

April 5, 2022

Stanley Martin Companies, LLC  
6404 Ivy Lane, #600  
Greenbelt, MD 20770



Re: Notification of Planning Board Action on  
**Comprehensive Design Plan CDP-2101**  
**Parkland And Rock Creek**

Dear Applicant:

This is to advise you that, on **March 31, 2022**, the above-referenced Comprehensive Design Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-523, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

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

Very truly yours,  
James R. Hunt, Chief  
Development Review Division

By: Henry Zhang  
Reviewer

Attachment: PGCPB Resolution No. **2022-29**

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

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on March 3, 2022, regarding Comprehensive Design Plan CDP-2101 for Parkland and Rock Creek, the Planning Board finds:

1. **Request:** This comprehensive design plan (CDP) application proposes to develop a 156.87-acre site with up to 770 residential dwelling units, including 350–440 single-family attached dwellings (townhouses), 130–170 single-family detached dwellings, and 110–160 age-restricted multifamily dwelling units, as well as approximately 6,000 square feet of commercial/retail space.

2. **Development Data Summary:**

<b>Gross tract area</b>	156.87 acres
<b>Gross tract area in the R-M Zone</b>	138.74 acres
100-year floodplain in the R-M Zone	13.24 acres
Net tract area	132.12 acres
Base density*of the R-M-zoned property (3.6 x 132.12 acres)	475 dwelling units
Proposed density **in the R-M Zone	475 dwelling units
<b>Gross tract area in the L-A-C Zone</b>	18.13 acres
100-year floodplain in the L-A-C Zone	0.38 acre
Net tract area	17.75 acres
Residential acreage proposed	17.23 acres
Base density*of the L-A-C (Neighborhood) zoned property (8.0 x 17.23 acres)	137 dwelling units
Proposed density **in the L-A-C Zone	137 dwelling units
Commercial acreage proposed	0.90 acre
Base commercial intensity (0.16 floor area ratio (FAR) per acre)	6,273 sq. ft.
Commercial development proposed	6,000 sq. ft. (0.15 FAR)

**Notes:** \*Per Section 27-486(a) of the Prince George’s County Zoning Ordinance, residential density determinations in the Local Activity Center (L-A-C) Zone shall be based on an average number of dwelling units per gross residential acre. Residential density

determinations in the Residential Medium Development (R-M) Zone shall be based on an average number of dwelling units per gross acre, minus 50 percent of the density attributed to any land located within a 100-year floodplain.

**\*\*The proposed density is governed by the previously approved basic plans, as stated in Zoning Change 9 of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (see discussion in Finding 7 below).**

3. **Location:** The subject property is the remaining eastern portion of a larger development known as The Villages at Westphalia, referenced as Sector Plan Development Concept 4 of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). The subject site is located north of Westphalia Road, south of Ritchie Marlboro Road, approximately 1,790 feet west of their intersection, west of the Preserve at Westphalia, in Upper Marlboro, Maryland. The site is also located in Planning Area 78 and Council District 6.
4. **Surrounding Uses:** The site is bounded to the north by the right-of-way of Ritchie Marlboro Road, with property in the Residential-Agricultural (R-A) Zone beyond; to the east by the development known as The Preserve at Westphalia (approved in Specific Design Plan SDP-1901), which is the first part of the larger project known as The Villages at Westphalia, in the R-M and L-A-C Zones; to the south by the right-of-way of Westphalia Road, with Residential-Estate (R-E) and R-M zoned properties beyond; and to the west by existing single-family detached homes in the R-E Zone. The small southwestern corner of the site is also covered by the Military Installation Overlay (M-I-O) Zone, as it is located in the vicinity of Joint Base Andrews.
5. **Previous Approvals:** The Westphalia Sector Plan and SMA rezoned a larger property of approximately 223.5 acres from the R-A Zone to the R-M and L-A-C Zones. As part of the approval of these comprehensive design zones, the Prince George's County District Council approved Sector Plan Development Concept 4 as the basic plan for development of the subject property. The specific land use types and development quantities/densities are stated in Approved Zoning Change 9 of the SMA (see Finding 7 for specific land use types, densities, and spatial relationship).

A comprehensive land use study of the Westphalia Sector Plan and SMA was conducted before its initiation. The sector plan specifically states that the land use concepts serve as the basic plan for those properties in the comprehensive design zones (see page 91).

The adjoining property to the east of the subject site, which is known as The Preserve at Westphalia, approved under CDP-1701 and SDP-1901, and the subject site make up the majority of the Villages at Westphalia approved in the Westphalia Sector Plan and SMA. The small 2-acre Parcel 95, known as the Washington parcel and located just north of Westphalia Road, is not part of this application nor any previous CDP. It is the last remaining parcel that was part of the Villages at Westphalia rezoning.

6. **Design Features:** The subject CDP is bounded on the north and south sides by the public rights-of-way of Ritchie Marlboro Road and Westphalia Road, respectively. A master plan right-of-way, MC-631, Suitland Parkway Extended, which is categorized as a major collector roadway, is proposed through the site along the western boundary connecting Ritchie Marlboro Road and Westphalia Road and providing the main accesses to the proposed development. The alignment of MC-631 is slightly different from the location shown on the approved Westphalia Sector Plan and SMA, to avoid environmental features.

Five distinct pods of development have been proposed along MC-631, from north to south, including Pod 1, which is labeled as Section A, zoned R-M, and contains the age-restricted multifamily residential development with direct access from Ritchie Marlboro Road; Pod 2, which is labeled as Sections B and C, zoned R-M, is predominantly for single-family detached homes and some townhouses; Pod 3, which is labeled as Section D, zoned R-M and L-A-C, is for townhouses only; Pod 4, which is labeled as Sections E and F, zoned R-M and L-A-C, includes both single-family detached units and townhouses; and Pod 5, which is labeled as Section G, zoned L-A-C, proposes 6,000 square feet of commercial/retail development. Pods 2 and 3 are accessed via MC-631. Pods 4 and 5 are accessed from the Preserve at Westphalia property to the east.

The Planning Board has several design concerns about the proposed illustrative layout of the development. Pod 2, Section B, which is proposed predominantly for single-family detached units and has a cluster of townhouses that are centrally located in the middle of the section. This central location would be better utilized as a community green space to serve as a gathering place for future residents. Townhouses should be separated from single-family detached units via streets or other natural features. In addition, on-site private recreational facilities that serve each pod should be located in a central location of the respective development pod as a focal point of the community. Conditions requiring the applicant to consider these design issues in preparation of the preliminary plan of subdivision (PPS) have been included in this resolution.

Parking has been an issue in compact townhouse developments throughout the County. This project has three development pods that are for townhouses only. Additional parking that is 10 percent more than the requirement in Part 11 of the Zoning Ordinance should be provided at the time of SDP.

