



February 3, 2025

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

**RE: A-9973-03 Woodside Village**

Dear Ms. Epps-McNeil:

On January 30, 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, Acting Chief  
Development Review

Enclosure

cc:      Persons of Record



## Basic Plan Amendment Woodside Village

## A-9973-03

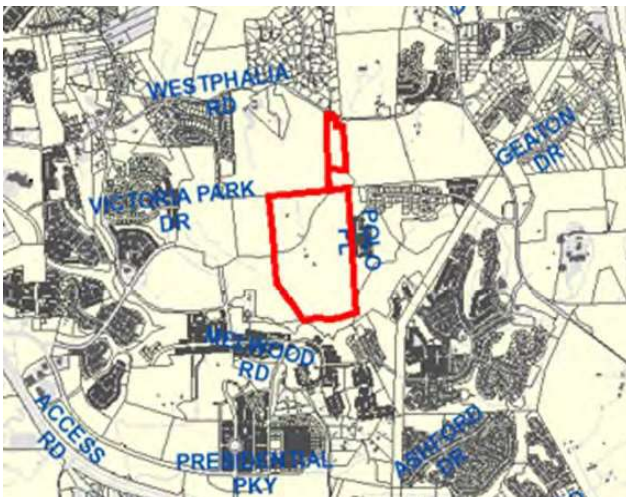
REQUEST			STAFF RECOMMENDATION					
Amend Basic Plan A-9973 to allow for the development of up to 368 single-family detached dwelling units.			With the conditions recommended herein:  • Approval of Basic Plan Amendment A-9973-03					
<b>Location:</b> On the south side of Westphalia Road, approximately 1,500 feet east of its intersection with Matapeake Drive.								
Gross Acreage:	100.84							
Zone:	LCD/MIO							
Prior Zone:	R-M/MIO							
Reviewed per prior Zoning Ordinance:	Section 27-1704(h)							
Gross Floor Area:	0							
Planning Area:	78							
Council District:	06							
Municipality:	N/A							
<b>Applicant/Address:</b> Woodside Land Investments, LLC 3907 Greenway Baltimore, MD 21218						Planning Board Date: 01/30/2025		
<b>Staff Reviewer:</b> Todd Price <b>Phone Number:</b> 301-952-3994 <b>Email:</b> Todd.Price@ppd.mncppc.org						Planning Board Action Limit: N/A		
			Staff Report Date: 12/31/2024					
			Date Accepted: 11/08/2024					
			Informational Mailing: 09/23/2024					
			Acceptance Mailing: 11/04/2024					
			Sign Posting Deadline: N/A					



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

TO: The Prince George's County Planning Board  
The Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Section  
Development Review Division

FROM: Todd Price, Planner III, Zoning Section  
Development Review Division

SUBJECT: Basic Plan Amendment A-9973-03  
Woodside Village

REQUEST: **Amend Basic Plan A-9973 to allow for the development of up to 368 single-family detached dwelling units.**

RECOMMENDATION: **APPROVAL, with conditions**

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NOTE:

The Planning Board has scheduled this application to be reviewed on the agenda date of January 30, 2025. If the Planning Board decides to hear the application, it will be placed on a future agenda. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions on 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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## FINDINGS

1. **Location and Site Description:** The overall Woodside Village development is 381.95 acres of land with approximately 4,500 feet of frontage along the south side of Westphalia Road. Access to the subject property is approximately 1,500 feet east of Westphalia Road's intersection with Matapeake Drive. The subject property consists of 100.84 total acres comprised of Parcel 13 (11.68 acres), Parcel 42 (36.79 acres), and part of Parcel 48 (52.37 acres). The remaining portion of Parcel 48 (59.55 acres) is owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and is not included in this amendment. The entire property is in the Legacy Comprehensive Design (LCD) Zone, formerly in the prior Residential Medium Development (R-M) Zone.
2. **History:** The 1994 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78)* retained the property in the Residential-Agricultural (R-A) Zone. The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (sector plan) rezoned the property from R-A to R-M.

In 2006, the Prince George's County Planning Board recommended approval of Zoning Map Amendment A-9973, which requested rezoning from R-A to R-M.

On July 13, 2006, the Zoning Hearing Examiner (ZHE) approved A-9973, but the Prince George's County District Council remanded the decision back to ZHE on September 26, 2006, pending the Council's consideration of the Westphalia Sector Plan and Sectional Map Amendment. On February 6, 2007, the District Council approved the Westphalia Sector Plan and Sectional Map Amendment (Prince George's County Council Resolution CR-2-2007). A-9973 was included within the Council's approval of the sectional map amendment. In 2009, the District Council approved Comprehensive Design Plan CDP-0601, for 1,496 residential dwelling units (1,276 attached and detached single-family units and 220 multifamily units) in the R-M Zone.

In 2022, the District Council approved Basic Plan Amendment A-9973-01, to divide the basic plan, removing Parcel 14 from A-9973 for development of 354 dwelling units, which would be deducted from the originally approved 1,496 dwelling units.

In 2021, the District Council approved Basic Plan Amendment A-9973-02, to divide the basic plan, removing Parcels 19 and 5 from A-9973 for development of 661 dwelling units, which would also be deducted from the originally approved 1,496 dwelling units.

3. **Neighborhood:** Significant natural features or major roads usually define neighborhoods. The following roadways define the boundary of this neighborhood:

<b>North—</b>	Ritchie Marlboro Road;
<b>South—</b>	MD 4 (Pennsylvania Avenue);
<b>East—</b>	Ritchie Marlboro Road; and
<b>West—</b>	I-95/495 (Capital Beltway)

**Surrounding Uses and Roadways:** The following uses and roadways immediately surround the site:

- North—** Westphalia Road and beyond by single-family residential dwellings in the Residential Estate (RE) Zone (prior R-E Zone), Residential Rural (RR) Zone (prior R-R Zone), and the LCD Zone (prior R-M Zone). These surrounding uses are also in the Military Installation Overlay (MIO) Zone, for height;
- South—** Single-family dwellings in the LCD Zone (prior R-M Zone). These surrounding uses are also in the MIO Zone for height;
- East—** Vacant land in the LCD Zone (prior R-M Zone), single-family residential dwellings in the RE (prior R-E) and RR (prior R-R) Zones. These surrounding uses are also in the MIO Zone for height; and
- West—** Vacant land and single-family residential dwellings in the LCD (prior R-M and Local Activity Center Zones) and RR (prior R-R) Zones. These surrounding uses are also in the MIO Zone for height.

4. **Request:** Amend Basic Plan A-9973 to allow for the development of up to 368 single-family detached dwelling units. The applicant seeks approval of an amendment to A-9973, to divide the remaining portion of the basic plan. As detailed above, two parts of the original basic plan have been previously divided with their own development approvals. The original basic plan (A-9973) allowed for the development of 1,496 dwelling units. A-9973-01 subtracted 354 dwelling units from that total. A-9973-02 subtracted another 661 dwelling units for a total of 481 dwelling units remaining from the original A-9973 approval. As noted, this application requests development of up to 368 dwelling units, which is 113 dwelling units below the previously approved density. The amendment requires approval by the District Council, after a hearing held by ZHE. The Planning Board is required to submit any comments on the application to the District Council, ZHE, the applicant, and all persons of record in the original zoning map amendment application, in accordance with Section 27-197(b) of the prior Prince George's County Zoning Ordinance.

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

### **2007 Approved Westphalia Sector Plan**

The 2007 *Approved Westphalia Sector Plan* (Sector Plan) recommends Low-Density Residential and Public/Private Open Space land uses on the subject property. The Sector Plan does not include preferred design or densities for recommended land use designations.

### **2014 Plan Prince George's 2035 Approved General Plan**

The basic plan, also known as the proposed project, is located in the Established Communities Growth Policy area, as defined by the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035). The vision for Established Communities is context-sensitive infill and low- to medium-density development. The Generalized Future Land Use Map in Plan 2035 recommends a residential low land use for the property. Plan 2035 defines residential low land use as primarily single-family detached residential areas with a maximum density of up to 3.5 dwelling units per acre.

The property is not within a regional transit district, a local center, or an employment area, as defined in Plan 2035.

Plan 2035 established the following policies and strategies that are relevant to the basic plan:

**Policy 8 (page 115): Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.**

As previously indicated, Plan 2035 recommends a maximum residential density of up to 3.5 dwelling units per acre. However, the R-M Zone permits a residential density of 3.6 to 5.8 dwelling units per acre. In 2007, the District Council approved the R-M Zone on the property in the sectional map amendment. This amendment, A-9973-03, requests up to 368 single-family dwelling units, which would result in a density of 3.65 dwelling units per acre.

- 6. Environmental Review:** This finding is provided to describe the existing site features on the property and the impact of the requested amendment to A-9973-03, as it pertains to environmental conformance.

**Existing Conditions/Natural Resources Inventory**

A natural resources inventory (NRI) is not required as part of a zoning amendment application, and an NRI was not provided in the submission package. No further information is needed at this time.

