, our self. We  
3 finally got one part clear of Westphalia, now we're going to  
4 another with Melwood. Again, we are in support of the change  
5 and we know a lot of people do not like change. We are in  
6 support of it, but we don't want Spirit of God Deliverance  
7 Church to be the ones that suffer because we hear that it is  
8 a road proposed to go in the middle of our property, where  
9 our phase II will go. And if the property, if it does  
10 indeed, then we not be able to do what we purchased the  
11 property for. So, we are asking for your consideration as to  
12 the rezoning and also the road of Melwood not to come through  
13 our property. Thank you.

14 VICE CHAIR EXUM: Thank you. Darrell want to speak?  
15 Okay, thank you. Ardenia Williams, am I pronouncing that  
16 correctly? Okay, maybe not. Alexander Williams, Jr. Rovall  
17 Washington. Following Mr. Washington, Dorothy Washington.

18 MR. WASHINGTON: Good evening. My name is Rovall  
19 Washington. My family owns the property at 10704 Westphalia  
20 Road, Upper Marlboro, Maryland. Councilman Dean, Chair,  
21 Planning Board and Members, thank you for the opportunity to  
22 address you. My purpose here tonight is to state my  
23 opposition to the proposed village low zoning of our property  
24 and the reference made invoking eminent domain take over our  
25 property and turn it into a park. We request for the R-M

1 zoning. As property owner here in Prince George's County, I  
2 am a registered voter and a member of the Westphalia Study  
3 area. We work hard for our property, we want to be able to  
4 retire and leave a lasting legacy for our children. We  
5 bought land, developed it, paid taxes, built our lives and  
6 planned our future around this land. Legacy wealth is what  
7 my parents are trying to leave us. It's not fair for a 6,000  
8 acre development to place the entire burden of providing this  
9 needed parcel and (INAUDIBLE) on three adjoining farms. This  
10 decreases or eliminates all value of our property, forward  
11 progress is good for the community but what you are proposing  
12 in your zoning is that the Washington family take the full  
13 blunt of this park. It should be a shared burden and we  
14 should not be sacrificed as a slave of the community for the  
15 betterment of someone else and someone's target. We ask that  
16 you not take our property from us by voting eminent domain  
17 and turning our land into parks and at the same time, satisfy  
18 the wealthy landowners and other investor developers with  
19 high density zoning. We also ask that you not assign such a  
20 low density to our area and all others involved in this  
21 process have a higher density zoning which some of our  
22 property stretches across the street into another property  
23 we've already given them our N zoning. Prince George's  
24 County is the wealthiest, predominately Black county in the  
25 country. Eighty percent of Black wealth is based on real

1 estate. We ask that you not take our family's wealth from  
2 us, just to give us another area of (INAUDIBLE) park. We are  
3 a family and we do about the community and we also care about  
4 our children and our grandchildren and their grandchildren.  
5 We ask that you please listen to us and take our request  
6 seriously. Thank you.

7 VICE CHAIR EXUM: Thank you, Mr. Washington.  
8 Dorothy Washington. Following Dorothy Washington, Raichell  
9 Savoy.

10 MS. WASHINGTON: Good evening, Council members,  
11 Honorable Dean, my Council member, Madam Chair and all the  
12 assembled Board members. My name is Dorothy Washington. My  
13 family owns the properties located at 10704 and 10706  
14 Westphalia Road in Upper Marlboro, Maryland. My purpose for  
15 addressing you tonight is to ask you to reconsider the  
16 village low zoning which is proposed for our property. I'm  
17 also concerned about the reference made to eminent domain of  
18 our property and turning it into a park. My husband and I  
19 worked hard for our property and we would like to be able to  
20 retire and leave a lasting legacy for our children, our  
21 grandchildren and on. We support what is going on, but we  
22 would like to have the highest density given to our property  
23 as well as the wealthy landowners and investors and  
24 developers. We want the same benefit afforded us. Thank  
25 you.

1           VICE CHAIR EXUM: Thank you, Ms. Washington.  
2 Raichell Savoy. Following Ms. Savoy, Vernell Arrington.

3           MS. SAVOY: Hello, my name is Raichell Washington  
4 Savoy and I just want to, for the record, state my support  
5 for my family, the Washington family and Rock Creek Baptist  
6 Church and the Bean property to not be zoned as village low,  
7 but rather be zoned as R-M and definitely not to be used in  
8 the entirety as a park. Again, we work hard. I was raised  
9 here in Prince George's County. I live here now. I  
10 graduated from pharmacy school in Florida where my classmates  
11 live very well as pharmacists, but I come back home to PG  
12 County. And this is a very difficult time for our family  
13 because we have, we have built our whole lives around home  
14 and this is our home and we understand that change has to  
15 happen, make it happen fairly. Treat us fairly, as fair as  
16 you've treated the developers who will do their work which is  
17 needed and appreciated, but they will leave and go home.  
18 This is our home and we thank you for your time and  
19 commitment and again, 8, 9 and 10 on page 54, we do not want  
20 village low, we want R-M. Thank you.

21           VICE-CHAIR EXUM: Thank you, Ms. Washington Savoy.  
22 Ms. Arrington. Following Ms. Arrington, Steven Gaskins.

23           MS. ARRINGTON: Good evening, Madam Chair, members  
24 of the Council, Chairman Parker, members of the Planning  
25 Board. For the record, I'm Vernell Arrington, attorney with

1 offices in Lanham. I'm here tonight on behalf of Church of  
2 the Rapture, contract purchaser of the Myrick property. We  
3 request your support for the rezoning of the property from  
4 the I-1 zone to the M-X-T zone. The property is located at  
5 8711 Westphalia Road, approximately 3,000 feet east of I-495,  
6 Route 4 interchange. It's found on Prince George's County  
7 tax map 90, grid D-2, and identified as parcel C. The  
8 property consists of approximately 68.95 acres and is  
9 developed with an existing 2 story office warehouse building.  
10 M-X-T zone would provide for a mid (INAUDIBLE) development on  
11 this site with the addition of residential development in  
12 conjunction with the redevelopment of the existing office  
13 industrial building. This request is consistent with the  
14 WCCP proposal for the development of the property. In  
15 addition, the property is in the general area proposed for  
16 the town center along Route 4. Therefore, we request your  
17 support for the rezoning of the property to the M-X-T zone  
18 with the adoption and approval of the Westphalia sector plan  
19 in section map amendment. Thank you.