#### **Development Standards**

This CDP also includes development standards for the single-family detached units, single-family attached (Townhouse) units, and age-restricted multifamily dwelling units as follows:

**Single-Family Detached Units**

STANDARDS\*

Minimum Net Lot Area	6,000 square feet
Minimum Front Yard Setback	20 feet
Minimum Rear Yard Setback	20 feet ****
Minimum Side Yard Setback	
(one side/combined)	5 feet/10 feet
Minimum Lot Width at Street Line	44 feet
Minimum Lot Width at Front BRL	44 feet
Minimum Lot Width at Street (cul-de-sac)	25 feet
Maximum Height	40 feet
Maximum Lot Coverage	50 percent
Minimum Rear Yard Area	1,000 square feet

**Single-Family Attached (Townhouse) Units\*\***

STANDARDS\*

Minimum Net Lot Area	
16-foot-wide	1,200 square feet
20-foot-wide	1,400 square feet
22-foot-wide	1,600 square feet
24-foot-wide	1,800 square feet
Minimum Front Yard Setback	6 feet
Minimum Lot Width at Street Line	16 feet***
Minimum Lot Width at Front BRL	16 feet***
Minimum Space between end buildings	15 feet
Minimum Gross Living Space	1,250 square feet
Maximum Height	45 feet
Minimum Rear Yard Area	300 square feet

**Multifamily Building**

STANDARDS\*

Maximum Building Height	110 feet
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**Other Design Standards:**

A minimum of 60 percent of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) constructed of brick, stone, or stucco. For all alley-located townhouses, a deck, a minimum of four feet in depth, shall be a standard feature. Any deck may encroach on a rear setback by up to 10 feet. Highly visibly end units for dwelling units require additional design and finish treatments that shall be decided at the time of SDP approval.

**Notes:** \*Modifications to the standards can be granted by the Prince George’s County Planning Board and/or the District Council on a case-by-case basis, with the approval of a PPS or SDP.

\*\*Additional requirements for townhouses are discussed in Section IV of the statement of justification (SOJ)—Relationship to the Provisions of the Zoning Ordinance.

\*\*\*The minimum width of townhouses is 16 feet for interior units and 20 or larger for end units. At least 80 percent of the single-family attached units shall be a combination of 20 feet, 22 feet, and 24 feet or greater in width, to achieve the highest architectural quality and variety of unit sizes. The Planning Board and/or the District Council may allow variations to these standards, in accordance with Section 27-480 of the Zoning Ordinance, during review of the SDP.

\*\*\*\*Minimum 150-foot lot depth required adjacent to Ritchie Marlboro Road.

The proposed development standards that will govern this development are acceptable. Since this is the remaining portion of the larger development, the standards in this development should be consistent with those approved in the Preserve at Westphalia. The Planning Board finds that certain standards, such as those related to the minimum lot width of the single-family detached units and yard area of the single-family attached units, should be consistent with the previously approved standards. The adjusted standards have been included in this resolution.

In addition, this CDP also includes development standards for the commercial component that have been included in this resolution, as follows:

## Commercial Development

### STANDARDS\*

Minimum Front Yard Setback	10 feet
Minimum Rear Yard Setback	10 feet
Minimum Side Yard Setback	10 feet
Maximum Building Height	30 feet
Lighting	Full Cutoff optics
	0.0 Light levels at common property line

Signage to be in accordance with the requirements of the Commercial Office (C-O) Zone.

**Note:** \*Modifications to the standards can be granted by the Planning Board and/or the District Council on a case-by-case basis, with the approval of a PPS or SDP.

### Green Building Techniques

A development project of this large scale with multiple phases has numerous opportunities to apply green building and sustainable site development techniques to achieve green building certification and environmental excellency. The applicant should apply those techniques, as practical, at the time of SDP. For the residential component, Stanley Martin Homes, LLC, which is the builder for the residential development, will use the Home Energy Rating Score index rating system. However, there is no relevant information provided for the multifamily and commercial/retail uses. A condition has been included in this resolution requiring the applicant to provide sustainable site and green building techniques that will be employed in the commercial and multifamily uses with the submittal of an SDP.

## COMPLIANCE WITH EVALUATION CRITERIA

- Zoning Map Amendments (Basic Plan)-Approved Zoning Change 9 of the Sectional Map Amendment/Sector Plan Development Concept 4 for The Villages at Westphalia in the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment:** The larger property of approximately 223.5 acres, which consists of 183.5 acres in the R-M Zone and 40 acres in the L-A-C Zone, including the subject site, was rezoned to the L-A-C and R-M Zones from the R-A Zone by the Westphalia Sector Plan and SMA. Westphalia Sector Plan Development Concept 4 (page 106) serves as the basic plan for the larger property. The District Council approved the eastern portion of the larger development, known as The Preserve at Westphalia (under CDP-1701), in 2018, that has been evaluated for fulfillment of the basic plan. The subject application has been reviewed for conformance with the remaining requirements of the basic plan. The specific land use types, development quantities, and densities for each zone are stated in Approved Zoning Change 9 of the SMA (page 91), as follows:

**The R-M (Residential Medium) and L-A-C (Local Activity Center) comprehensive design zones implement the sector plan recommendation for low- to moderate-density residential, neighborhood-oriented commercial and institutional land uses on these three properties. Public Record Exhibit 58 contains an illustration for a comprehensively planned mix of civic, residential, commercial, and open space uses as the basic plan (as amended by CR-2-2007 (DR-2) below) for these comprehensive design zones per Section 27-478 of the Zoning Ordinance. The land use relationships illustrated in Exhibit 58 are represented in SMA Rezoning Development Concept 4 (see Appendix 1). The land use types and quantities approved for the Rock Creek Baptist Church, Washington, and Bean properties are defined by CR-2-2007 (DR-2), SMA Amendment 3 as follows:**

- **Land Use Types: All uses allowed in the R-S and L-A-C Zones.**
- **Land Use Quantities (to be determined at CDP, based on Exhibit 58):**

**R-M (3.6) Zone—Approximately 183.5 acres, capped at 4.0 DU/gross acre**

**Residential—712 units**

**Age-Restricted Community—160 units**

**Public/Quasi-Public Use—Church, school and recreation amenities**

**L-A-C (Neighborhood) Zone: Approximately 40 acres capped at 8.0 DU/gross acre**

**Residential—Approximately 12 acres**

**Residential—320 units**

**Commercial/Retail (including live/work)—25,000 square feet gross floor area**

**Country Inn—40,000 square feet gross floor area**

**Comprehensive Design Plan Review Considerations:**

- **MC-631 is located on the subject property and should connect directly to the portion of MC-631 located on the Woodside Village property at a four-way intersection with Westphalia Road.**



The basic plan (Development Concept 4 in Appendix 1) calls for a mix of residential and commercial uses interspersed between a host of amenities along a major collector roadway, MC-631, which runs north-south direction through the site along its western boundary area between Westphalia Road and Ritchie Marlboro Road.