**Woodland Conservation**

The project is subject to the environmental regulations contained in Subtitles 24 and 27, and Subtitle 25 that came into effect on July 1, 2024. Prior to acceptance of any CDP revision, a revised NRI which details the regulated environmental features (REF) in accordance with the current Subtitle 25 requirements, is required. The woodland conservation threshold (WCT), per A-9973, shall be 25 percent with the WCT requirements being met on-site. A Type 1 tree conservation plan will be required with any CDP or preliminary plan of subdivision (PPS) filed for this site. A Type 2 tree conservation plan will be required with any specific design plan (SDP) applications filed for this site.

**Site Description**

The subject property is 89.16 acres in the R-M Zone, located on the south side of Westphalia Road, west of Ritchie-Marlboro Road. There are streams, wetlands, 100-year floodplain, and associated areas of steep slopes on the property. Marlboro clay is found to occur within the vicinity of the site. No Sensitive Species Project Review Areas are indicated or mapped on the site. Furthermore, no rare, threatened or endangered species are indicated as present on-site. Westphalia Road is a designated historic road fronting this development. This property is located in the Western Branch watershed in the Patuxent River basin. The site is currently located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. The site contains regulated and evaluation areas as designated in the 2017 *Countywide Green Infrastructure Plan (GI Plan)* of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*. The subject property is in the Westphalia Sector Plan Area.

**Sector Plan Conformance**

The Sector Plan includes environmentally related policies and their respective strategies in the Environmental Infrastructure section.

Below in **bold** are the primary policies relating to the site. More detail regarding the strategies can be found in the sector plan.

### **Policy 1 – Green Infrastructure**

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

This policy is addressed under the Green Infrastructure Section of this technical staff report.

### **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.**

As part of Policy 2, environmental site design will be required for stormwater management (SWM) control to ensure that water quality and quantity is protected to the fullest extent practical, as required by the County. A SWM plan reviewed by the Prince George's County Department of Permitting, Inspections and Enforcement will be required at the time of PPS.

### **Green Infrastructure Plan**

The site is mapped within the green infrastructure network, as delineated, in accordance with the GI Plan. The regulated area is mapped along the streams and other REF, and the evaluation area is mapped on the remainder of the site due to the existing forest contiguous to the streams. The plans, as submitted, generally show the preservation of the regulated areas; however, more detailed information will be evaluated during the subsequent applications.

7. **Zoning Requirements:** The District Council cannot approve an application to divide an existing basic plan, also known as the proposed project, unless it finds that the entire development meets the criteria for approval, as set forth in Section 27-197(b), as follows:

- (b) **An amendment of an approved basic plan, which results in dividing a single approved basic plan into two or more separate basic plans may be approved by the District Council where significant changes in circumstances with regard to the approved basic plan have created practical difficulties for the applicant to the extent that, unless the basic plan is amended to separate a specified amount of land area, the applicant will be unable to proceed to the CDP phase. An amendment will not be granted where the practical difficulty is self-created or self-imposed, or where the applicant had knowledge of, and control over, the changing circumstances and the problems bringing about the practical difficulty at the time the basic plan was approved. The following procedures shall apply to consideration of any such amendment in lieu of the requirements of Subsection (c), below:**

The basic plan amendment proposes the division of A-9973 by dividing out Parcel 13, Parcel 42, and part of Parcel 48 from the approved basic plan.

This division is necessary because the total assemblage of properties in A-9973 is no longer under common ownership (as was the case when A-9973 was approved), thus making the implementation of the initial basic plan a practical impossibility. In other words, the applicant is not currently able to proceed to the comprehensive design phase because it does not own all the land that is subject to A-9973.



The practical difficulties cited by the applicant are multiple ownership of properties within the existing basic plan area and M-NCPPC's purchase of property within the basic plan area.

Specifically, the initial basic plan contemplated that Woodside Village would be developed as a residential development organized around a park/school site that would then be combined with the larger Westphalia Central Park located in the adjacent Parkside subdivision. M-NCPPC initially acquired Parcels 13, 42, and 48. Then, it sold Parcels 13, 42, and part of Parcel 48 to the applicant. Because of this, the applicant is unable to conform to the land use requirements for a park/school site mandated by Conditions 1 and 4(e) in the initial basic plan (mandating that the applicant dedicate approximately 56 acres for the park/school site), as these conditions were implemented when Woodside Village was under one ownership.

Staff agree with the applicant that the basic plan should be amended because the implementation of the original basic plan was predicated by a cohesive land development scheme, which has since been compromised by the lack of common ownership, through no fault of the applicant.

**(4) In approving the petition, the applicant shall establish, and the District Council shall find, that:**

**(A) The approval of the amended Basic Plan will not result in a change in land area, or an increase in land use density or intensity, for the overall area included in the original, approved Basic Plan;**

The proposed basic plan amendment does not involve an increase in the overall density approved for the Woodside Village development set forth in Basic Plan A-9973. As stated earlier, the central purpose of this basic plan amendment is to divide the basic plan area by dividing the applicant's property from the total assemblage of properties in A-9973. The remaining parcels in the original basic plan assemblage have already obtained recent approvals of subsequent/separate basic plan amendments (A-9973-01 and A-9973-02).

The overall residential development of Woodside Village would not exceed the total 1,497 dwelling units approved in A-9973. Basic Plan Amendment A-9973-01 was approved for a maximum of 354 dwelling units. Basic Plan Amendment A-9973-02 was approved for a maximum of 661 dwelling units. The total of these two approvals is 1,015 dwelling units, leaving a total of 482 units remaining from the original basic plan approval for Woodside Village.

The applicant proposes a maximum of 368 dwelling units for this amendment. The maximum combined density of the three basic plan amendments for Woodside Village would be a total of 1,383 dwelling units, which is 114 dwelling units less the overall density approved with the original basic plan of 1,497 units.

- (B) The approval of the amended Basic Plan will not significantly impair the character of the original, approved Basic Plan with respect to land uses, density ranges, unit types, circulation, accessibility, public facilities, public benefit features, and open space;**

The basic plan amendment will not impair the character of the originally approved basic plan. The land use, density ranges, circulation patterns, and amenities proposed for the applicant's property are consistent with those approved in the initial basic plan.

- (C) The proposed amended Basic Plan conforms to the requirements of Section 27-195(b);**

This basic plan amendment conforms to the requirements of Section 27-195(b) of the prior Zoning Ordinance, as detailed in the finding below.

- (D) The separate Basic Plans that result will be capable of standing by themselves as individual, cohesive developments;**

This basic plan amendment has been designed in a manner that it can stand alone as an individual development. Moreover, the development of the applicant's property as an individual subdivision will be cohesive with the remaining portions of Woodside Village.

- (E) Any staging of development that was required in the approval of the original Basic Plan, and that is still appropriate, is included as part of the amended Basic Plan; and**

There is no staging required in A-9973.

- (F) No owner of any land which is included in the original, approved Basic Plan will, by the approval of the proposed amended Basic Plan, be denied reasonable use of his property.**

No owner(s) of land included in the original basic plan will be denied reasonable use of their property. The applicant's property will stand on its own as a separate basic plan. In combination with the other prior approved basic plan amendment applications (A-9973-01 and A-9973-02), the residential development of the applicant's property would not exceed the total 1,497 dwelling units that was approved in the original Woodside Village Basic Plan, A-9973.

Except for the applicant's property and the portion of Parcel 48 still owned by M-NCPPC, all the other parcels included in the original basic plan assemblage have already obtained approval of a separate basic plan amendment and were allocated their own portion of the overall density approved with A-9973. As a result, no owner(s) of land included in the original basic plan will be denied reasonable use of their property.

## **Section 27-195 – Map Amendment approval.**

### **(b) Criteria for approval.**

**(1) Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:**

**(A) The proposed Basic Plan shall either conform to:**

- (i) The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text that address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact that the development may have on the environment and surrounding properties;**
- (ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses;**
- (iii) The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code. The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;**

In order to approve the requested amendment, the District Council must find, among other things, that the proposed amendment conforms to either Section 27-195(b)(1)(A)(i), (ii), or (iii) of the prior Zoning Ordinance.

Section 27-195(b)(1)(A)(i) is drafted in the disjunctive, providing two alternative bases for approval, separated by a semi-colon. With respect to the first, the proposed basic plan amendment conforms to the recommendations of both the sector plan and Plan 2035 as follows:

#### **2014 Plan Prince George's Approved General Plan**

According to Plan 2035 (Map 10. Generalized Future Land Use Map, (page 101)), the site is labeled as designated as a "Residential Medium." The General Plan further states that the "Residential Medium" designation represents "residential areas up to 3.5 and 8 dwelling units per acre. Primarily single-family dwellings (detached and attached), (page 100)." The uses proposed in this basic plan amendment are consistent with the vision, policies, and strategies of Plan 2035. Specifically, the subject application proposes 359 to 368 dwelling units on the applicant's property that would

equal approximately 3.6 to 3.68 dwelling units per adjusted gross acre (total gross area less half the floodplain).

**2007 Westphalia Sector Plan and Sectional Map Amendment**

The sector plan recommends low-density residential land use for the property (Map 4, page 19). The sectional map amendment also placed the development within the R-M Zone and prescribed the recommended density of 3.5–5.8 dwelling units per acre. There are no design or density recommendations for low-density residential land uses within the sector plan. Therefore, this basic plan amendment conforms to the sector plan.