20 VICE CHAIR EXUM: Thank you, Ms. Arrington. Mr.  
21 Gaskins. Following Mr. Gaskins, Bill Ship.

22 MR. GASKINS: Good afternoon, Madam Chair, the  
23 Members of the Council and the Planning Board members and all  
24 here that are in this sector plan. I hold two positions. I  
25 wear two hats tonight. I am a citizen of the sector plan

1 area. I am a resident of Little Washington and I also  
2 represent a client of mine on one of the plans. Number one  
3 hat, we are in support of the plan, but desire that some  
4 changes be supported. Specifically, to the rezoning request  
5 made by Land and Compass as shown on table 4, page 54, 55,  
6 and 56, as item 15, the Diaz property, to be zoned from R-A  
7 to R-R. We would like to thank you in advance for your  
8 positive consideration in this matter as requested.

9 My second hat as a resident of Little Washington, I  
10 support the plan but I'm also concerned about the  
11 transportation budget as shown on the plan, that show a lot  
12 of new roads. I live along one of the most heavily traveled  
13 truck roads, as D'Arcy Road at the corner of D'Arcy Road and  
14 South Cherry Lane. We get an enormous amount of truck  
15 traffic. When this development happens I think I heard  
16 estimates as much as 27,000 new houses in this 6,000 acre  
17 area, I see it being impact on Little Washington in itself,  
18 as far as transportation is concerned. I don't see where the  
19 traffic will be routed around our community. I see it  
20 inundating our community even more. Transportation issues, I  
21 think should be resolved, budgets should be set aside to  
22 build these roads and this infrastructure to handle these  
23 27,000 new houses, if that be the case. I also would like  
24 proper coordination to be made while all the other government  
25 agencies, including Department of Public Works. I know as a

1 fact being a consultant, development consultant myself, and a  
2 registered land surveyor, that in most cases, the developers  
3 do not like to build roads that go outside of their  
4 development area. They only want to build the roads that are  
5 near their areas, but the areas that will be forsaken will be  
6 our existing areas, our existing roads. The roadways that  
7 will carry the brunt of this traffic that's going to the  
8 north, they will follow D'Arcy Road and they will follow  
9 Sansbury Road, that's the way they'll get to the Washington,  
10 D.C. area. So, I ask for your consideration and proper  
11 coordination be made for the new transportation routes and  
12 roadways to bypass the Little Washington area where I exist  
13 as a citizen, and the existing traffic problem, I hope, that  
14 this plan can be enforced, not just laid out as a plan. I  
15 thank you very much for your time and consideration. Thank  
16 you.

17 VICE CHAIR EXUM: Thank you, Mr. Gaskins. Bill  
18 Ship. Following Mr. Ship, Midgett Parker.

19 MR. SHIP: Thank you, Madam Chair, members of the  
20 Council, members of the Planning Board. For the record,  
21 William Ship with law offices in Greenbelt. Here today on  
22 behalf of the owners of the Kenwood Village property which is  
23 located just south of White House Road. It is not in the  
24 sector plan, but I am here today to talk about a proposed  
25 extension of A-39 which bisects my client's property. Lest

1 there be any confusion, A-39 is an alignment shown on page  
2 24, map 7, transportation map, as bisecting our property --  
3 (Tape 2, Side B)  
4 -- may make it difficult, if not impossible to build  
5 that road. And I would only ask that the Council look very  
6 closely in the Planning Board at the feasibility of that road  
7 as part of its evaluation because ultimately, that is not a  
8 road required for my client's project, so the County will be  
9 building that road. It will have significant impact on the  
10 yield of our property and may make it in fact, undevelopable.  
11 But right now, we're looking for clarification. We have an  
12 approved CDP without the alignment, but a condition that our  
13 preliminary plan be reevaluated to consider the impact of  
14 that road. We are here to work with Planning staff. We  
15 appreciate the efforts of our Councilman, Mr. Dean, to bring  
16 this to the attention of staff and convene some meetings  
17 about this and we are anxious to keep working with everybody  
18 in the process to make sure that this road is fully  
19 evaluated. Thank you.

20 VICE CHAIR EXUM: Thank you, Mr. Ship. Mr. Parker.  
21 Following Mr. Parker, Abigale Bruce Watson.

22 MR. PARKER: Good evening, Madam Chairman, Members  
23 of the County Council and also members of the Planning Board.  
24 For the record, my name is Midgett Parker. I'm an attorney  
25 with Linowes and Blocher and we're here on behalf of Greater

1 Morning Star Pentecostal Church, the owner of an unimproved  
2 54 acre tract of land, zoned I-3 in the northeast quadrant of  
3 the recently opened I-95 or Capital Beltway interchange with  
4 Ritchie Marlboro Road. I've included a legal description and  
5 record plat of the church's property which I'll call the  
6 subject property in a letter which I will submit after my  
7 testimony. The church has begun, this property is actually  
8 outside of the Westphalia master plan, but it is on the  
9 northern boundary of it as you come off the Ritchie Marlboro  
10 Road. It is on a designation of an area on the sector plan,  
11 you'll see a red circle with the symbol gateway bib  
12 (phonetic) and the church owns that property to the north  
13 side of Ritchie Marlboro Road, the 54 acres. The church has  
14 begun construction of its first phase of the development of  
15 the property, a multi purpose building with 411 parking  
16 spaces that will serve initially as the church's sanctuary,  
17 with a seating capacity for its 1500 members, many of whom  
18 live in Prince George's County, Maryland. Later phases of  
19 development include a 3,000 seat sanctuary, a banquet hall  
20 and additional parking to serve these phases of development.  
21 Also, long range plan may include additional church related  
22 activities such as day care, or school facility or other uses  
23 traditionally associated with the church. Greater Morning  
24 Star Pentecostal church requests to have its property  
25 included within the sector plan and granted the M-X-T zoning

1 through the SMA process, the subject of this evening's public  
2 hearing. Adding the church property to this sector plan and  
3 extending the M-X-T recommended in the sector plan from the  
4 property on the south of Ritchie Marlboro Road will allow for  
5 a comprehensive development approach to the future land uses  
6 along Ritchie Marlboro Road. A comprehensive development  
7 approach will help the county achieve a gateway envisioned in  
8 the sector plan for Ritchie Marlboro Road at the base of this  
9 recently opened Beltway interchange on the north side of the  
10 Westphalia plan. Over the course of the past year, the  
11 church has introduced to the community, a proposal for  
12 residential development along the subject properties  
13 frontage, Ritchie Marlboro Road. The church has entered into  
14 a contract with Trammel Crow Residential for the development  
15 of 10 to 11 acres along the church's Ritchie Marlboro Road  
16 frontage, immediately north of the Westphalia sector plan  
17 area. Trammel Crow Residential and the church have jointly  
18 embarked on this proposal to bring a residential component to  
19 the subject property which unfortunately, is not allowed in  
20 the I-3 zone. The addition of a residential component to the  
21 subject property will create an environment where people can  
22 live and pray within the same campus. The addition of the  
23 subject property in the sector plan will allow the M-X-T zone  
24 uses --