The approved CDP-1701 includes up to 330 residential dwelling units of both single-family detached and attached. The Planning Board approved PPS 4-17034 in 2020, for 292 single-family detached and attached lots. The subject CDP application proposes up to 170 single-family detached units and up to 440 single-family attached units, as well as up to 160 age-restricted multifamily units in both the R-M and L-A-C Zones totaling 1,062 units, which is within the combined total of 1,192 dwelling units as approved with the basic plan.

The basic plan also includes 40 acres of land in the L-A-C Zone, of which about 12 acres was approved for residential use, with a gross floor area of 25,000 square feet of commercial/retail uses (including live/work), as well as a Country Inn of 40,000 square feet. The previously approved CDP-1701 contains 19.45 acres in the L-A-C Zone, and approximately 2.00 acres was approved for future commercial/retail uses of approximately 12,500 square feet. The subject CDP has 18.13 acres of land area in the L-A-C Zone and the Country Inn would be located in Pod 3 within the R-M Zone. The applicant's SOJ states that the intended structure "... is in severe disrepair and the Country Inn concept is no longer financially viable." In addition, the CDP includes less than an acre of land area in the L-A-C Zone for approximately 6,000 square feet of commercial/retail uses.

The Planning Board finds that this CDP, as proposed, does not meet the gross floor area intended for the L-A-C-zoned portion of the property. The proposed commercial square footage is significantly lower than the approved land use quantities. However, the basic plan approval indicates that the exact land use quantities were to be determined at CDP, based on Exhibit 58. In order to create a viable local activity center and more closely meet the intent of the basic plan, the applicant should increase the gross floor area allocated for commercial/retail uses. Since the approved CDP-1701 has provided half of the 25,000 square feet, this CDP should provide the remaining half of 12,500 square feet. A condition has been included in this resolution requiring the applicant to increase the commercial gross floor area, to provide 12,500 square feet in the L-A-C Zone, prior to certificate approval of this CDP. The remaining basic plan land use quantities of approximately 130 dwelling units and the 40,000-square-foot Country Inn, which is not proposed as part of this CDP, or other nonresidential use could be used for any future increase in development on this property, or for any potential redevelopment of the two-acre Washington property, which would require a new or amended CDP.

This site has a master plan roadway (MC-631) that will intersect Westphalia Road in the south and then continue into the Woodside Village property. The basic plan calls for a four-way intersection with Westphalia Road. The applicant is working diligently with the owner of the Woodside Village property, which is beginning to proceed with a CDP. Based on the consideration approved with the basic plan, this four-way intersection of MC-631 and Westphalia Road should be shown on the CDP. A condition has been included in this resolution requiring the

applicant to graphically show a conceptual four-way intersection at a mutually agreed location on the CDP.

8. **Prince George's County Zoning Ordinance:** This application has been reviewed for conformance with the requirements of the Zoning Ordinance governing development in the R-M, L-A-C, and M-I-O Zones, as follows:

- a. In accordance with Section 27-515(b) of the Zoning Ordinance, the proposed residential use consisting of both single-family detached and attached units, and age-restricted multifamily units, as well as commercial/retail uses, are permitted in the R-M and L-A-C Zones, pursuant to the approved basic plan.
- b. **Density Increments:** The subject site is split-zoned in the R-M (138.74 acres) and L-A-C (18.13 acres) Zones. Each zone has specific density requirements and factors that can be utilized to increase the density, subject to the development caps established in the basic plan. In the R-M Zone, in accordance with Section 27-509, Regulations, of the Zoning Ordinance, for the Residential Medium 3.6 development, the base density is 3.6 dwelling units per acre and the maximum density is 5.7 dwelling units per acre. The proposed 475 dwelling units in the R-M Zone is at the base density of 3.6 dwelling units per acre and there are no density increments requested.

For the L-A-C Zone, the CDP proposes 137 units. In accordance with Section 27-496 of the Zoning Ordinance, the Neighborhood Center allows a residential density of 8.0–12.1 dwelling units per residential acre. The basic plan capped the L-A-C Zone residential development at a total of 320 dwelling units for the entire 40 acres. The CDP can only support 138 dwelling units, per the acreage proposed for residential development in the L-A-C Zone. The proposed 137 dwelling units in the L-A-C Zone are at the base density of 8.0 dwelling units per acre and there are no density increments requested.

- c. **Development Standards:** A comprehensive set of development standards for both residential uses, including single-family detached, attached and age-restricted multifamily dwelling units, and commercial/retail uses have been provided with this CDP. The Planning Board has reviewed the proposed development standards, as discussed in Finding 6 above, that have been included in this resolution, with revisions.
- d. In accordance with Section 27-521(a) of the Zoning Ordinance, prior to approving a CDP, the Planning Board must make the following required findings:

(1) **The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement**

**the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

As discussed in Finding 7 above, the subject site, as part of a larger property, was rezoned to the R-M and L-A-C Zones by the Westphalia Sector Plan and SMA. The exhibit attached to the sector plan, along with Approved Zoning Change 9, serves as the basic plan for the property. The proposed CDP is in conformance with the approved basic plan for the development types, quantities, and general spatial relationship among uses, except for development quantities for the commercial/retail uses in the L-A-C Zone. As discussed previously, certain square footage should be maintained, in order to create a vibrant local activity center. The Planning Board has included conditions to address the inconsistency that will bring the CDP into conformance with the sector plan and the basic plan contained within it.

**(2) The proposed plan would result in a development with a better environment than could be achieved under other regulations;**

The flexibility inherent in the comprehensive design zones, such as the R-M and L-A-C Zones in this application, will allow the applicant to produce a much better environment than in regular Euclidean zones and to achieve high standards for the development. This CDP will create a better environment when compared to the existing development in the Westphalia area. The proposed CDP will have approximately one-fourth of the larger property preserved in green open space, including those regulated environmental features, by using a compact urban development pattern, especially for the townhouse sections. This fusion of urban- and suburban-style development cannot be achieved under normal regulations designed solely for suburban settings.

**(3) Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**

Approval is warranted because the CDP includes design elements and a land use vision that are consistent with the approved basic plan. The CDP does include the bulk standards for the proposed single-family detached units, single-family attached units, and age-restricted multifamily dwelling units, as well as commercial/retail uses, as discussed in Finding 6. As noted above, the Planning Board made adjustments to the standards, such as maximum lot coverage for the single-family detached lots, maximum building height for multifamily buildings, and a minimum yard area for single-family attached lots. However, the Planning Board approves the CDP because it includes various housing types, multiple locations of recreational facilities and amenities, and future commercial/retail uses that are consistent with the approved basic plan, subject to conditions included in this resolution.