With respect to the criteria requiring conformance to the “urban plan map,” there is no such map applicable to this application.

**(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;**

The application does not contain a proposal for retail commercial development. Therefore, an economic analysis is not required for this application.

**(C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;**

The applicant has included a traffic impact study as part of this application. The submitted traffic impact study demonstrates that all transportation facilities, either existing and/or proposed to be constructed by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density in this application. The adequacy of transportation facilities will be further evaluated at the time of PPS, with the certificate of adequacy.

The applicant’s property is also subject to the provisions of CR-66-2010 (approved by the County Council) and is required to pay a share of the cost for the planning, engineering, and construction of the Westphalia Road/MD 4 intersection/interchange.

**(D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County**

**Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;**

The public facilities which are either existing, under construction, or fully funded within the County's Capital Improvement Program ("CIP"), will be adequate for residential uses proposed in this application. The adequacy of school, park, water and sewerage, police, and fire facilities will be further evaluated at the time of PPS, with the certificate of adequacy. Moreover, it should be noted that the residential units proposed in this development will be subject to all appropriate school and public safety surcharges imposed by the County.

- (E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.**

As previously mentioned, the request has been found in conformance with the environmental regulations set forth in the sector plan. Therefore, the requested amendment satisfies Section 27-195(b)(1)(E) of the prior Zoning Ordinance.

#### **Section 27-487 – Housing Provisions**

**All Comprehensive Design Zone proposals shall contain provisions for housing to serve all income groups.**

The applicant proposes single-family detached units that are intended to address a wide variety of price points to address attainable housing strategies. These residential units will have a range of finished square footages. Architecture will be further evaluated at the time of SDP. At the time of CDP, the applicant should submit a plan that further addresses how housing will be provided for all income groups, in accordance with Section 27-487 of the prior Zoning Ordinance and the master plan recommendations for the planned community.

#### **Section 27-507(a) – Purposes of the Residential Medium Development (R-M) Zone**

Pursuant to Section 27-507(a) of the prior Zoning Ordinance, the proposed location is consistent with the purposes of the R-M Zone. This analysis is provided for additional context as to the position of this application within the R-M Zone. The complete list of purposes is copied below, followed by comments:

- (a) The purposes of the R-M Zone are to:**

- (1) Establish (in the public interest) a plan implementation zone, in which (among other things):**

- (A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**

**(B) The location of the zone must be in accordance with the adopted and approved General Plans, Master Plan, Sector Plan, public urban renewal plan, or Sectional Map Amendment Zoning Change.**

This application is consistent with the recommendations of the applicable portions of Plan 2035 and the sector plan. The subject application proposes a maximum of 368 dwelling units that would equal 3.68 dwelling units per adjusted gross acre. The residential development of the applicant's property combined with amendments A-9973-01 and A-9973-02 would not exceed the total 1,497 dwelling units approved in A-9973. The additional public benefit features will be provided at the time of CDP for the project.

**(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public urban renewal plans, and Sectional Map Amendment Zoning Changes) can serve as the criteria for judging individual physical development proposals;**

This basic plan amendment conforms to the density and regulations established by the R-M Zone and as detailed above, with the policies and recommendations of Plan 2035, the sector plan and the GI Plan.

**(3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**

As an overall use, the proposed single-family dwellings are compatible with the existing and proposed surrounding land uses, with single-family residential land and single-family homes immediately adjacent to the property. The development has access to existing public facilities and services, and needed improvements will be determined at the time of PPS.

**(4) Encourage amenities and public facilities to be provided in conjunction with residential development;**

The basic plan amendment has incorporated open space and recreational areas, as well as pedestrian and bike paths that create opportunities for an active environment for residents.

**(5) Encourage and stimulate balanced land development;**

The basic plan amendment conforms with the recommendations of Plan 2035, the sector plan, and the GI Plan. Therefore, it encourages and stimulates balanced land development for the immediate adjacent areas, which are a mix of single-family attached and detached dwellings. There are no commercial uses included on the basic plan for the property.



**(6) Improve the overall quality and variety of residential environments in the Regional District;**

The proposed development in this application will contribute much needed single-family detached dwelling units to balance the concentration of townhouses within the greater Westphalia area market.

**8. Referral Comments:** The following referral memorandums were received which discuss the proposed basic plan amendments, support the required findings above, are included as backup to this memorandum, and are incorporated herein by reference:

- a. Environmental Planning Section, dated December 6, 2024 (Kirchhof to Price)
- b. Community Planning Section, dated December 9, 2024 (Calomese to Price)
- c. Prince George's County Department of Parks and Recreation, dated December 9, 2024 (Ivy to Price)
- d. Historic Preservation Section, dated December 10, 2024 (Stabler, Smith, and Chisholm to Price)
- e. Transportation Planning Section, dated December 12, 2024 (Daniels to Price)
- f. Subdivision Section, dated December 14, 2024 (Bartlett to Price)

**9. Basic Plan A-9973 Conditions**

Basic Plan A-9973, as approved by CR-2-2007, contained five conditions. Staff recommend that Conditions 3a, 3b, 3c, 3e, 3h, 3j, 3o, 3p, 3q, 3r, 3s, 3t, 4b, 4c, 4d, and 4g be carried forward, and that Conditions 3i, 4a, and 4f be revised as part of the conditions of approval for A-9973-03. The remaining conditions have been deleted, as they are no longer relevant to this application.

## RECOMMENDATION

Based on the analysis and findings, staff recommend APPROVAL of Basic Plan Amendment A-9973-03, for Woodside Village, with the following conditions:

1. The following development data and conditions of approval serve as limitations on the land use types, densities, and intensities, and shall become a part of the approved basic plan:

<b>Total Area</b>	<b>100.84 acres</b>
Land in the 100-year floodplain*	1.73 acres
Adjusted gross area: (100.84 acres less half the floodplain)	99.98 acres
Density permitted under the Residential Medium Zone	3.6–5.7 dwelling units/acre
Base residential density (3.6 du/ac)	359 dwelling units
Maximum residential density (5.7 du/ac)	569 dwelling units

<b>Proposed Land Use Types and Quantities</b>	
Residential Use (Single-Family Detached)	359–369 dwelling units
Number of the units above the base density	0–9 dwelling units
Density proposed in the Residential Medium Zone	3.6-3.68 dwelling units/acre
Permanent open space outside of proposed lots or rights-of way (Includes environmental, recreational, and homeowner association areas)	28.14 acres

2. Prior to certification of the basic plan, the plan shall be modified as follows:
  - a. Add bearings and distances for the boundaries of the subject property and for the A-9973 basic plan area (on Sheet 2).
  - b. In the Subject Property Table, show the Book/Page of each property's current deed reference.
  - c. Revise the Site Information Table on Sheet 2 to list the proposed dwelling units as single-family detached dwellings.
3. The following shall be required as part of the comprehensive design plan submittal package:
  - a. The Transportation Planning staff shall review the list of significant internal access points as proposed by the applicant, along master plan roadways, including intersections of those roadways within the site. This list of intersections shall receive a detailed adequacy study at the time of preliminary plan of subdivision. The adequacy study shall consider appropriate traffic control, as well as the need for exclusive turn lanes at each location.
  - b. Provide a description of the general type, amount, and location of any recreational facilities on the site, including provision of private open space and recreational facilities to serve development on all portions of the subject property.
  - c. The Transportation Planning staff shall review minor street connections between the subject site and adjacent properties. All minor street connections shown on the comprehensive design plan shall conform to all other adjacent approved subdivisions.
  - d. The comprehensive design plan shall specify which lots located along Westphalia Road are single-family detached lots, in order to be compatible with the surrounding land use pattern, and to preserve a rural character as recommended in the Westphalia Comprehensive Concept Plan Study.
  - e. Submit a design package that includes an illustrations and general design guidelines that establish review parameters, including design, material, and color for architecture, signage, entrance features, and landscaping for the entire site.
  - f. The applicant and the applicant's heirs, successors, and/or assignees shall agree to make a monetary contribution to the central park. The total value of the monetary contribution for development, operation, and maintenance of the central park shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for the design, construction, operation, and maintenance of the recreational facilities in the central park.