25 VICE CHAIR EXUM: Mr. Parker

1 MR. PARKER: -- go over and I have a letter which I  
2 will submit to the record.

3 VICE CHAIR EXUM: Please do.

4 MR. PARKER: And just one last piece, too, this  
5 will allow the County to add more park (INAUDIBLE). Thank  
6 you.

7 VICE CHAIR EXUM: Thank you. Ms. Bruce Watson.  
8 Following Ms. Bruce Watson, Sean Caldwell.

9 MS. BRUCE WATSON: Good evening Madam Chair,  
10 Members of the Council and the Planning Board. For the  
11 record, Abigale Bruce Watson, an attorney with offices in  
12 Lanham, Maryland. I'm here tonight on behalf of Trammel Crow  
13 Residential, the contract purchaser, as you've just heard, of  
14 11 acres in the front portion of the Greater Morning Star  
15 Pentecostal Church property. The subject property is located  
16 at 1700 Ritchie Marlboro Road and it is on the north side of  
17 Ritchie Marlboro Road and it sits just outside the Westphalia  
18 Planning area. We are here tonight to request that the  
19 subject property be included in this sector plan area so that  
20 a coordinated plan can be approved for development on both  
21 sides of Ritchie Marlboro Road, Ritchie Marlboro Road near  
22 the interchange with the Capital Beltway. As recommended by  
23 the current sector plan, Ritchie Marlboro Road will serve as  
24 a northern gateway to the sector plan area. Given that, we  
25 believe that development on both sides of Ritchie Marlboro

1 Road should be looked at. We are requesting that the subject  
2 property be rezoned to M-X-T which is also recommended for  
3 the south side of the Ritchie Marlboro Road. We believe that  
4 the M-X-T zone is appropriate to implement a uniform  
5 development concept and approach on both sides of the street.  
6 We are proposing that, with the M-X-T designation, we will  
7 have commercial, office, retail, dwelling units, both towns  
8 and single families, church and other church related  
9 facilities. We have been going through this planning process  
10 and we have been going through this process, we've been  
11 trying to think about ways to think outside the box, to  
12 create a new city in this area. To that end, we believe that  
13 the, instead of doing the individual approach, the piecemeal  
14 approach which is customary for us here in the county, that a  
15 more comprehensive approach is warranted to achieve a better  
16 plan for the citizens of Prince George's County. As a  
17 County, and the Planning Board is aware, sector plans are not  
18 confined to one planning area, but often extend to multiple  
19 planning areas as we've seen with the Morgan Boulevard and  
20 Addison Road sector plans.

21           The overriding principle is a unified concept plan  
22 that makes sense for citizens and residents in the area. We  
23 believe that by allowing us to combine our development plan  
24 with those on the south side of Ritchie Marlboro Road, we can  
25 achieve a better result for our citizens. We therefore

1 request that the property be included within the sector plan  
2 area and be recommended for X-M-T rezoning. Thank you.

3 VICE CHAIR EXUM: Thank you, MS. Bruce Watson.  
4 Sean Caldwell. Following Mr. Caldwell, Charles Renninger.

5 MR. CALDWELL: Good evening. My name is Sean  
6 Caldwell and I'm the managing director of Trammel Crow  
7 Residential and TCR is, as was described earlier, is a joint  
8 venture partnership with the Morning Star Pentecostal Church  
9 for the development as described by both Mr. Parker and Ms.  
10 Watson. They both did a great job of describing (INAUDIBLE)  
11 and planning what it is we're trying to achieve. It's  
12 important for me to explain it is that we are here tonight  
13 and why we want included in the process, why we did not  
14 include ourselves in the process before. Over the past year,  
15 our company, in partnership with the church, has been meeting  
16 with the Westphalia Civic Association, the Little Washington  
17 Civic Association and the Largo Civic Association. Over that  
18 time period, we have come to an agreed upon compromise as it  
19 relates strictly to the uses, density, and the planning of  
20 the proposed 11 acres on this parcel. So, we're proud that  
21 we're able to achieve that goal. The challenge that we faced  
22 is that over that course of time, the parties also agreed to  
23 that the best way to rezone the property was to rezoning text  
24 amendment. Needless to say, the tone and likelihood of  
25 zoning text amendments have clearly changed over the past

1 year and a half. So, for that reason, I wanted to  
2 communicate and put on the record what were the agreed upon  
3 terms with the three civic associations and Trammel Crow.  
4 The first was that there would be a deed restriction or  
5 covenant to prevent future development on the parcel, for  
6 future residential development on the parcel and only future  
7 school or day care would be considered for the site. Trammel  
8 Crow would be build no more than 86 homes. With those 86  
9 homes would be a combination of town homes and single family  
10 homes and through a plan that would be put on record. The  
11 town homes could not be less than 20 feet in width and there  
12 would e agreed upon work hours. Miscellaneous issues  
13 (INAUDIBLE) so clearly, we've tried to go about it in the  
14 way that was agreed upon with the civic associations but when  
15 we really look at the Westphalia Master Plan, we are calling  
16 this the gateway to the Westphalia study. To say that the  
17 gateway is divided by a highway and should not be included as  
18 an overall plan, I think is a bit shortsighted. If we have a  
19 way to combine the vision that has been agreed upon with the  
20 community with the master plan to the south of us, I think  
21 we'll all be pleased with a more comprehensive view of the  
22 gateway. Thank you very much.