**(4) The proposed development will be compatible with existing land uses, zoning, and facilities in the immediate surroundings;**

The subject site is part of a larger property that was rezoned to the R-M and L-A-C Zones by the Westphalia Sector Plan and SMA as a planned community that is compatible with the existing land use, zoning, and facilities in the immediate surroundings. The sector plan envisions a local activity center with low to medium residential development on the property. The proposed development, as the remaining part of the larger Villages at Westphalia project, is to implement this land use vision.

**(5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

**(A) Amounts of building coverage and open space;**

**(B) Building setbacks from streets and abutting land uses; and**

**(C) Circulation access points;**

The application is in general conformance with the layout, development types, and unit distribution, as shown on Development Concept 4 and in Approved Zoning Change 9 (page 91), which is the basic plan for this CDP. The CDP should be revised to increase the total gross floor area for commercial/retail uses in the L-A-C Zone and to conform to the design guidelines. In terms of amount of building coverage and open space, relationship with abutting land uses, circulation, and access points, the CDP has been reviewed for consistency in terms of development standards with the previously approved Preserve at Westphalia project and is acceptable, if the proposed conditions are adopted. Additional evaluation, analysis and review of these elements will be carried out at the time of PPS and SDP reviews.

**(6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;**

The CDP includes a phasing plan that consists of eight phases to fully construct the proposed development. The applicant proposes to start the residential development in the L-A-C Zone in the first two phases, and townhouses in the R-M Zone in the north part in Phase 3. Between those three phases are development in the Phases 4, 5, and 6. The proposed age-restricted multifamily building fronting on Ritchie Marlboro Road will be in Phase 7. The Planning Board agrees with the staging, in general, and further understands that specific development sequence will be defined with the progression of each review stage.

**(7) The staging of development will not be an unreasonable burden on available public facilities;**

The Planning Board finds that the proposed development will not be an unreasonable burden on available transportation facilities.

The Planning Board reviewed comments on water and sewer category, fire and rescue, police facilities, and public schools. The development proposed in this application will not be an unreasonable burden on the available public facilities. Further adequate public facility tests will be carried out at the time of PPS approval.

**(8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**

**(A) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting;**

**(B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**

**(C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**

The subject property is adjacent to the Talburtt Tobacco Barn Historic Site (78-009) to the east. The proposed CDP does not propose an adaptive re-use of a historic site.

**(9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d); and**

This section is overridden by Criterion 12 below, pursuant to Section 27-226(f)(4) of the Zoning Ordinance.

**(10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan;**

The Planning Board has reviewed the CDP's conformance with Type 1 Tree Conservation Plan TCP1-022-2021 and concluded that the CDP is in conformance with TCP1-022-2021.

- (11) **The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130-(b)(5);**

As stated previously, the Planning Board has reviewed the proposed TCP1-022-2021 included with this CDP and concluded that all regulated environmental features on the subject site have been preserved and/or restored, to the fullest extent possible, and included conditions in this resolution.

- (12) **Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

The subject property was rezoned to the R-M and L-A-C Zones through the Westphalia Sector Plan and SMA, which is pursuant to Section 27-226(f)(4). Public Record Exhibit 58 was referenced in the record and was further represented in Development Concept 4, which is the basic plan for a larger property including the subject site. Therefore, the guidelines are in accordance with Section 27-480(g) of the Zoning Ordinance, which states the following:

- (g) **When property is placed in a Comprehensive Design Zone through a Sectional Map Amendment or through a Zoning Map Amendment intended to implement land use recommendations for mixed-use development recommended by a Master Plan or Sector Plan that is approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation:**

- (1) **The design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change, and a referenced exhibit of record for the property should establish and provide guidance for the development regulations to be incorporated in the Specific Design Plan.**

- (2) **The limitations on the maximum percentages of townhouse and multifamily dwelling units contained in Section 27-515(b)(7), footnote 29, the lot area requirement in Subsection (b) above, and the lot width requirements in Subsection (e) above shall not apply. However, the Planning Board or District Council may impose similar restrictions**

**where appropriate, only to implement the recommendations of the Master Plan or Sector Plan.**

The development standards for the townhouse sections of the site have been provided and the Planning Board made revisions to provide for units that are in keeping with the regulations of the comprehensive design zones, as contained in Section 27-480, which mirrors the development standards for the Preserve at Westphalia (CDP-1701) and most other townhouse communities in the County. The reason the Planning Board believes this is appropriate in this location is that the proposed development is not within the town center of Westphalia. As such, an additional 10 percent parking above the requirements in Part 11 of the Zoning Ordinance for guest parking for the townhouse units is also required.

- (13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This provision is not applicable to the subject application because this development is not a regional urban community.

- e. **Military Installation Overlay Zone:** This application is partially located within the M-I-O Zone for both Height and Noise. Pursuant to Section 27-548.54 of the Zoning Ordinance, Requirements for Height, the applicant must meet the applicable requirements for properties located in Right Runway Area Label: E Conical Surface (20:1). Pursuant to Section 27-548.55 of the Zoning Ordinance, Requirements for Noise, the applicant must meet the applicable requirements for Noise Intensity Zone Area Label: 60 db–74 db. Conformance with the applicable requirements of the M-I-O Zone will be reviewed at time of SDP that shows specific uses and buildings.
9. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance and Tree Canopy Coverage Ordinance:** This CDP has been reviewed for conformance with the Woodland and Wildlife Habitat Conservation Ordinance and Tree Canopy Coverage Ordinance, as follows:
- a. **Woodland and Wildlife Habitat Conservation Ordinance:** A numbered Woodland Conservation Letter of Exemption was issued for the site (E-053-00) for timber harvest, which was approved August 1, 2000. A Type 2 Tree Conservation Plan, TCP2-015-2018, was approved in May 2019 for a portion of the site for the Washington Gas Pipeline Easement, and later revised in October 2019 (TCP2-015-2018-01).

A revised TCP1 has been submitted with the current application, which shows the overall 156.90-acre site with a net tract area of 143.30 acres. The site has 90.44 acres of existing woodland in the net tract area and 13.29 acres of existing woodlands in the floodplain. The woodland conservation threshold is 27.59 acres (19 percent of the site’s overall net tract area). The woodland conservation worksheet shows the removal of 53.97 acres of

woodland on the net tract area, 0.85 acre of woodlands in the floodplain, and 0.45 acre of woodlands off-site, resulting in a woodland conservation requirement of 80.02 acres. This requirement is proposed to be met with 33.42 acres of woodland preservation, 5.73 acres of afforestation, and 4.23 acres of off-site credits.