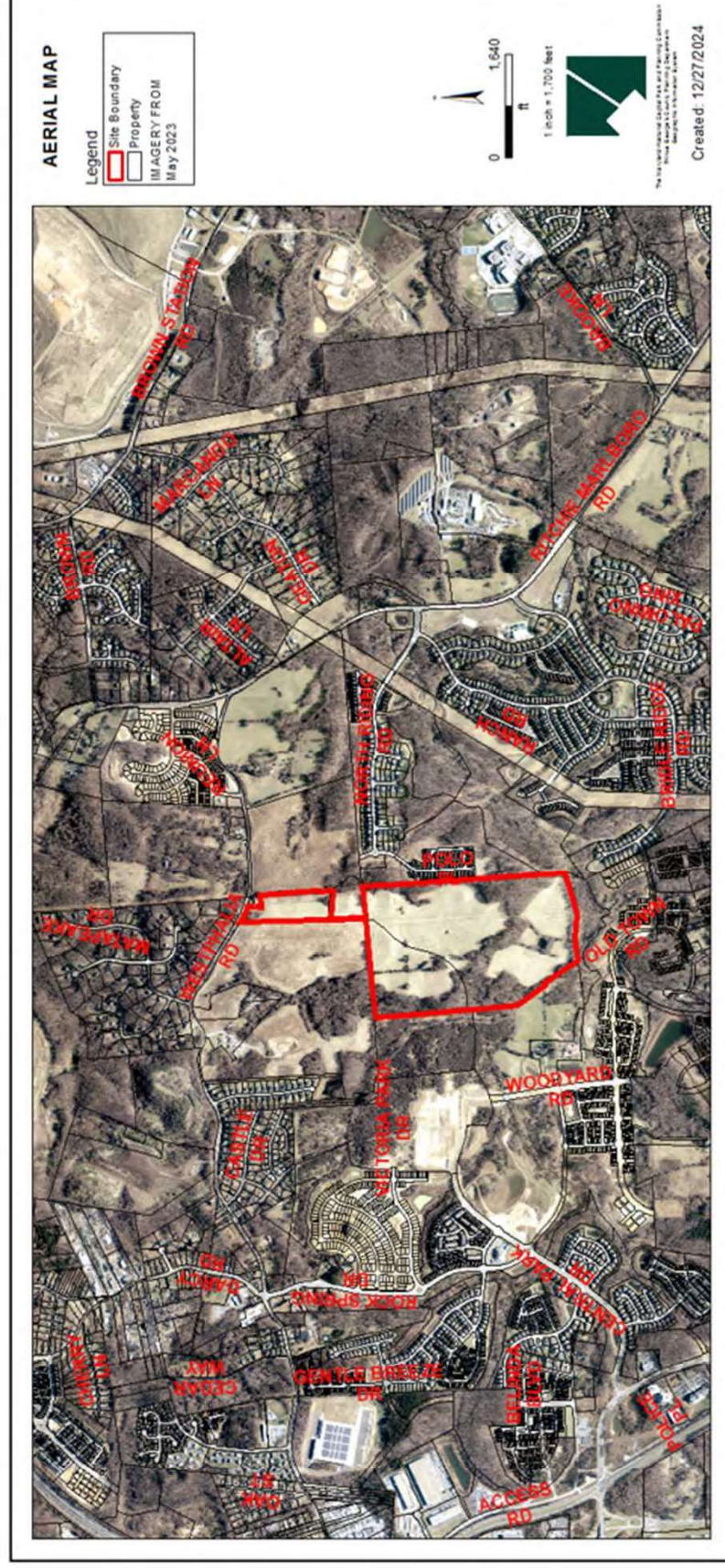
- g. Submit a signed natural resources inventory (NRI) with the comprehensive design plan. All subsequent plan submittals shall clearly show the Patuxent River primary management area as defined in Section 24-101(b)(10) of the prior Prince George's County Subdivision Regulations, and as shown on the signed NRI.
  - h. Demonstrate that the primary management area (PMA) has been preserved to the fullest extent possible. Impacts to the PMA shall be minimized by making all necessary road crossings perpendicular to the streams, and by using existing road crossings to the extent possible.
  - i. Submit a required Type 1 tree conservation plan (TCP1). The TCP1 shall:
    - (1) Focus on the creation and/or conservation/preservation of contiguous woodland.
    - (2) Concentrate priority area for tree preservation in areas within the framework of the approved Green Infrastructure Master Plan, such as stream valleys. Reflect a 25 percent woodland conservation threshold (WCT) and meet the WCT requirements on-site.
    - (3) Mitigate woodland cleared within the primary management area's preservation area on-site at a ratio of 1:1, with the exception of impacts caused by master plan roads which shall be mitigated 1:25. This note shall also be placed on all tree conservation plans.
    - (4) Focus afforestation in currently open areas within the primary management area and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.
    - (5) Prohibit woodland conservation on all residential lots.
  - j. Submit an exhibit showing areas where Marlboro Clay occurs on-site.
  - k. Submit a plan that addresses how housing will be provided for all income groups in accordance with Section 27-487 of the prior Prince George's County Zoning Ordinance and the master plan recommendations for the planned community.
  - l. Present all roadway improvement plans for Westphalia Road to Historic Preservation and Transportation Planning staff for review and comment, to ensure that all scenic and historic features associated with this historic road are properly evaluated and preserved, as necessary.
4. At the time of preliminary plan of subdivision (PPS) and/or prior to the first plat of subdivision, the applicant shall:
- a. Show a proposed sewer layout and connection as required by the Washington Suburban Sanitary Commission.

- b. Submit a Hydraulic Planning Analysis to the Washington Suburban Sanitary Commission (WSSC) to address access to adequate water storage facilities and water service to be approved by WSSC, to support the fire flow demands required to serve all site development.
  - c. Submit a letter of justification for all proposed primary management area impacts in the event disturbances are unavoidable.
  - d. Submit a plan, prior to Planning Board approval of a PPS, that shall provide for:
    - (1) Either the evaluation of any significant archaeological resources existing in the project area at the Phase II level, or
    - (2) Avoiding and preserving the resources in place.
  - e. Enter into an agreement with the Prince George's County Department of Parks and Recreation, prior to the first final plat of subdivision, that shall establish a mechanism for payment of fees into an account administered by the Maryland-National Capital Park and Planning Commission.
  - f. Submit three original executed agreements for participation in the park club to the Prince George's County Department of Parks and Recreation (DPR), for their review and approval, eight weeks prior to submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.
5. Provide the below master plan facilities, designed to be consistent with the 2012 *AASHTO Guide for the Development of Bicycle Facilities*, and to be reviewed as part of subsequent applications and shown prior to their acceptances, including the comprehensive design plan, unless modified by the permitting agency with written correspondence:
- a. A minimum 10-foot-wide path along Westphalia Road (C-626)
  - b. Shared roadway pavement markings and signage along P-617
  - c. A minimum 10-foot-wide path along P-619
  - d. A minimum 10-foot-wide path along MC-631.
6. Internal streets and shared-use paths are to follow the Complete Streets policies and principles of the 2009 *Approved Countywide Master Plan of Transportation* and include traffic calming measures. These will be reviewed as part of subsequent applications and shown prior to their acceptance.
7. All sidewalks within the subject site shall be continuous within a connected pedestrian circulation network, at a minimum of 6 feet in width, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, or the Prince George's County Department of Public Works and Transportation with written correspondence.
8. Prior to approval of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations). The location and wording of the signage and public outreach measures shall be subject to

approval by the Historic Preservation Commission and 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.

