

Case No.: SDP-1003-06 Smith Home Farm
Sections 1A, 1B, 2, and 3

Applicant: SHF Project Owner, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER OF APPROVAL

IT IS HEREBY ORDERED, after review of the administrative record and conducting oral argument in this matter, that the application to amend an approved specific design plan, SDP 1003, to revise the proposed development layout for Section 3 to include 140 two-family dwellings, to reduce the number of townhouses from 210 to 130 units, to add several models to the approved architecture for the specific design plan, and to revise the permit trigger for approval of a specific design plan for the Westphalia Central Park for a portion of a development project called "Smith Home Farm," namely Sections 1A, 1B, 2, and 3, consisting of approximately 265 acres in the R-M (Residential – Medium) Zone in the northern/northeastern portion of a total project area of 757 gross acreage, and located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4), in Planning Area 78, and within Council District 6, be and the same is hereby APPROVED, subject to conditions.

As the basis for this final decision, and as expressly authorized by the Regional District Act, within Title 22 and Title 25 of the Land Use Article of the Annotated Code of Maryland, and the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, we hereby adopt the findings and conclusions within PGCPB No.

15-36 in the administrative record, as the findings of fact and conclusions of law of the District Council in this case.¹

Approval of SDP-1003-06 is subject to the following conditions:

1. Prior to certification of the specific design plan (SDP), the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Indicate the actual and required setbacks of the structures.
 - b. Provide top and bottom of wall measurements on all retaining walls.
 - c. Indicate a specific height limit for the ground-mounted signage of not more than six feet in height.
 - d. Provide the dimensions of the "wording area" and sign panel for all signage.
 - e. Indicate the actual setback from the right-of-way of all ground-mounted signage on the site plan.
 - f. Provide the detail of signage on piers, including the exact location and dimensioned size of the signage.
 - g. The applicant shall revise the plans to remove reference to a community garden. The applicant shall instead submit plans demonstrating land set aside for enhanced landscaping, and the enhanced landscaping plan shall be subject to review and approval by the Planning Board or Planning Board's designee.
 - h. The applicant shall add the following general notes to the plans:
 - (1) The applicant shall conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
 - (2) The applicant shall conform to the construction activity noise control requirements of Subtitle 19 of the Prince George's County Code.

¹ Pursuant to § 27-528.01 of the County Zoning Ordinance, the Development Review Division of the Planning Department issued a notice letter and copy of the Planning Board's disposition recommendation within PGCPB No. 13-56 to all persons of record for the subject application. In response, on or about June 11, 2015, the Clerk of the District Council received, pursuant to Section 27-530 of the Zoning Ordinance, the Clerk of the District Council received a written appeal from a person of record, Ms. Colette Goldson, and set the matter for oral argument before the District Council.

On July 20, 2015, during Oral Argument proceedings before the District Council, the Opposition verbally withdrew all issues within the June 11, 2015, appeal.

- (3) The subject project is located within the Joint Base Andrews (JBA) Interim Land Use Control (ILUC) impact area and within Imaginary Surface D (Inner Horizontal Surface), establishing a height limit of 150 feet above the runway surface, and within Imaginary Surface E (Conical Surface), within the 70-75 dBA Ldn noise contour, but not within an Accident Potential Zone.
- i. In accordance with crime prevention through environmental design (CPTED) principles, the following revisions shall be made to the plans for the project:
 - (1) Adequate lighting shall be provided in the private alleys. Such lighting shall be shielded and positioned so as to minimize light trespass caused by spill light.
 - (2) The evergreens (White Spruce and Canadian Hemlock) shall either be relocated elsewhere on the site or the spacing between them shall be increased.
 - j. The applicant shall have the plans revised to include the Joint Base Andrews (JBA) Interim Land Use Control (ILUC) and imaginary surface boundaries.
 - k. General Note 20 which states that mandatory park dedication is of land for the Westphalia Central Park shall be removed from the plan set.
 - l. General Note 31 which states that the property is in the Developing Tier shall be removed from the plan set.
 - m. The previously approved lot chart on Sheet 1 of the plan set shall be updated.
 - n. On Sheet 1A, the note in the legend that states that SDP-1003 is for “infrastructure only” shall be removed.
 - o. The word “typical” shall be removed from the signage and landscaping details included on Sheet 41 of the plan set. The details for the signage and landscaping shall be revised so as to be specific to what will be installed as part of the eventual construction of the subject project.
 - p. Adequate guest parking, not solely for the recreational facilities, shall be provided in Section 3. The final design, including quantity of spaces, shall be approved by the Planning Board or its designee.
 - q. The conflicts between the stormdrain and public utility easements shall be reconciled to the satisfaction of all involved utilities and the applicant shall present to staff an agreement among the same stating that they find that the placement and size of the easements is adequate for the purpose of providing utility service to Sections 1A, 1B, 2, and 3.