No technical revisions to the TCP1 have been identified during the current review, but revisions in response to other issues may result in minor revisions to the TCP1 prior to certification.

- b. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that require a grading permit for more than 5,000 square feet of disturbance or gross floor area. Properties that are zoned L-A-C are required to provide a minimum of 10 percent of the gross tract area in tree canopy, and properties that are zoned R-M are required to provide a minimum of 15 percent. During the future review of SDPs, the applicant must demonstrate conformance with the relevant requirements of the Tree Canopy Coverage Ordinance.

10. **Referral Comments:** Given the limited scope of the request, the subject application was referred to only a few concerned agencies and divisions. The referral comments and major findings are summarized, as follows:

- a. **Community Planning**—The Planning Board has reviewed and adopts a memorandum dated February 1, 2022 (McCray to Zhang), included herein by reference, which finds that, pursuant to Section 27-521(a)(1) of the Zoning Ordinance, this application as proposed, does not conform to the design guidelines or standards intended to implement the development concept recommended by the Westphalia Sector Plan and SMA. As conditioned herein, the Planning Board finds that this CDP is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Westphalia Sector Plan and SMA

The sector plan recommends low-density residential and mixed-use neighborhood center land uses on the subject property. The mixed-use neighborhood center is intended to, “develop distinct commercial activity centers serving communities and neighborhoods outside the town center core area with medium-to high-density, mixed-use commercial, retail, and office development that is designed around a main street and anchored by shared amenities such as open space or civic centers” (page 29).

This application does not meet the land use quantities intended for the L-A-C-zoned portion of the property. The applicant proposes 6,000 square feet of commercial space. However, the sector plan designates a minimum of 25,000 square feet gross floor area (GFA) of commercial/retail space. Previously approved CDP-1701 provided half of the GFA. A condition is included herein, requiring an increase in the commercial square footage to 12,500 square feet.



- b. **Subdivision**— The Planning Board has reviewed and adopts a memorandum dated January 31, 2022 (Gupta to Zhang), included herein by reference, which noted that right-of-way dedication is proposed along the property's frontage of Westphalia Road to the south, and Ritchie Marlboro Road to the north. Right-of-way dedication is also shown for master-planned major collector road Suitland Parkway Extended (MC-631). Internal circulation is proposed via a network of public and private streets and alleys. Principal access to the property is proposed from MC-631, and a direct access is proposed to Ritchie Marlboro Road from the area marked for age-restricted housing. Vehicular and pedestrian access is also proposed to the adjoining Preserve at Westphalia development, albeit for only a portion of the proposed development located to the southeast. No connections are designed between the residential portion of the development and the age-restricted housing or commercial development. The lotting and circulation pattern, and any required rights-of-way dedication, will be reviewed further with the PPS application.

Comments related to issues such as the overall layout, approval sequence, access, on-site street network and connection, and possible variation, that will be reviewed at time of PPS, were provided and have been transmitted to the applicant. The Planning Board approves this application with two subdivision-related conditions, that have been included in this resolution.

- c. **Environmental Planning**— The Planning Board has reviewed and adopts a memorandum dated February 3, 2022 (Kirchhof to Zhang), included herein by reference, which provided a review of this CDP application. Relevant findings have been included in this resolution or are summarized, as follows:

**Preservation of Regulated Environmental Features/Primary Management Area:**

The overall site contains streams, wetlands, wetland buffers, and 100-year floodplain within the delineated primary management area (PMA), which are to be protected by conservation easements to the fullest extent possible as determined at the time of PPS and SDP reviews. The CDP application package includes a SOJ for eight proposed impacts to the PMA, which are shown on the CDP and TCPI. No PMA impacts are approved with CDP-2101. A PMA SOJ was provided with this application, due to the numerous environmentally sensitive areas which exist on-site. Impacts were reviewed at a general level, to identify impacts that should be focused on. PMA impacts will be reviewed at time of PPS. No specimen tree removals are approved with CDP-2101. A variance for the removal of specimen trees will be reviewed at time of PPS.

The Planning Board approves CDP-2101, with three conditions that have been included in this resolution.

- d. **Historic Preservation**—The Planning Board has reviewed and adopts a memorandum dated January 19, 2022 (Stabler and Smith to Zhang), included herein by reference, which noted that Historic Preservation Commission provided a comprehensive review of the subject application and voted 6-0-1 (the Chair voted "present") at its January 18, 2022

meeting to forward findings, conditions, and recommendations to the Planning Board, with conclusions summarized as follows:

- The subject application is adjacent to the Talburtt Tobacco Barn Historic Site (78-009). This and all subsequent applications will be reviewed by the Historic Preservation Commission for effects of new development on the historic site. The barn is a prominent landmark on the north side of Westphalia Road.
- The Historic Preservation Commission encouraged the retention of an open view of the Talburtt Tobacco Barn from Westphalia Road during the review of The Preserve at Westphalia (CDP-1701 and PPS 4-17034). With the subject application, a “Type E” buffer will be recommended on the developing property along the shared property boundary with the Talburtt Tobacco Barn Historic Site Environmental Setting (78-009) to encourage retention of the existing tree and fence line and to buffer the potential visual impact of the rear elevations of proposed adjacent townhouses.
- The house on Parcel 16, possibly served as the Westphalia Post office in the late nineteenth and early twentieth centuries. All structures located on Parcel 16 should be recorded on a Maryland Inventory of Historic Properties (MIHP) form prior to demolition. This MIHP form should be submitted for review to the Historic Preservation Section, before its submittal in final to the Maryland Historical Trust by the applicant.
- The stone at the southwest corner of Parcel 16 and the northwest corner of Parcel 25 should be preserved in place. This feature of the developing property may be suitable for the nearby installation of an interpretive sign as an amenity within the community.
- Because of the moderate-to high probability of the subject property to contain significant prehistoric and historic archeological resources, a Phase I archeology survey is recommended. The applicant should submit a draft Phase I archeology report to Historic Preservation staff with the PPS application.
- Although the subject CDP application via an illustrative plan proposes the general location of development, lotting patterns and the orientation of buildings will be reviewed at the time of PPS. Architectural compatibility of proposed structures visible from the Talburtt Tobacco Barn Historic Site (78-009) will be reviewed at the time of SDP.

The Historic Preservation Commission recommends approval of CDP-2101, with the conditions that have been included in this resolution.