# WOODSIDE VILLAGE

Basic Plan Amendment  
Staff Recommendation: APPROVAL with conditions

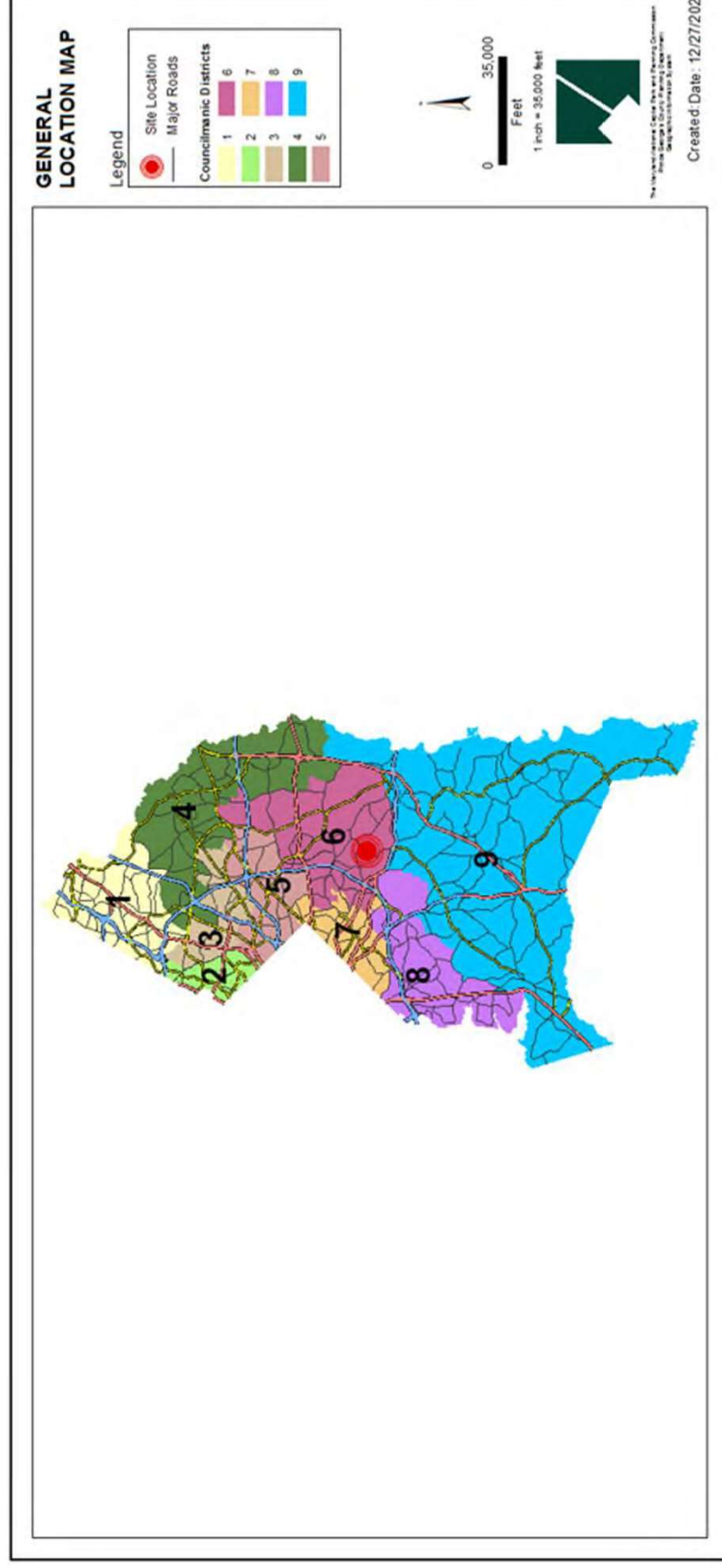




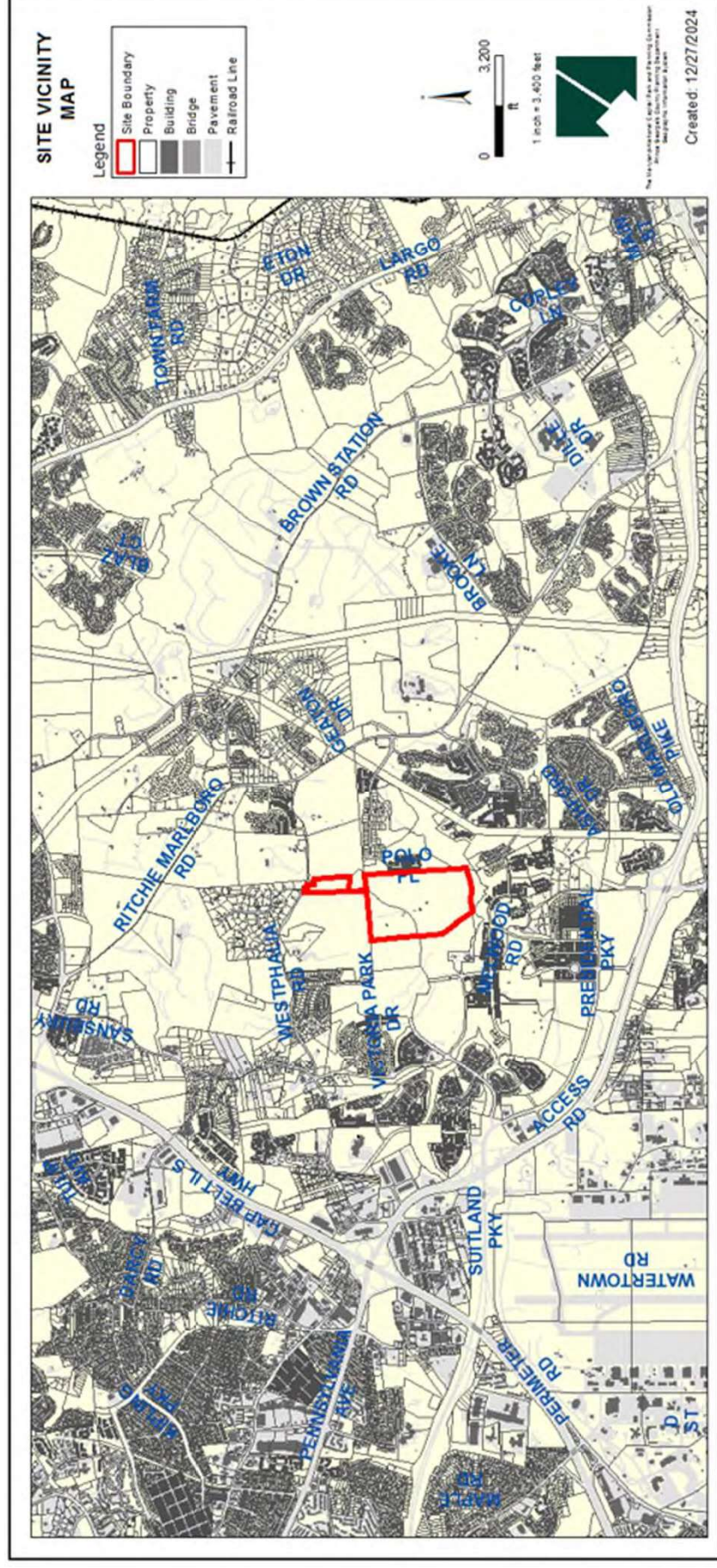
# GENERAL LOCATION MAP

Council District: 06

Planning Area: 78



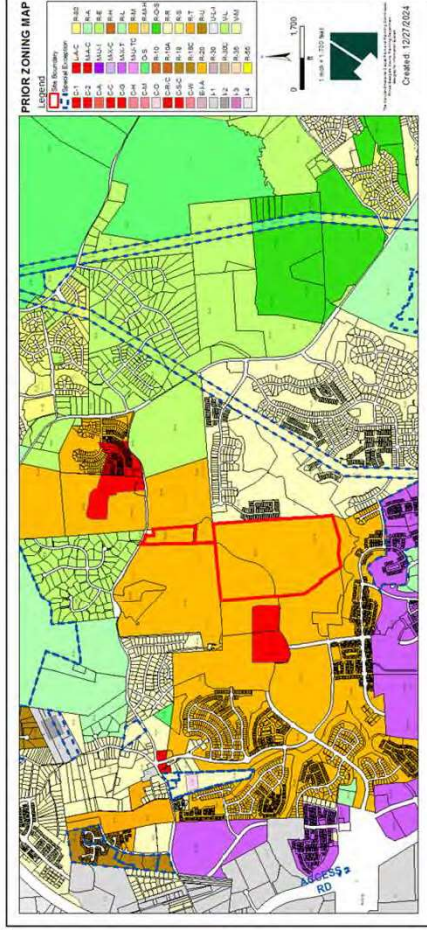
## SITE VICINITY MAP



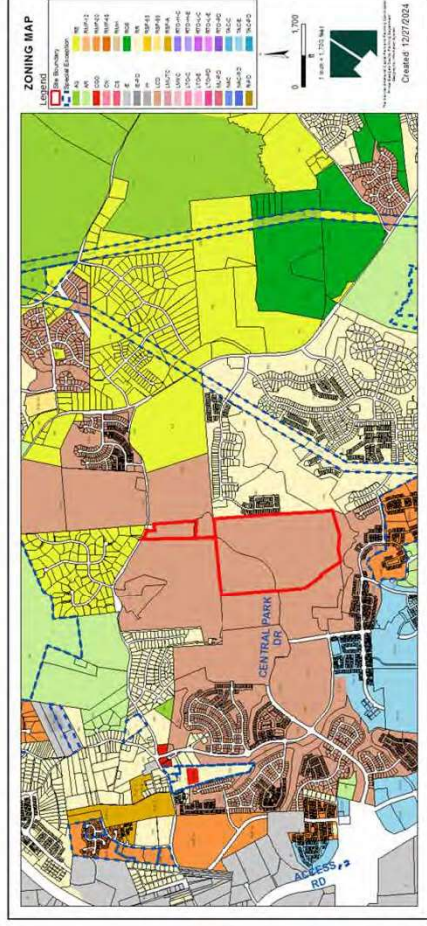


# ZONING MAP

PRIOR ZONING: R-M

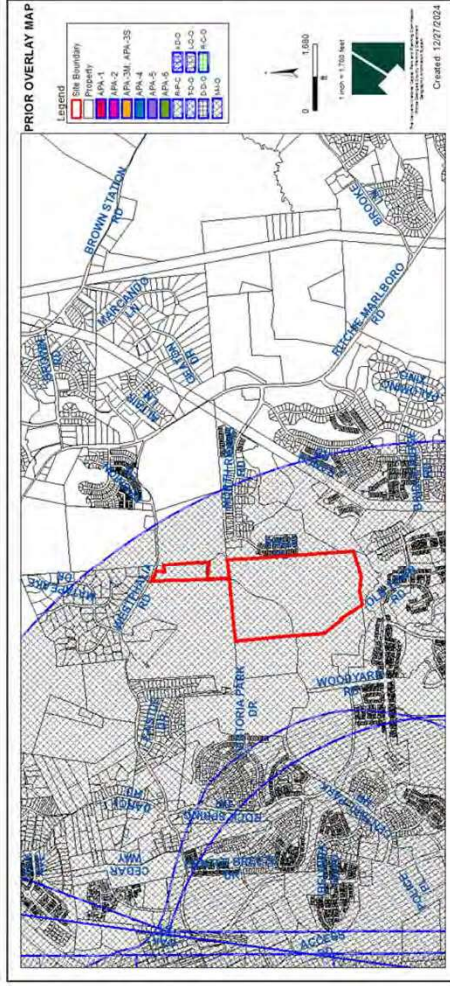


CURRENT ZONING: LCD

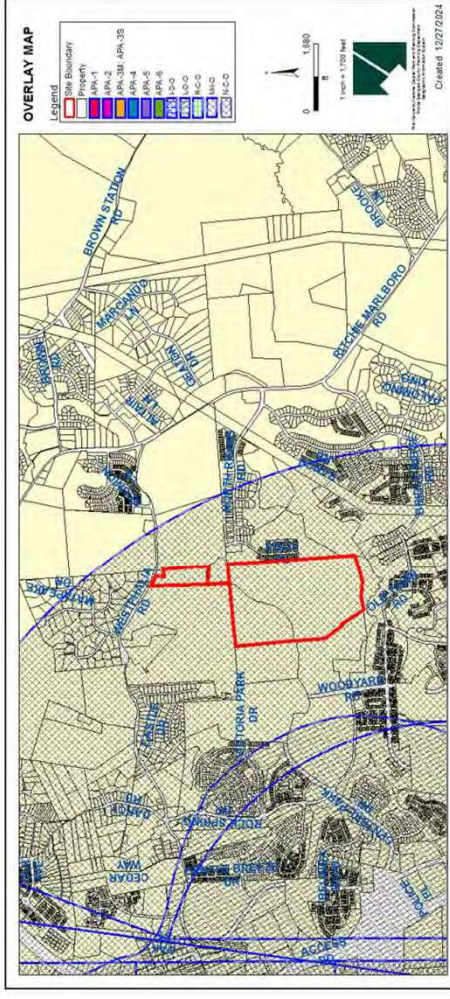


# OVERLAY MAP

PRIOR OVERLAY

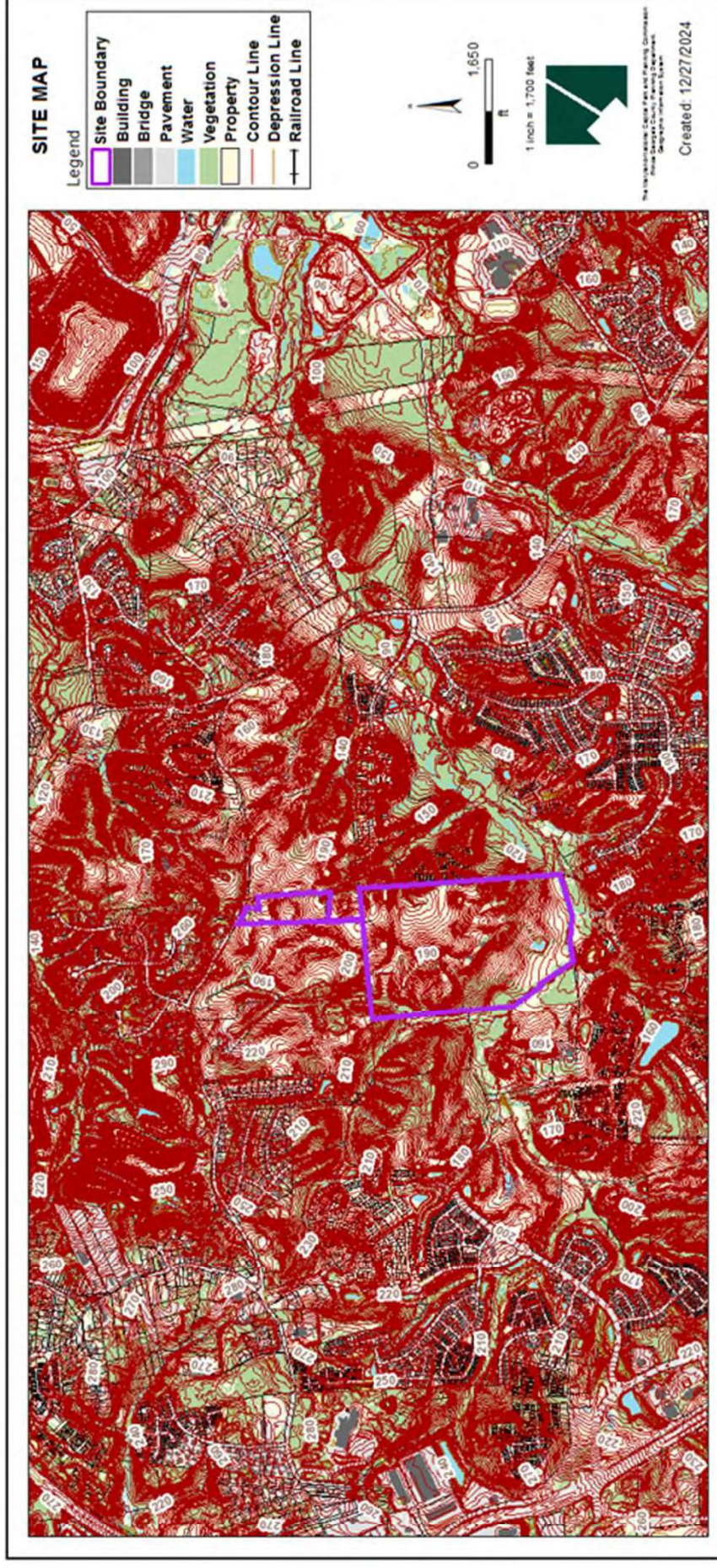


CURRENT OVERLAY



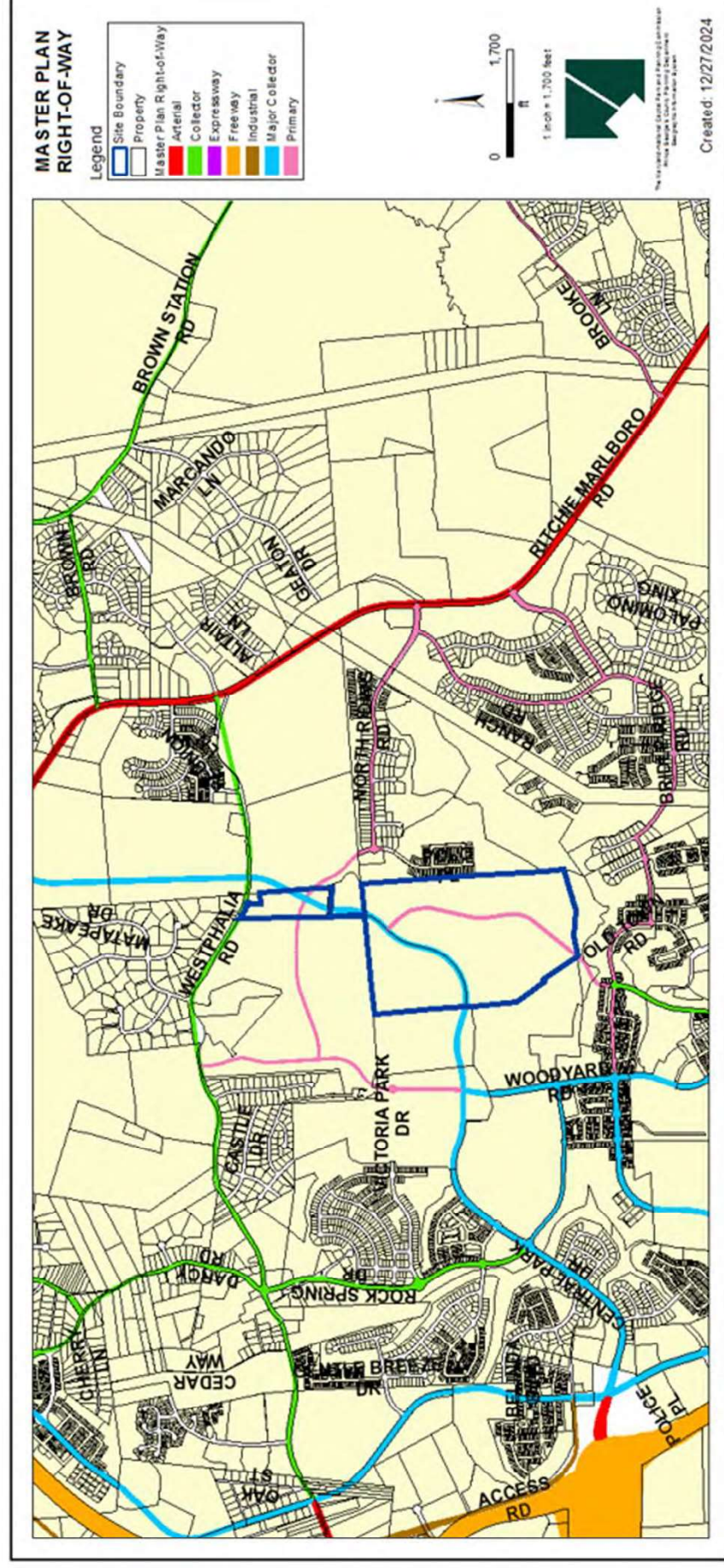


# SITE MAP



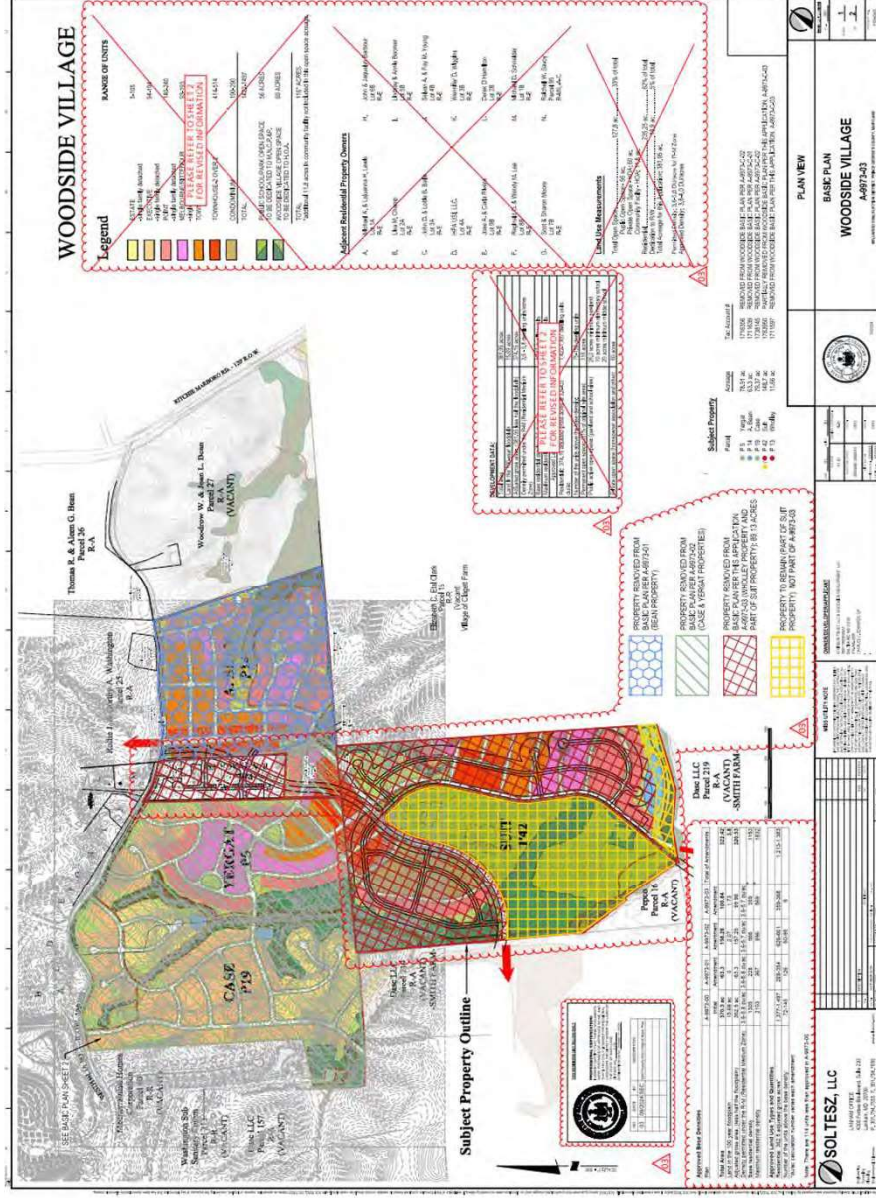


# MASTER PLAN RIGHT-OF-WAY MAP





# BASIC PLAN



# BASIC PLAN



# PROPOSED DEVELOPMENT PATTERN EXHIBIT





# STAFF RECOMMENDATION

## **APPROVAL** with conditions

- A-9973-03

## **Major Issues:** None

## **Applicant Required Mailings:**

- Informational Mailing: 9/23/2024
- Acceptance Mailing: 11/4/2024







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Largo, Maryland 20774  
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**Russell W. Shipley**  
**Arthur J. Horne, Jr.\***  
**Dennis Whitley, III \***  
**Robert J. Antonetti, Jr.**

**Bradley S. Farrar**  
**L. Paul Jackson**

\*Also admitted in the District of Columbia

December 5, 2024

**VIA ELECTRONIC MAIL**

Hon. Donna J. Brown, Clerk of the Council  
Wayne K. Curry Administration Bldg.  
1301 McCormick Drive, 2nd Floor  
Largo, MD 20774

**RE:      WOODSIDE VILLAGE (Former Suit & Wholey Properties)**  
**Basic Plan Amendment (A-9973-03)**  
**Statement of Justification**

Dear Ms. Brown:

On behalf of our client, **Woodside Land Investments, LLC** (the “Applicant”), Robert J. Antonetti, Jr., and Shipley and Horne, P.A. submits this statement of justification in support of Basic Plan Amendment (A-9973-03) pursuant to **Section 27-197(b)** of the prior Zoning Ordinance. The Woodside Village project is a tract of land located on the southern side of Westphalia Road, approximately 3,500 feet west of its intersection with Ritchie-Marlboro Road in the prior R-M (Residential Medium Development) Zone and current LCD (Legacy Comprehensive Design) Zone. The Woodside Village project is located within Planning Area 78 and Council District 6. As explained later in this statement of justification, the Applicant elects to utilize the provisions of the prior Zoning Ordinance in effect before April 1, 2022.