23 VICE CHAIR EXUM: Thank you, Mr. Caldwell. Charles  
24 Renninger. Following Mr. Renninger, Barry Caison.

25 MR. RENNINGER: Thank you Madam Chair, Members of

1 the Council, Chairman Parker, members of the Planning Board.  
2 For the record, Charles Renninger, president of the Largo  
3 Civic Association. Let me start with the property that was  
4 just mentioned by the church. Yes, there were discussions  
5 with surrounding civic associations about potentially  
6 allowing residential development at this parcel. It is  
7 currently zoned R-3. Let me state clearly for the record, we  
8 are definitely opposed to including this particular piece of  
9 property in the sector plan. This is not part of the  
10 Westphalia master plan. This is part of the Largo-Lottsford  
11 master plan. There has never been any discussions at any of  
12 the charrettes to include this parcel. At this late date, to  
13 attempt to put this parcel into the plan, I think would be  
14 disingenuous to the surrounding property owners and the  
15 communities who have not had an opportunity to even be aware  
16 that this proposal is out there. There is a method for this  
17 applicant, if he chooses to rezone the property to file an  
18 appropriate application to amend the application for an  
19 appropriate use that the communities may or may not  
20 ultimately support. We've attempted one avenue. That avenue  
21 did not fly. We know there is a second  
22 avenue going through formal application and we think that  
23 would be the appropriate avenue, if the applicants elected to  
24 do that. We don't think the sector plan is the appropriate  
25 method.

1           The other issue that is also potentially a problem  
2 for the Largo community relates to the alignment and Mr. Ship  
3 mentioned it to you earlier. The alignment of Harry Truman  
4 Drive extended to the south. It cuts through a property that  
5 is currently going through approval processes. There's a  
6 basic plan which showed the alignment on the property.  
7 There's the CDP that doesn't show the alignment on the  
8 property and now they filed the preliminary plan as  
9 subdivision which is currently going through the review  
10 process. The Council and the Planning Board needs to decide,  
11 either this plan is going to go through with the road  
12 alignment going through that property or not going through  
13 the property. Some final determination has to be made so the  
14 citizens and the property owner are in a position to continue  
15 dialoging about the development of that property. We can't  
16 carry on a conversation without knowing where the road  
17 alignment is, if there is going to be a road. There's some  
18 considerations to improving White House Road. They can't  
19 improve White House if they have to dedicate Harry Truman and  
20 if they dedicate Harry Truman, then White House isn't going  
21 to be improved, probably. So, there's some give and take at  
22 play here because of the economics that we need a final  
23 determination of what's ultimately going to happen with that  
24 right-of-way. Is it going to be there or isn't it? And  
25 although it's directly outside of the sector plan, it's

1 mentioned specifically on pages 27 and 28, I believe,  
2 concerning the transportation issues. So there are a number  
3 of citations in this sector plan, with respect to the  
4 alignment of that roadway. Thank you.

5 VICE CHAIR EXUM: Thank you, Mr. Renninger. Barry  
6 Caison. Following Mr. Caison, Jenny Day.

7 MR. CAISON: Good evening, Madam Chair, members of  
8 the Board, Planning Board. For the record, my name is Barry  
9 Caison, the firm of Ben Dwyer Associates in Mitchellville.  
10 I'm here tonight to speak on behalf of Rock Creek Baptist  
11 Church and also in conjunction with the Washington and Bean  
12 properties. As you've already heard, before you has come  
13 Arthur Horne and the Washington Family, Harold Johnson and  
14 also Chris Seymour. Just to give you a brief background,  
15 the church has been engaged in the planning charrette process  
16 throughout the current SMA and sector plan process. We have  
17 been engaged by the church in a number of land planning and  
18 civil engineering studies over the past couple of years, to  
19 look at ways to give the church and for their property, the  
20 highest and best use for the property. One thing is very  
21 consistent, the church, they have constantly asked us to look  
22 at the highest and best use for their property, keeping in  
23 mind not only their vision for ministry, but also the needs  
24 of the community. We have done no less than about eight or  
25 nine studies on their behalf. We've looked at the

1 environmental issues and both the possibilities and also the  
2 constraints. We've looked at the planning constraints and  
3 also the engineering constraints and possibilities. What you  
4 have before you, which we can submit into record, are  
5 combined properties of the Washington, Bean and Rock Creek  
6 Church with a mixed use of residential, a mix of residential,  
7 retail, age restricted housing and also the church, with its  
8 various support and ancillary facilities. We do support the  
9 zoning of R-M and/or if M-X-T is not in consideration. We do  
10 not agree with the recommendation of village low for this  
11 property. We feel it is much too low and would not be a good  
12 use of the property. Thank you very much.

13 VICE CHAIR EXUM: Thank you, Mr. Caison. Jenny  
14 Day. Following Ms. Day, William Huttenlouff.

15 MS. DAY: Good evening. Madam Chair, County  
16 Council and Planning Board members, I want to thank you for  
17 the opportunity to share thoughts regarding the Westphalia  
18 plan. Just a brief statement of facts. Our property,  
19 according to the Westphalia preliminary sector plan and  
20 proposed section map amendment of April 2006, is to remain  
21 R-A. According to map 16, our property will be surrounded by  
22 M-X-T and R-M-H zoning with an insufficient buffer to Melwood  
23 Park which would destroy the rural nature of our property.  
24 Our property is adjacent to the Pepco right-of-way, which  
25 will provide access to our property through Robbley acres.

1 Map 12 does not show an area of encampment of the British  
2 invasion of the army of 1812 and from the historic  
3 significance, I think that may want to be included. We do  
4 not feel the following are adequately covered in the SMA, 1)  
5 road access or access road improvements required to  
6 accommodate the expected nearly 20,000 new housing units to  
7 prevent excessive traffic on Melwood Road. Provisions made  
8 to ensure access to equestrian trails throughout the rezoned  
9 area, linking back branch, hiker/biker/equestrian trail and  
10 Cabin Branch hiker/equestrian trail. The Claggett farm,  
11 Woodside Village, behind the Smith Family farm, is being  
12 developed as a horse community. We have a 25 acre horse farm  
13 with an arena and two other families living in Melwood  
14 Estates have horses, as well. This area was an established  
15 Marlboro Hunt fixture and horses have been a time-honored  
16 tradition in this area. The horse community is accustomed to  
17 transversing neighboring fields, riding along pastures and  
18 trails and the Pepco right-of-way. With inevitable and  
19 dramatic changes that will be occurring with development,  
20 it's important that trails be established and linked  
21 throughout the rezoned area for equestrian activities. The  
22 Smith family farm has a good, freestanding barn that would be  
23 suitable for housing a Maryland Park Police mounted unit.  
24 This would provide additional safety and security to the  
25 area. Mounted units have the flexibility to respond quickly

1 to situations, can work through traffic have a flexibility to  
2 negotiate their own path, work crowds and get to know the  
3 community and police miles of trails and park areas.