- e. **Transportation Planning**— The Planning Board has reviewed and adopts a memorandum dated February 2, 2022 (Burton to Zhang), included herein by reference, which provided a comprehensive review of the application’s conformance with the requirements of the Zoning Ordinance, Westphalia Sector Plan and SMA, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the traffic impact study dated September 2021, summarized as follows:

The subject site will be served by major roads along the northern, southern, and western boundaries. The planned right-of-way for these facilities will facilitate the design and construction of shared-use paths as recommended by the MPOT, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) with written correspondence. The applicant shall provide a network of pedestrian and bikeway facilities internal to site to facilitate adequate connection for pedestrian and bicycle travel in accordance with the MPOT’s policies and goals. The exact location and design of said facilities shall be evaluated with future applications.

The site is being proposed with a rather fragmented system of development pods and limited opportunity for inter-Pod connection. While environmental conditions can be a contributing factor, at the time of PPS, examining the site circulation to provide more inter-parcel connections between transportation facilities and land uses, where feasible, is recommended. In addition, the Planning Board heard testimony from adjoining property owners objecting to requiring, with the CDP, a street connection through Pod E to Westphalia Road. However, Transportation Planning staff testified as to the desire to have such a connection. The Planning Board determined that, at the time of PPS, the applicant should explore a public or private street connection to Westphalia Road from Pod E to the stub connection in the Preserve at Westphalia development to the east, unless otherwise modified by DPIE, with written correspondences.

#### **Analysis of Traffic Impacts**

The subject property is currently unimproved and is located within Transportation Service Area 2, as defined in the 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035). As such, the subject property is evaluated according to the following standards:

**Links and Signalized Intersections:** Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation per Section 24-124(a)(6) of the Prince George’s County Subdivision Regulations, is permitted at signalized intersections within any transportation service area subject to meeting the geographical criteria in the “Transportation Review Guidelines.”

**Unsignalized Intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted.

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

For all-way stop-controlled intersections a two-part process is employed: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the “Transportation Review Guidelines - Part 1- 2012.” The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions.

EXISTING CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Westphalia Road *	24.2 seconds	39.4 seconds
Ritchie Marlboro Road and Orion Lane *	21.9 seconds	15.5 seconds
Ritchie Marlboro Road and White House Road	B/1034	B/1003
Ritchie Marlboro Road and Sansbury Road	B/1107	B/1004
Westphalia Road and MD 4	C/1202	D/1356
Westphalia Road and D’Arcy Road *	22.3 seconds	25.2 seconds
*Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume is computed and compared to the approved standard. According to the “Guidelines,” all three tests must fail in order to require a signal warrant study.		

The traffic study identified 25 background developments whose impact would affect some or all of the study intersections. Based on the last 10 years of daily traffic along MD 4 (Pennsylvania Avenue), it was determined that no growth has occurred. Applying the traffic for those background developments, the following represents the results for the background conditions.

BACKGROUND CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Westphalia Road-Orion Lane **	73.5 seconds	164.7 seconds
Ritchie Marlboro Road and White House Road	C/1157	C/1208
Ritchie Marlboro Road and Sansbury Road	B/1053	D/1331
Westphalia Road and MD 4	F/1658	F/1909
Westphalia Road and D'Arcy Road *	76.8 seconds	>200.0 seconds
*Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume is computed and compared to the approved standard. According to the "Guidelines," all three tests must fail in order to require a signal warrant study.		
** This intersection represents a realignment of Orion Lane and Westphalia Road.		

Using the trip rates from the Guidelines, as well as the 10th Edition, *Trip Generation Manual* (Institute of Transportation Engineers - ITE) the study has indicated that the subject application represents the following trip generation:

Land Use	Density-Units	AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Single Family	180	27	108	135	105	57	162
Townhouse	440	62	246	308	229	123	352
Senior Adult - Multifamily	160	8	13	21	16	10	26
Shopping Center (ITE-820)	12,500 sq. ft.	7	5	12	23	25	48
<i>Less pass-by (50%)</i>		-4	-2	-6	-15	-9	-24
Net retail trips		3	3	6	8	16	24
<b>Total new trips</b>		100	370	<b>470</b>	358	206	<b>564</b>

The table above indicates that the development as proposed, will be adding 470 AM and 564 PM net new peak trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
Ritchie Marlboro Road and Westphalia Road-Orion Lane ** Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	82.9 seconds >100 <b>C/1154</b>	> 200.0 seconds >100 <b>D/1343</b>
Ritchie Marlboro Road and White House Road	C/1282	D/1330
Ritchie Marlboro Road and Sansbury Road	B/1135	D/1410
Westphalia Road and MD 4	<b>F/1686</b>	<b>F/1938</b>
Westphalia Road and D'Arcy Road * Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	95.3 seconds >100 A/758	>200.0 seconds >100 A/848
Ritchie Marlboro Road and Rock Creek Access * Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	>200.0 seconds >100 <b>E/1584</b>	>200.0 seconds >100 <b>F/1736</b>
Westphalia Road and Preserve at Westphalia Access *	11.3 seconds	11.2 seconds
Westphalia Road and Parkland Access *	11.3 seconds	11.2 seconds
Ritchie Marlboro Road and Senior Living Access * Tier 1: HCS Delay test Tier 2: Minor Street Volume	111.4 seconds <100	170.2 seconds <100
*Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume is computed and compared to the approved standard. According to the "Guidelines," all three tests must fail in order to require a signal warrant study.		
**This unsignalized intersection represents a realignment of Orion Lane and Westphalia Road.		

The results under total traffic conditions show that three intersections have failed to reach the policy threshold for transportation adequacy. The unsignalized intersections of Ritchie Marlboro Road and Westphalia Road-Orion Lane, and Ritchie Marlboro Road and Rock Creek Access have both failed the three-step test required for unsignalized intersections. Consequently, the traffic impact study is recommending that the applicant provides a signal warrant analysis for both intersections. If either or both of these intersections is deemed to be warranted, the applicant will be required to install said signal(s) if such installation is approved by the permitting agency. Regarding the intersection of MD 4 at Westphalia Road-Old Marlboro Pike, while inadequate levels of service are projected for this intersection, pursuant to the provisions of approved Prince George's County Council Resolution CR-66-2010, the applicant will be required to contribute to the Westphalia Public Facilities Financing and Implementation Program District. The amount of the contribution will be determined at the time of PPS.

Having reviewed the traffic impact study, the Planning Board is in general agreement with its overall conclusions and recommendations. Regarding the street layout on the proposed site, there are two design issues that are not supported by the Planning Board. Those issues are as follows:

**Internal Street Circulation (Pod E):**

The initial site layout shows the overall development being built within seven pods labeled A-G. Pod E is the southern-most of the pods and is located on the north side of Westphalia Road. Staff had originally requested a public street connecting MC-631 on the west side of the property with the stub connection to the adjacent Preserve at Westphalia development to the east. This east-west residential street would provide a more desirable circulation pattern, by connecting Pods D and E with the adjacent development. However, internal discussions with Environmental Planning staff revealed that soil conditions along that potential path would render the construction of such a road infeasible. In lieu of this connection, the Planning Board now finds that, at the time of PPS, a private or public street to provide direct access from Pod E to Westphalia Road should be explored. This road would then connect with the stub connection on the western side of the Preserve at Westphalia development and will provide a continuous connection between two public roadways.