- r. Sixty percent of the single-family attached townhouses in Section 3 shall feature a full brick or other masonry front façade. In aggregate, the total area of the front façades of the two-family attached dwellings within Section 3 shall contain a minimum of 70 percent brick, excluding windows and doors, or other masonry front façade. All highly visible front and side façades for units in Section 3, as depicted in Applicant's Proposed Highly Visible Lots Exhibit (Slide 24 of 25) shall have a full brick or stone façade. In addition, a minimum of three (3) end wall features are required on side elevations, which shall have the same level of quality of architectural detail and material as the front façade. On Central Park Drive, all units shall have full brick or stone front and side façades.
- s. The tabulation of all lots that have been approved previously for this project provided on the SDP shall be updated in accordance with the approval of the subject SDP-1003-06 approval. The tabulation shall include the breakdown of each type of housing units approved, SDP number, and Planning Board resolution number.
- t. Prior to certificate approval of SDP-1003-06, Type II Tree Conservation Plan TCPII-011-12-02 shall be revised as follows:
- (1) A TCPII revision table shall be provided on the cover page which indicates the TCP number, the revision number, the associated plan number, the revisions included, and the plan sheets affected.
 - (2) On the overall worksheet, the line labeled "Afforestation Located on Future Section" shall add in parenthesis "(See Note 3 below)."
 - (3) The individual TCPII worksheet shall be revised to indicate that the woodland conservation required for the section, based on the overall worksheet, is 10.78 acres and that the total woodland conservation requirement is also 10.78 acres.
 - (4) Have the revised plan signed and dated by qualified professional who prepared it.
- u. The applicant shall add a plan to the plan set for the project that depicts the geographic area owned by SHF Project Owner LLC, and which is covered by the Public Facilities Financing and Implementation Program (PFFIP) District for Westphalia Center and the Park Club agreement. The plan shall be reviewed for adequacy and correctness by the Planning Board or its designee.
- v. Revise the plans to reinstate the previously approved open space and connections of Parcels T20, T22, and T24.
- w. Adjust the location of street trees and sidewalks to adhere to the requirements of

Section 4.10, of the 2010 *Prince George’s County Landscape Manual* or, if not feasible, obtain alternative compliance of a departure.

- 2. Prior to issuance of grading permits for any phases of the Smith Home Farm site, the applicant must demonstrate how the woodland conservation requirements will be implemented by bonding of afforestation/reforestation requirements and/or submitting recorded transfer certificates for off-site woodland conservation requirements. The location of off-site woodland conservation requirements shall be in accordance with the priorities listed in Section 24-122(a)(6) of the Subdivision Regulations within the same eight-digit sub-watershed (Cabin Branch), within the same watershed (Western Branch), within the same river basin (Patuxent), within the same Environment Strategy Area (ESA 2), or within Prince George’s County. Applicants shall demonstrate to the Planning Director or designee due diligence in seeking out appropriate location opportunities for off-site woodland.

- 3. The Central Park shall be planned in phases. A specific design plan (SDP) for Phase 1 shall be approved prior to issuance of the 200th building permit. The timing for the design and construction documents for Phase 2 of the Central Park shall be established by the District Council at the time of the Phase 1 SDP for the Central Park and include analysis of the anticipated funding expected to be available. Phase 2 design shall also include a detailed analysis of the feasibility of constructing an amphitheater and other recreational facilities in the Central Park.

Ordered this 21st day of July, 2015, by the following vote:

In Favor: Council Members Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras.

Opposed:

Abstained:

Absent: Council Members Toles and Turner.

Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE’S
 COUNTY, MARYLAND, SITTING AS THE
 DISTRICT COUNCIL FOR THAT PART OF
 THE MARYLAND-WASHINGTON REGIONAL
 DISTRICT IN PRINCE GEORGE’S COUNTY,
 MARYLAND

By: _____
 Mel Franklin, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council