4 Another item that's not addressed and this will be  
5 my last point, on the SMA, is, could rezoning of our property  
6 to R-M be accomplished with the provision that current zoning  
7 R-A remain in effect until the sale of the property which  
8 would then change with the express desire of the purchaser  
9 zoning of the property to R-M. We desire such designation  
10 zoning. I want to thank you.

11 VICE CHAIR EXUM: Thank you, Ms. Day. Mr.  
12 Huttenlouff. Following Mr. Huttenlouff, Kimberlynn Davis.

13 MR. HUTTENLOUFF: Good evening, Chairman.

14 VICE CHAIR EXUM: Sir.

15 MR. HUTTENLOUFF: My name is William Huttenlouff.  
16 I live at 4703 Melwood Road. I've lived in the area since I  
17 was 14 years old. I'm now 67 years old, so I've been in the  
18 community for a long time. One of the things that I want to  
19 talk about is rezoning. I want to stay where we're at, R-A.  
20 On that position that you have there, we have 35 homes in  
21 that area which are surrounded by the rest of it and that  
22 whole community would like to stay R-A as far as our is  
23 concerned. The other thing that we want to talk about is the  
24 road on page 12, P-6, 15. It's a road where they've got it  
25 planned to come through my property and I like where I'm at.

1 I want to stay where I'm at and if this road comes through  
2 the middle of my property, then I'll have to relocate and  
3 also what it's going to have to do is going to go through  
4 seven other houses in that area and we've been talking to the  
5 developer and trying to get it relocated in a different  
6 position and they're working on that right now, but I want to  
7 make sure that's in the hearing, to know that we want to have  
8 that road changed to 615 would be changed around more north  
9 than that. They said they can do it, but I just want to make  
10 sure that's on the record to make sure that's taken care of.

11 Also want to take my hat off, put on the fire  
12 department side hat. I want to talk about the houses in the  
13 whole development area there. You talking about 6,000 acres  
14 of developing land. I have an ambulance at Forestville Fire  
15 Department. It's one ambulance that covers this whole area  
16 here. Right now, we're on a call right now. Our ambulance  
17 has been sitting at the hospital for two and a half hours  
18 right now and that's no good for this area here. You are  
19 going to have to be more persistent on taking care of the  
20 Prince George County Hospital and taking care of that so that  
21 we can get ambulances and the stuff around the whole County  
22 back so they can be back in service instead of sitting at the  
23 hospital for three to four hours.

24 I also want to talk about Pennsylvania Avenue and  
25 the bridge. They want to put an overpass at Pennsylvania

1 Avenue, right in front of the fire house. We've been working  
2 with the state roads for the last five years on developing  
3 that and I've been working with the Transportation people on  
4 that, specifically on that. And we want to make sure that  
5 that bridge will be able to put us over to Westphalia Road to  
6 get into that area there so the response time will be  
7 accurate to get into that area on that and also to respond to  
8 the southern area of the County and also to the northern part  
9 of the County on that. So, they want to put just a bridge  
10 one way and we have to make sure that bridge goes all  
11 directions on that when it comes out of the location. That's  
12 all I have. Do you have any questions?

13 VICE CHAIR EXUM: Thank you, Mr. Huttenlouff.

14 MR. HUTTENLOUFF: Thank you for listening.

15 VICE CHAIR EXUM: Ms. Davis. Following Ms. Davis,  
16 Mary Joan Robertson.

17 MS. DAVIS: Good evening, Madam Chair, Council  
18 Members, Members of the Planning Board. My name is  
19 Kimberlynn Davis, Board President, Westphalia Woods I. I'm  
20 speaking on behalf of members in the Westphalia corridor.  
21 Let me begin by commending Councilman Dean for his vision for  
22 the Westphalia area and his commitment for ensuring that the  
23 infrastructure improvements are made at the time of the  
24 development and not years later. On May 17th, 2006,  
25 representatives of various civic associations in the

1 Westphalia corridor attended a meeting hosted by the Maryland  
2 National Capital Park and Planning Commission. At that time,  
3 consultants for the Maryland National Park and Planning  
4 Commission presented for the first time, a draft sketch for  
5 the Westphalia sector plan area. Copies were not made  
6 available at that time to take back to the community for  
7 discussion. As a result, the following comments are general  
8 in nature and may not reflect all concerns that the community  
9 may have regarding the plan.

10           Before making more specific comments, the community  
11 would note our overall concern about the current process. It  
12 was the community's understanding that the charrette process  
13 which involved extensive community input would result in the  
14 proposed plan for the Westphalia area. It was also the  
15 community's understanding that the current consultants would  
16 create the framework for implementing the plan, and not as it  
17 appears now, creating a new plan. In any event, we are  
18 greatly concerned about the lack of input being afforded to  
19 the community in the current process. Indeed, it appears  
20 that the current process is based upon a top-down approach,  
21 rather than a bottom-up approach as was utilized during the  
22 charrette. The community is also concerned that certain  
23 proposed changes to the current plan were undermined,  
24 agreements made between the developers and the communities.  
25 For example, the community has made it clear that single

1 family homes should be built in areas closest to the existing  
2 communities and that these areas should not include tall  
3 residential buildings. The community also made it clear that  
4 the public active recreation should be built in the central  
5 park so that it could service both existing and proposed  
6 communities, not as being proposed, away from the communities  
7 on Route 4.

8           As to more specific comments, we offer the  
9 following: provide a development district or other financing  
10 mechanism that will ensure concurrency of infrastructure  
11 development such as roads and require proportional  
12 contributions among all owners and developers of the  
13 properties inside the Westphalia sector plan area for off  
14 site improvements such as D'Arcy Road, Ritchie Marlboro Road,  
15 Sansbury Road and Westphalia Road. Require that owners-  
16 developers of properties inside the Westphalia plan  
17 contribute land to the central park and proportionally  
18 participate in a park club to pay for its construction and  
19 maintenance. Include a performing arts center and a separate  
20 communities centers for activities for youth, young adults  
21 and seniors in the central park. Preserve historic sites and  
22 natural waterways. Rebuild existing police station. Thank  
23 you.