**Physical Connections Between New Development and Existing Communities:**

Page 148 of Plan 2035 provides the following narrative:

*“Many of the County’s recent residential developments have discouraged physical connections—roads and trails—with neighboring communities due to concerns over privacy, noise, and cut-through traffic. However, reducing connectivity has been shown to actually cause, rather than remedy, congestion. It also discourages walking and biking, which worsens commute time, air quality, and community health.”*

For many years, the County has approved plans that promote and recommend connections between new developments and existing ones. The narrative cited above speaks to the rationale on why these connections are necessary. Immediately west of the proposed development is the existing Westphalia Woods subdivision, approved in the early 1980’s. This fully built subdivision has a single point of access on Westphalia Road. There are three internal streets, all ending with a cul-de-sac, while Matapeake Drive, the only street accessing Westphalia Road, ends as a stub end at the property line that is common to that community and the subject property. It would seem reasonable that this stub end of Matapeake Drive was intended to be extended to the adjacent and now subject property. At the hearing, the Planning Board heard testimony from citizens of the Westphalia Woods subdivision, in opposition of the extension. Upon consideration of staff’s presentation and the citizen opposition, the Planning Board determined that, at the time of PPS, a 60-foot residential street connection linking the stub end of Matapeake Drive and MC-631 on the proposed development should be explored.

The Planning Board concludes that the staging of development will not be an unreasonable burden on available public facilities, as required by Section 27-521, subject to conditions that have been included in this resolution.

- f. **Special Projects**—The Planning Board has reviewed and adopts a memorandum dated January 25, 2022 (Thompson to Zhang), included herein by reference, which found that the subject application meets the requirements of the respective public facilities. Further adequate public facilities tests for the proposed development will be carried out at the time of PPS review.
- g. **Prince George’s County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts a memorandum dated February 4, 2022 (Yu to Zhang), included herein by reference, in which DPR provided discussion, as follows:

Mandatory dedication of parkland pursuant to Section 24-134(a) of the Subdivision Regulations provides for the dedication of land, the payment of a fee-in-lieu, or on-site recreational facilities. Based on the proposed density of development, five percent of the net residential lot area could be required to be dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parks, which equates to approximately 7.81 acres.

The CDP shows the fulfillment of the requirement with on-site private recreation facilities. The details of these amenities and the cost estimates will be provided with the subsequent PPS and SDP applications.

The applicant shall make a monetary contribution into a “park club.” The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars, as recommended by the Westphalia Sector Plan and SMA. M-NCPPC shall adjust the amount of the contribution using the Consumer Price Index for inflation at the time of payment. Monetary contributions shall be used for construction, operation, and maintenance of the public recreational facilities in the central park and/or the other parks that will serve the Westphalia Sector Plan area. DPR’s conditions relative to the park club contribution and private on-site recreational facilities will be addressed at the time of PPS.
- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**— The Planning Board has reviewed and adopts a memorandum dated February 14, 2022 (Giles to Zhang), included herein by reference, in which DPIE provided comments on various issues under DPIE’s purview, such as right-of-way dedication of MC 631. Those comments will be enforced by DPIE through their separate permitting process.
- i. **Prince George’s County Police Department**—At the time of the preparation of this resolution, the Police Department did not offer comments on the subject application.



j. **Prince George’s County Health Department**—The Planning Board has reviewed and adopts a memorandum dated January 6, 2022 (Adepoju to Zhang), included herein by reference, in which the Health Department provided several comments, as follows:

- The applicant should consider designating retail space within the commercial development for a food facility that provides healthy food options.
- The applicant must obtain a raze permit from DPIE for the removal of existing building structures on the property.
- All well and septic structures that are discovered during the development of the site are to be abandoned and backfilled according to regulatory standards.
- Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how development of the site will provide for safe pedestrian access to amenities in the adjacent communities.
- The public health value of access to active recreational facilities has been well documented. Indicate the location of active recreational facilities within 0.25 mile of the proposed residences.
- The CDPs should include open spaces and “pet friendly” amenities for pets and their owners. Designated park areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and water sources are strongly recommended at strategic locations in the designated outdoor play/picnic areas.
- During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George’s County Code.
- During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 *Maryland Standards and Specifications for Soil Erosion and Sediment Control*.

Those comments have been transmitted to the applicant. The three comments on pedestrian, recreational facilities and pet friendly amenities are consistent with site design guidelines of the comprehensive design zone that will be further implemented at PPS and SDP stages. A condition has been included in this resolution requiring the applicant to include the last two comments as site plan notes on the CDP.

- k. **Westphalia Sector Development Review Committee (WSDRC)**—At the time of the preparation of this resolution, WSDRC did not offer comments on the subject application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type I Tree Conservation Plan TCP1-022-2021, and further APPROVED Comprehensive Design Plan CDP-2101 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the comprehensive design plan (CDP), the following revisions shall be made, or information shall be provided:
  - a. Provide 12,500 square feet of gross floor area for future commercial/retail uses in the Local Activity Center Zone, directly adjacent to the approved acreage to the east in the Preserve at Westphalia project, for the local activity center.
  - b. Submit a list of sustainable site and green building techniques for the commercial and multifamily uses, that will be used in this development, included in the design guidelines.
  - c. Update the legend on the circulation plan to include bicycle and pedestrian notes and/or symbols that show a network of pedestrians and bikeway facilities internal to the site, including the 10-foot-wide master plan shared-use path along the subject site frontage of MC-631.
  - d. Revise the density calculation, or the development data located on Sheet 1 so that the total number of residential dwellings proposed in the Residential Medium Development and Local Activity Center Zones, under the column “Provided Density,” are consistent with the maximum unit number of residential dwellings listed in the development data.
  - e. On the CDP, show a conceptual location of a four-way intersection of MC-631 and Westphalia Road, with an extension of MC-631 on the Woodside Village property to the south.
2. Total development within the subject property shall be limited to uses which generate no more than 470 AM peak-hour trips and 564 PM peak-hour trips, unless modified by the adequate public facilities test for transportation, at the time of preliminary plan of subdivision.