**BACKGROUND**

Woodside Village is a planned residential community previously the subject of basic plan application A-9973 approved by the District Council on February 13, 2007 as part of the *2007 Westphalia Sector Plan and Sectional Map Amendment* (the “Sector Plan”) which rezoning the subject property from the R-A Zone to the R-M Zone, (See Page 18, SMA 12 of CR-2-2007 (DR-2)). The initial basic plan application, as originally submitted, included four contiguous farms: Parcel 5 (Yergat Property); Parcel 14 (A. Bean Property); Parcel 19 (Case Property); and Parcels 42 & 48 (Suit Property). The District Council’s approval of CR-2-2207 (with amendments) added an additional 11.68-acre abutting parcel, (Parcel 13 - Wholey Property), to the basic plan boundaries. The Applicant is the owner of a portion the former Suit farm and all of the former Wholey farm totaling approximately 100.84 acres (hereinafter the “Property”).

For purposes of clarity, the Applicant's Property **only includes Parcels 13, 42 and a portion of Parcel 48** from the originally approved basic plan for Woodside Village. In total, Parcel 48 previously consisted of 111.92 acres at the time it was acquired by M-NCPPC. However, only 52.37 acres of Parcel 48 was transferred from M-NCPPC to the Applicant by deed. The remaining portion of Parcel 48 (approximately 71.24 acres) is owned by M-NCPPC and is intended to be included as part of the forthcoming Westphalia Central Park. The portion of Parcel 48 owned by M-NCPPC is not included in this basic plan amendment application.

Section 27-197(b) of the Zoning Ordinance allows an approved basic plan (such as A-9973) to be divided into one or more separate basic plans under certain circumstances as discussed in greater detail in this statement of justification. The original basic plan for Woodside Village has previously been amended and divided into 3 separate plans pursuant to Section 27-197(b) (i.e. A-9973, A-9973-01, and A-9973-02). The status of the parcels contained in the original Woodside Village basic plan assemblage can be further explained as follows:

**Woodside Village Parcel Status from A-9973**

<b>Property Name/Parcel Identification:</b>	<b>Acreage:</b>	<b>Status:</b>
Parcel 14 (A. Bean Property)	63.30 acres	Previously Included in A-9973-01
Parcel 5 (Yergat Property)	78.91 acres	Previously Included in A-9973-02
Parcel 19 (Case Property)	79.37 acres	Previously Included in A-9973-02
Parcel 42 (36.79 acres), & Part of Parcel 48 (52.37 acres) (Suit Property)	89.16 acres	<b>Included in A-9973-03 (Subject Application)</b>  (Note – the Remaining portion of Parcel 48, approx. 59.55 acres, is owned by M-NCPPC and is <b><u>Not</u></b> included in



		A-9973-03)
Parcel 13 (Wholey Property)	11.68 acres	<b>Included in A-9973-03 (Subject Application)</b>

The subject application proposes an amendment to basic plan A-9973 (hereinafter the “Basic Plan Amendment”) to divide the initial basic plan area by deleting the Applicant’s Property from the land originally included in A-9973. The proposal requests 359-368 dwelling units. Said units will be exclusively in the form of single-family detached dwellings. This basic plan division (per Section 27-197(b)) is necessary because the total assemblage of properties in A-9973 is no longer under common ownership, (as was the case when A-9973 was approved), thus making the implementation of the initial basic plan a practical impossibility. Due to these ownership changes, the subject Basic Plan Amendment includes appropriate amendments to the conditions of approval in A-9973, as further described herein.

More importantly, the 148.7-acre Suit Property (Parcels 42 & 48), and the 11.68-acre Wholey Property (Parcel 13) were previously owned by M-NCPPC and were intended to be included as part of the forthcoming Westphalia Central Park. The prior acquisition of these parcels by M-NCPPC significantly altered the development patterns approved in A-9973 and necessitated the division of the basic plan area to allow for the appropriate development of the remaining parcels. The Applicant has purchased a portion of the Suit Property, (consisting of all of Parcel 42, and a portion of Parcel 48), and all of the Wholey Property, (Parcel 13) from M-NCPPC.