24           VICE CHAIR EXUM: Thank you, Ms. Davis. You can  
25 submit the rest of your testimony to the Clerk. Ms.

1 Robertson. Following Ms. Robertson, Cathy Hook.

2 MS. ROBERTSON: Good evening, Madam Chairman,  
3 Council Members. My name is Mary Joan Robertson. I'm the  
4 president of the Melwood Road Civic Association. Melwood  
5 Road Civic Association is composed of individual property  
6 owners as well as community groups that live on Melwood Road  
7 or around Melwood Road or around Westphalia development site.  
8 We all share common interests and have common concerns about  
9 the Westphalia plan and I wanted to speak this evening  
10 particularly about historic Melwood Road and the preservation  
11 of historic Melwood Road. Melwood Road is approximately two  
12 and a quarter miles long and it runs between Old Marlboro  
13 Pike at Pennsylvania Avenue to the north and west, over to  
14 Westphalia. These are the only two roads that it intersects  
15 with, with the exception of Morris Way which is in the middle  
16 of the Smith Home Farm development. We are of the  
17 understanding that most likely Morris Way will become another  
18 road or possibly not used at all, since it is now in the  
19 middle of a very hot, hot quickly moving development. On the  
20 other hand, Melwood Road, being a historic road, quick  
21 summation, it's on the Marietta map which is the oldest map  
22 we've found for this County. It's the only road that we have  
23 found that is actually spelled out its name, Melwood, on this  
24 map and it is exactly in the same bed that it has been in  
25 ever since 1683 of the date of this map. It also has

1 historic aspects with both the Revolutionary War and the War  
2 of 1812. It also was a pathway for the Underground Railroad  
3 and families escaping to freedom at the Driggs farm. Melwood  
4 Road is also surrounded by a lot of natural habitat, green  
5 areas, estuaries and mature forests. This is something else  
6 that we are wanting to keep in this development. As you  
7 know, the Westphalia plan is riddled with the Cabin Branch  
8 streams and woodlands. A lot of the woodlands, particularly  
9 along Melwood Road and in the Melwood Estates and Twin Knolls  
10 subdivisions are very mature forests, as well as wetlands.  
11 So, we would like very much if as much of the wetlands and  
12 wood lands in this Westphalia plan could be kept because this  
13 is the last mature forest in this metro of D.C. It'll be  
14 shame to lose it. Just like it would be a shame to lose the  
15 history along with Melwood Road and the farms that were  
16 there. Blackwood is probably going to be kept, but we don't  
17 know if it is going to be kept as a historic location or if  
18 it's going to be an actively functioning, maybe equestrian or  
19 police location. We don't know what the plans are. That  
20 will be up to the developer, but what we do what to do, is  
21 keep Melwood Road. Thank you for your time.

22 VICE CHAIR EXUM: Thank you, Ms. Robertson.

23 MS. ROBERTSON: And I will continue the testimony  
24 in writing.

25 VICE CHAIR EXUM: Thank you. Ms. Hook. Following

1 Ms. Hook, Georgette Gregory.

2 MS. HOOK: Good evening. My name is Cathy Hook. I  
3 live on Melwood Road. I am a member of the Association, but  
4 I am here just speaking as an individual. I would like to  
5 point out that I was informed by Mr. Dean at one of the prior  
6 meetings I've attended that schools do not fall under an  
7 adequate public facilities test. A lot of the people --

8 (Tape 3, Side A)

9 -- (INAUDIBLE) and the Council should address the  
10 schools at the specific and individual that concern so that  
11 we have schools in place for (COUNT 360 TO 380 IS INAUDIBLE).  
12 -- don't live in this County, it's still (COUNT 390 TO 416 IS  
13 INAUDIBLE). Therefore, I'd like to have it stricken from the  
14 opening statement which said that these public utilities  
15 would be provided for prior to or concurrent with, we should  
16 just strike concurrent with because we need them first, some  
17 of those things. Phasing and cost sharing, we lack some real  
18 clarification on that. What does that involve? Taxes,  
19 increasing taxes, are we going to have the developers doing  
20 this cost sharing? We need to know specifically how these  
21 public facilities are going to be paid for ahead of time.  
22 The Council should (COUNT 485 TO 523 IS INAUDIBLE). -- to  
23 pay top dollar for homes when they don't have a place to send  
24 their kids to school. Rosewood, which I've heard mentioned  
25 many times tonight and a lot of people here under that plan,

1 it was my understanding that Rosewood and Rosewood city and  
2 the Rosewood city plan have been scrapped in favor of this  
3 Westphalia sector plan. I don't see Rosewood mentioned  
4 anymore. So a lot of people need clarification on what plan  
5 we're actually pursuing here. The high density core for  
6 months, I've been participating in these meetings, that urban  
7 core in the master plan is designated for the terminus of  
8 Suitland Parkway and that's where it should remain. Thank  
9 you.

10 VICE CHAIR EXUM: Thank you, Ms. Hook. Georgette  
11 Gregory.

12 MS. GREGORY: Madam Chair and the Counsel, I'm  
13 Georgette Gregory. I'm the principle of Ardmore Elementary  
14 School. And this great County of Prince George's County. I  
15 am happy to come in support of Rosewood, which was the  
16 original plan, as I understand and one that would bring a  
17 great deal of promise to the children, the parents of the  
18 community of this great County. I believe that there, for  
19 many, many years, developers have come in. They have  
20 developed the property and as many people have said prior to  
21 me, they have left and they have gone home to their great  
22 holdings in Montgomery County, Howard County and surrounding  
23 counties, D.C. and various other places in Virginia. I think  
24 with the Rosewood project, you will be able to bring back or  
25 bring to the County, a viable choice for merchandising much

1 of what we can and this particular County. We can have  
2 stores. We can have civic centers, museums, housing, and  
3 public facilities that would enhance this particular section  
4 along the Westphalia corridor and down Pennsylvania Avenue.  
5 I support this. I know that this is a very thriving  
6 community but one that could use a very strong area such as  
7 what was proposed by the original Rosewood project. So, I'm  
8 hoping that the County will look favorably upon it and  
9 realize that we need to empower this County with County  
10 support from the citizenry of this County and by doing that,  
11 we can empower the students to do well in this society and  
12 all of us can grow together. Thank you.

13 VICE CHAIR EXUM: Thank you. Thank you, Ms.  
14 Gregory, Mr. Willis, Ms. Foxx for what you impart to our  
15 young people each day. Let me turn to Mr. Dean for comment.  
16 We have public testimony (INAUDIBLE).