3. This development is governed by the following design standards:

**Single-Family Detached Units**

STANDARDS\*\*

Minimum Net Lot Area	6,000 square feet
Minimum Front Yard Setback	20 feet
Minimum Rear Yard Setback	20 feet*
Minimum Side Yard Setback	
(one side / combined)	5 feet/10 feet
Minimum Lot Width at Street Line	50 feet
Minimum Lot Width at Street Line for Lots on a Concave	46 feet
Minimum Lot Width at Front BRL	47 feet
Minimum Lot Width at Street (cul-de-sac)	28 feet
Maximum Height	40 feet
Maximum Lot Coverage	50 percent
Minimum Rear Yard Area	1,000 square feet

**Single-Family Attached (Townhouse) Units**

STANDARDS\*\*

Minimum Net Lot Area	
16-foot-wide	1,200 square feet
20-foot-wide	1,400 square feet
22-foot-wide	1,600 square feet
24-foot-wide	1,800 square feet
Minimum Front Yard Setback	6 feet
Minimum Lot Width at Street Line	16 feet***
Minimum Lot Width at Front BRL	16 feet ***
Minimum Distance Between Buildings	15 feet
Minimum Gross Living Space	1,250 square feet
Maximum Height	45 feet
Minimum Rear Yard Area	300 square feet

**Other Design Standards:**

A minimum of 60 percent of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco.

For all alley-loaded townhouses, a cantilevered deck, a minimum four feet in depth, shall be a standard feature.

Highly visible end units for dwelling units require additional design and finish treatments, that will be decided at the time of specific design plan approval.

A deck or patio can encroach into the rear yard by 10 feet.

**Notes:** \*Minimum 150-foot lot depth required adjacent to Ritchie Marlboro Road.

\*\*Variation to the standards can be granted by the Prince George’s County Planning Board on a case-by-case basis, with the approval of a specific design plan.

\*\*\*The minimum width is 16 feet for interior units and 20 feet or larger for end units. At least 80 percent of the single-family attached units shall be a combination of 20 feet, 22 feet, and 24 feet or greater in width, to achieve the highest architectural quality and a variety of unit sizes. The Prince George’s County Planning Board and/or the Prince George’s County District Council may allow variations to these standards, in accordance with Section 27-480 of the Prince George’s County Zoning Ordinance, during review of the specific design plans.

**Multifamily Building – Age-restricted**

STANDARDS\*

Maximum Building Height	110 feet
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**Note:** \*Modifications to the standards can be granted by the Prince George’s County Planning Board on a case-by-case basis, with the approval of a specific design plan.

**Commercial Development**

STANDARDS\*

Minimum Front Yard Setback	10 feet
Minimum Rear Yard Setback	10 feet
Minimum Side Yard Setback	10 feet
Maximum Building Height	30 feet
Lighting	Full Cutoff optics
	0.0 Light levels at common property line

**Other Standards:**

The design standards for all freestanding on-site signs shall be determined by the Prince George's County Planning Board for each individual development at the time of specific design plan review. As a guide, signage should be reviewed in accordance with the requirements of the Commercial Office Zone.

**Note:** \*Modifications to the standards can be granted by the Prince George's County Planning Board on a case-by-case basis, with the approval of a specific design plan.

4. Development of this subdivision shall be in conformance with the approved Type 1 Tree Conservation Plan TCP1-022-2021, as amended. The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-022-2021 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

5. At the time of preliminary plan of subdivision (PPS), the applicant shall:
  - a. Label the future dedication of all rights-of-way for MC-631, A-39, and P-616, as identified by the applicable master plans.
  - b. Determine a contribution to the Public Facilities Financing and Implementation Program. The exact amount will be determined based on the density approved for the PPS.
  - c. Prepare Phase I (Identification) archeological investigations, according to the 2005 *Planning Board's Guidelines for Archeological Review*, on the above-referenced property to determine if any cultural resources are present. Evidence of Maryland-National Capital Park and Planning Commission concurrence with the final Phase I report and recommendations is required prior to signature approval.

Upon receipt of the report by the Prince George's County Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of the final plat, the applicant shall provide a plan for:

- (1) Evaluating the resource at the Phase II level, or
- (2) Avoiding and preserving the resource in place.

If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to any ground disturbance or the approval of any grading permits.

- d. Provide a Phase I noise study, which shall delineate the unmitigated 65 dBA Ldn noise contour line on the subject property, as measured from Ritchie Marlboro Road. If any proposed residential lots or outdoor play areas are within the unmitigated 65 dBA Ldn noise contour line, a Phase II noise study shall be required at the time of applicable specific design plan.
  - e. Explore a 60-foot street connection between the stub end of Matapeake Drive and MC-631.
  - f. Explore a public or private street connection to Westphalia Road from Pod E to the stub connection in the Preserve at Westphalia development to the east, unless otherwise modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondences.
6. At the time of specific design plan (SDP), the applicant shall:
- a. Provide a plan for any interpretive signage to be erected and public outreach measures (if applicable, based on the findings of the Phase I, II, and/or Phase III archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Maryland-National Capital Park and Planning Commission staff archeologist. The plan shall include the timing for the installation of the signage and the implementation of public outreach measures.
  - b. Document all buildings on Parcel 16 through the completion of a Maryland Inventory of Historic Properties (MIHP) form according to Maryland Historical Trust (MHT) standards by a qualified 36CFR60 consultant. The draft and final MIHP form shall be reviewed and approved by Historic Preservation Section staff prior to submittal by the applicant to MHT.
  - c. Provide the following site plan notes on the SDP:
    - “The applicant shall conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George’s County Code.”
    - “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.”
  - d. Provide tracking tables for both the percentage of those townhouses that have 100 percent brick front elevations and those townhouses that have frontage width larger than 16 feet.

- e. Provide a highly visible end unit exhibit and corresponding elevations of the proposed architecture models.
  - f. Provide an additional 10 percent parking for visitors for the townhouse development pods.
  - g. Provide a fire engine turning radius exhibit for the townhouse development pods.
7. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:
- "Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
8. Prior to the issuance of permits for this development, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:
- "This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved."
9. Unless otherwise modified at the time of preliminary plan of subdivision, prior to approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- a. Ritchie Marlboro Road and Westphalia Road-Orion Lane  
  
Conduct a signal warrant study for this intersection and install signal if it is deemed to be warranted and approved for construction by the Prince George's County Department of Permitting, Inspections and Enforcement.
  - b. Ritchie Marlboro Road and Rock Creek Access  
  
Conduct a signal warrant study for this intersection and install signal if it is deemed to be warranted and approved for construction by the Prince George's County Department of Permitting, Inspections and Enforcement.


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

\* \* \* \* \*

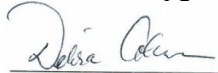
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, Bailey, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 3, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of March 2022.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:HZ:rpg

  
Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel

Dated 3/24/22