17 COUNCIL MEMBER DEAN: Thank you, Madam Chair and I  
18 do want to thank you all for coming out to testify. Let me  
19 first start by explaining that Rosewood was a concept that  
20 did not fly. The people who brought Rosewood did not have  
21 the resources to carry out, however, even though Rosewood  
22 does not exist, I was part of the discussion around Rosewood  
23 and basically, the thrust that we are undertaking is  
24 basically the same thrust that had been articulated as far as  
25 Rosewood was concerned. One of the things that we have to

1 keep in mind, and this is one of the reasons we're trying to  
2 come together and come up with a vision for 6,000 acres of  
3 land, if we had allowed the land to be developed as it has  
4 been and continued to be in a lot of parts of Prince George's  
5 County, we would have had a hodge-podge of development. I  
6 think that this County deserves better. Therefore, I called  
7 all the land owners and the developers together and say we  
8 have 6,000 acres that we have to build in a certain manner.  
9 It would be quality, upscale development. One of the things  
10 I pride myself in is that I do have a vision for Prince  
11 George's County. I've been in Prince George's County for  
12 over 30 years. I knew Prince George's County when Prince  
13 George's County was Prince George's County or PG. It has  
14 changed. Developers are coming and they are making their  
15 efforts to move their projects forward. I have been very  
16 clear, very clear to the developers is that we're not moving  
17 these projects forward unless they are developed in a  
18 comprehensive manner. One of the other things that we're  
19 always confronted with is that developers like to develop and  
20 then you get the amenities at the back end. With this  
21 project is pushing and we are using our leverage and bully  
22 pulpit to make sure it happens, is that the amenities that  
23 you're looking for, the infrastructure that you're looking  
24 for, will come on line prior to and not after the project has  
25 been developed.

1           The other thing is that I want to make sure that  
2 everyone understands that this is a very transparent process.  
3 Everyone is not going to get what they want, but no one is  
4 going to be intentionally hurt. The small landowners will  
5 not be hurt. There's no such thing and no discussion and  
6 there will not be a discussion as long as I represent  
7 District 6 around eminent domain. Own your land, we will  
8 work with you to try to make sure that you get from your land  
9 what you feel you deserve. Everyone is not going to be happy  
10 with this process and in life, we're never always happy.  
11 There has to be some compromises. There has to be some  
12 compromises from the developer. There has to be compromise  
13 from the landowners. There has to be compromises from the  
14 citizens. One thing about land is that when you own land,  
15 you can do what you want with your land as long as it falls  
16 within the zoning designations that's out there. We have to  
17 come together.

18           This has been a very transparent process. This  
19 process started last September and one of the things that I  
20 demanded was that everybody that had an interest was notified  
21 to come and participate. If you didn't, it was not because  
22 we did not make an effort to get to you. As we move forward,  
23 and that's the reason for this meeting tonight, is to hear  
24 your concerns.

25           We know about Melwood. We understand the concerns

1 there. We're working to make sure that those concerns are  
2 taken care of. We know about Little Washington. We're  
3 trying to make sure that those things are taken care of. We  
4 know about Westphalia Estate. We're making sure that those  
5 concerns are taken care of.

6 I can only speak for what falls in District 6. I  
7 don't have authority to talk about what may happen in  
8 District 9 and I know some people came to testify that even  
9 though we're not part of Westphalia, my project is outside of  
10 Westphalia. I can't speak for my other counterparts. I'm  
11 only concerned and committed to making sure that the 6,067  
12 acres that make up the Westphalia study is taken care of.

13 As far as schools are concerned, in the process,  
14 we're hopeful to come up with some type of financing plan,  
15 special taxing district tiffs and some other things. We're  
16 also working with the state to allow the developers to build  
17 schools and these schools go back to the system. Current  
18 problem that we have is that the system does not allow the  
19 school system to use their CIP funds to pay leases and so  
20 we're trying to work through that. I heard a number of  
21 homes, 20,000; 27,000 maybe more. The way this current plan  
22 is set up, the actual number of homes that are projected are  
23 15,000, not 20, not 30. And so, therefore, we will move  
24 forward. We want your input and your input is considered.  
25 Don't believe that we sat here tonight and you came to

1 testify and your testimony fell on deaf ears, it did not. We  
2 will move forward. We will continue to engage in and at the  
3 end of the day, we hope we come out a win-win, realizing that  
4 you can't get everything you want and sometimes you have to  
5 make compromises. And with that, I do thank you for the  
6 opportunity to speak, Madam Chair.

7 VICE-CHAIR EXUM: Thank you, Mr. Dean. Having  
8 considered the testimony, again, the record will remain open  
9 for additional 15 days. You are welcome to submit additional  
10 testimony in writing. After a very long day, we are  
11 adjourned. Thank you.

12 **(Whereupon, the proceedings were concluded.)**

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C E R T I F I C A T E

DEPOSITION SERVICES, INC., hereby certifies that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings before the Prince George's County Council and the Prince George's County Planning Board in the matter of:

PRELIMINARY SECTOR PLAN

AND

PROPOSED SECTIONAL MAP AMENDMENT FOR

WESTPHALIA

\_\_\_\_\_

Date: \_\_\_\_\_

Carol M. Gordon, Transcriber

October 3, 2025

Chairman Darryl Barnes  
Maryland-National Capital Park and Planning Commission  
6611 Kenilworth Avenue  
Riverdale, Maryland 20737

RE: ZMA-2025-003 Day Property

Dear Chairman Barnes:

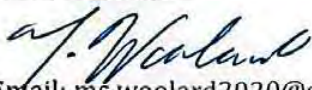
My name is Tiana Woolard. I live in District 6 and am a lifelong resident of Prince George's County. I currently serve as a nurse and schoolteacher within the County and have family with several generations who reside here as well. With this application, I would like to share how I feel the ZMA-2025-003 (Day subdivision) will impact the community in which I live.

Our County landscape is constantly changing, which makes sense as with time, the only constant is change. My residential experience on Melwood Road has had its fair share of change over the past decade. The idea of Westphalia has been offered to us, "Upper Marlboro/Melwood-ians" as a promise of progress with retail, parks, schools, and homes. As more machines break ground, we all are pushed closer and closer together and seem to move further and further from the vestiges of our rural and agricultural roots. I understand that development must keep pace with economic growth or we risk being left behind in a progress rut. As a resident of this County, being left behind is not an option.

Regarding the Day subdivision, the development team has shared their plans on how a single-family subdivision would benefit this community. Through working with and supporting county organizations, I have devoted much of my life so the requirements of the community can be met. I trust that Mr. Mark Olumuyiwa Sobo and his development team have the best intentions for how their vision falls in line with the community's well-being and the revitalization of Westphalia. I whole heartedly agree that another labyrinth of cookie cutter townhomes is not the way to go for this area. I trust that Mr. Sobo, by delivering this single-family subdivision, will bring value and prosperity to the new development and to the County overall.

Thank you for your time and service to our community.

Tiana Woolard



Email: [ms.woolard2020@gmail.com](mailto:ms.woolard2020@gmail.com)

Phone: 240.434.6374

September 25, 2025

Chairman Darryl Barnes  
Maryland-National Capital Park and Planning Commission  
6611 Kenilworth Avenue  
Riverdale, Maryland 20737

RE: ZMA-2025-003 Day Property

Dear Chairman Barnes:

My name is Ralph Day, and I have proudly called Prince George's County my home for the past 40 years. As a longtime resident of District 6, a retired officer of the United States Navy, and a defense contractor, I have dedicated my life to public service and to the betterment of my community.

With this letter, I would like to express my strong support for **ZMA-2025-003, the Day Subdivision**.

The development team, led by Mr. Mark Olumuyiwa Sobo, has conducted several meetings with local residents, demonstrating a clear and ongoing commitment to community outreach. In our immediate area, neighbors have been contacted regarding infrastructure improvements—such as access to public water and sewer—and many have responded positively and with gratitude. These conversations have been respectful, inclusive, and productive.

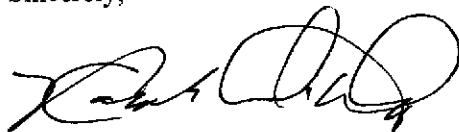
While the final housing count and site plan have not yet been approved, I am encouraged by the proposal for a **single-family home subdivision**. This approach promotes thoughtful, measured growth and will contribute to the long-term stability and vibrancy of our community. Unlike some developments that seek high-density housing in already-congested areas, this proposal is a **balanced and appropriate fit** for our neighborhood.

Mr. Sobo and his team have shown every intention to work in good faith with the **Planning Commission**, the **Maryland-National Capital Park and Planning Commission**, and the **Prince George's County Council**. Their efforts are not about maximizing profit or pushing boundaries—they are about responsible development that respects existing residents and serves the broader needs of District 6.

I fully trust that this subdivision, once realized, will bring immediate and lasting benefit to our community. I therefore respectfully request that the Planning Board approve ZMA-2025-003 for the Preliminary Plan of Subdivision for the Day Subdivision, including any amendments, waivers, or variances necessary to achieve this goal.

Thank you for your time, consideration, and continued service to our county.

Sincerely,



**Ralph D. Day**  
District 6 Resident  
Prince George's County, MD

**October 1, 2025**

Chairman Darryl Barnes  
Maryland-National Capital Park and Planning Commission  
6611 Kenilworth Avenue  
Riverdale, Maryland 20737

RE: Melwood DAY Project ZMA-2025-003

Dear Chairman Barnes,

My name is LaShauna Tillmon, a resident of Westphalia and a professional in community and association management. Over the course of my career, I have worked extensively with homeowner and condominium associations throughout Prince George's County, guiding boards and residents through complex matters of governance, budgeting, infrastructure planning, and long-term sustainability. With this perspective, I am writing to express my full support for the rezoning of the Melwood DAY Project ZMA-2025-003 and the promise it holds for our community's future.

The growth of Westphalia is not simply about adding new homes; it is about creating a cohesive, well-managed community that enhances quality of life, strengthens property values, and builds lasting stability. I have seen firsthand how successful development depends on thoughtful planning and meaningful community engagement. Mr. Mark Sobo and his team have demonstrated both. By engaging residents, listening to concerns, and integrating feedback, they have ensured that this project is not just another subdivision, but a plan rooted in collaboration and respect for the community it will serve.

The proposed single-family subdivision will expand housing opportunities while reinforcing the character of Westphalia as one of the county's most vibrant and forward-looking neighborhoods. Beyond providing new homes, the project represents an investment in infrastructure, connectivity, and the long-term resilience of our area. With my background in association management, I recognize how important it is to align development with sustainable financial practices and governance structures. The Melwood DAY Project ZMA-2025-003 has the potential to set a new standard for how growth is not only built but also maintained in the years ahead.

For these reasons, I strongly encourage the Planning Board to approve the Melwood DAY Project ZMA-2025-003. This development represents more than construction; it is a strategic step toward realizing Westphalia's full potential as a thriving, well-balanced community within Prince George's County.

Sincerely,

*LaShauna M. Tillmon*

**LaShauna Tillmon**  
Resident, Westphalia

Email: [LaShaunaTillmon@gmail.com](mailto:LaShaunaTillmon@gmail.com)- Phone: 301-704-8962

September 22, 2025

Chairman Darryl Barnes  
Maryland-National Capital Park and Planning Commission  
6611 Kenilworth Avenue  
Riverdale, Maryland 20737

RE: ZMA-2025-003 Day Property

Dear Chairman Barnes:

My name is Robert Clagett, and I have lived in Prince George's County my entire life. As both a land specialist and a District 6 landowner, I have had the opportunity to witness the county's transformation firsthand. Throughout my professional career, I have consistently aimed to support and enhance the long-term interests of Prince George's County.

I am writing this letter in strong support of **ZMA-2025-003, the proposed Day Subdivision**. Mr. Mark Olumuyiwa Sobo and his development team have engaged with the community on multiple occasions. These interactions have been overwhelmingly positive, and the proposed project has been met with a warm reception from nearby residents.

I am particularly supportive of this application because it proposes a **single-family home subdivision**—a welcome addition in an area that has seen a significant number of townhome communities. A thoughtfully designed single-family development will add long-term value, stability, and character to the neighborhood. It aligns with what we strive for in real estate and planning: projects that *fit* the community and simply *make sense*.

The broad community support for this proposal is a reflection of that fit. It's clear that this plan responds to the actual needs and desires of local residents, not just market trends or profit potential.

I am confident that Mr. Sobo and his team will continue to collaborate closely with the Planning Commission, the Maryland-National Capital Park and Planning Commission, and the Prince George's County Council. Their approach is not driven by the pursuit of high-density or maximum-profit development—**there are no townhomes and no high-density lots proposed**—but by a genuine commitment to ecological stewardship and community-minded planning.

For these reasons, I respectfully request that the Planning Board approve ZMA-2025-003 for the Day Subdivision, including any amendments, waivers, or variances necessary to achieve this goal. It represents the kind of balanced, community-oriented development that Prince George's County deserves. Thank you for your time and consideration, and thank you for your service to our county.