The Applicant’s Property was acquired from M-NCPPC by deed on or about December 29, 2023. As part of this transaction, Parcel 48 was subdivided by deed with the Applicant purchasing a 52.37 acre-portion of Parcel 48, and M-NCPPC retaining the remaining 59.55 acres of Parcel 48. Notwithstanding, the Applicant’s Property will be included in a future preliminary plan of subdivision (PPS).

The residential development proposed on Applicant’s Property will only include single-family detached units and will not exceed the total 1,497 dwelling units approved in A-9973. Basic Plan Amendment, A-9973-01, for the 63.30-acre Bean Property (Parcel 14), was approved for a maximum of 354 dwelling units via Zoning Ordinance No. 5-2022. Basic Plan Amendment, A-9973-02 for the 78.91-acre Yergat Property (Parcel 5), and 79.37-acre Case Property (Parcel 19), was approved for a maximum of 661 dwelling units via Zoning Ordinance No. 8-2021. The total of these two approvals is 1,015 dwelling units, leaving a total of 482 units remaining from the original basic plan approval A-9973. The subject application proposes a maximum aggregate

density of 368 dwelling units for the Applicant's Property. In summary, should the subject application be approved, the maximum combined density of the three basic plans amendments for Woodside Village would be a total of 1,383 dwelling units, which is 114 dwelling units less the overall density approved with the original basic plan of 1,497 units. As such, this Basic Plan Amendment is eligible to be processed under the condensed review procedures set forth in Section 27-197(b). The Table below demonstrates the density allocation for the prior approved basic plan amendments and for the proposed application:

**Woodside Village Density Allocation**

<b>Application:</b>	<b>Parcels Included in Application:</b>	<b>Maximum No. Dwelling Units Approved:</b>
<b>A-9973</b>  (Approved February 13, 2007, via CR-2-2007 (DR-2))	Parcel 14 (A. Bean Property); Parcel 19 (Case Property); Parcels 42 & 48 (Suit Property); Parcel 13 (Wholey Property)	1,497 dwelling units
<b>A-9973-01</b>  (Approved April 11, 2022, via Zoning Ordinance No. 5-2022)	Subtracted Parcel 14 (Bean Property) from prior approved Basic Plan Area	<b>354 dwelling units</b>
<b>A-9973-02</b>  (Approved November 15, 2021, via Zoning Ordinance No. 8- 2021)	Subtracted Parcel 19 (Case Property) & Parcel 5 (Yergat Property) from prior approved Basic Plan Area	<b>661 dwelling units</b>
<b>A-9973-03</b>  <b>(Proposed Subject Application)</b>	Subtracting Parcel 42 & p/o Parcel 48 (Suit Property) & Parcel 13 (Wholey Property) from prior approved Basic Plan Area	<b>359-368 dwelling units</b>

<p><b>Total Number of Units in All Basic Plan Amendment Applications:</b></p> <p><b>(A-9973-01, A-9973-02 &amp;-9973-03)</b></p>	<p><b>1,383 dwelling units</b></p> <p>(114 dwelling units less than overall density approved with A-9973)</p>
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**ELECTION TO UTILIZE PRIOR R-M ZONING PROCEDURES (Section 27-1704)**

On April 1, 2022, the approved Countywide Sectional Map Amendment (“CMA”) and the updated Prince George’s County Zoning Ordinance (“New Zoning Ordinance”) became effective and rezoned the subject Property from the R-M (Residential Medium Development) Zone, to the LCD (Legacy Comprehensive Design) Zone. Notwithstanding, the Applicant elects to have A-9973-03 reviewed utilizing the applicable provisions of the prior Zoning Ordinance pursuant to Section 27-1704 (a) and (g) of the current Zoning Ordinance which states the following:

*Notwithstanding any other provision set forth below, all development applications, including permit applications, pending prior to the effective date of this Ordinance are subject to Section 27-1706. If the development has vested rights under Maryland law, then it may proceed under the following:*

- (a) *Except for a zoning map amendment (ZMA) of any type, development approvals or permits of any type approved under the prior Zoning Ordinance or prior Subdivision Regulations prior to April 1, 2022 remain valid for the period of time specified in the prior Zoning Ordinance or prior Subdivision Regulation Extensions of time which were available in the prior Zoning Ordinance or prior Subdivision Regulation shall remain available. If the approval is for a CSP, special permit, Comprehensive Sketch Plan, or CDP, it shall remain valid for twenty years from April 1, 2022 or the date of its approval, whichever is later, except for a CSP as to a Waterfront Entertainment Complex use or CSP-03006 (PGCPB 05-205) and amendments thereto, which shall remain valid indefinitely. Further, approvals for a CSP, special permit, Comprehensive Sketch Plan, or CDP, may not be amended to increase the land area subject to such approval. In addition, a Basic Plan approved prior to the effective date of this Ordinance is grandfathered and can be amended. (Emphasis added)*

**RESPONSE:** Section 27-1704(a) states that a basic plan approved before April 1, 2022 (such as A-9973) is “grandfathered” and can be amended. The Applicant’s Property was also previously included in CDP-0601 approved by the District Council on February 9, 2009. Pursuant to Section 27-1704(a) of the current Zoning Ordinance, all CDP applications shall remain valid for a period of twenty years from April 1, 2022. As such, the prior approved CDP for the Property, CDP-0601, is valid until April 1, 2042. All prior BPA, CDP, & SDP applications for Woodside

Village were reviewed and approved utilizing the provisions of the Zoning Ordinance that existed prior to April 1, 2022. In accordance with Section 27-1704(b) of the current Zoning Ordinance, since the underlying CDP approval is currently valid, the Applicant can proceed with applications utilizing the provisions of the Zoning Ordinance that existed prior to April 1, 2022.

**(g) *Property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to the terms and conditions of the development approvals which it has received.***

**RESPONSE:** The Applicant's Property included in the Basic Plan Amendment is located in the LCD Zone. As a result, the Applicant is requesting that A-9973-03 be reviewed utilizing the provisions of the Zoning Ordinance that existed prior to April 1, 2022.

**A. Neighboring Properties Use and Zoning:**

The Applicant's Property is bounded to the north, south and west by existing or proposed residential development in the LCD/MIO Zone, and to the east by a portion of the Woodside Village development LCD/MIO Zone, as well as existing residential development in the RR/MIO Zone. To the east is the Marlboro Ridge and Clagett Property developments, and a portion of the Woodside Village development; to the south and southwest is the Parkside development, to the west are portions of the Parkside and Woodside Village developments; and to the north is the Westphalia Road right-of-way, and beyond the Westphalia Woods and Parkland and Rock Creek developments.

**B. Previous Approvals**

The specific approvals for the overall Woodside Village project include the following:

<b>Development Review Case:</b>	<b>Associated TCP(s):</b>	<b>Authority:</b>	<b>Status:</b>	<b>Action Date:</b>	<b>Resolution Number:</b>
<b>CNU-6730-88-U</b> (Trash Hauling Operation) - on western portion of Parcel 19 (Case Property)	N/A	District Council	Approved	1988	Unknown
<b>NRI-158-05</b>	N/A	Planning Staff	Approved	07/10/2006	N/A

<b>A-9973</b>	TCPII/223/ 92  (Includes portion of Property as part of a grading permit)	District Council	Approved	Planning Board 6/1/2006  ZHE - 7/13/2006  District Council 2/6/2007	PGCBP No. 06-112  N/A  CR-2-2007 (DR-2)
<b>NRI-158-05-01</b> (Added Wholey Property)	N/A	Planning Staff	Approved	10/4/2007	N/A
<b>CDP-0601</b>	TCPI/006/ 08	District Council	Approved	Planning Board 9/11/2008  District Council 2/9/2009	PGCBP No. 08-121  Affirmed with Conditions
<b>NRI-158-05-02</b> (For Bean Property Only)	N/A	Planning Staff	Approved	03/30/2020	N/A
<b>NRI-158-05-03</b> (Case & Yergat Property)	N/A	Planning Staff	Approved	09/16/2021	N/A
<b>A-9973-01</b>  63.30-acre Bean Property (Parcel 14)	N/A	District Council	Approved	Planning Board 9/30/2021  ZHE - 12/01/2021  District Council 4/11/2022	Recommendation to Transmit to ZHE  Approval with Conditions  Zoning Ordinance No. 5-2022

<b>A-9973-02</b>  79.37-acre Case Property, (Parcel 19) & 78.9-acre Yergat Property) (Parcel 5)	N/A	District Council	Approved	Planning Board 9/16/2021  ZHE - 10/29/2021  District Council 11/15/2021	Recommendation to Transmit to ZHE  Approval with Conditions  Zoning Ordinance No. 8-2021
<b>CDP-0601-01</b>  79.37-acre Case Property, (Parcel 19) & 78.9-acre Yergat Property) (Parcel 5)	TCP1/006/2022	District Council	Approved	Planning Board 4/28/2022  District Council 8/3/2022	PGCBP No. 2022-50  No Request to Hear
<b>PPS 4-21049</b>  79.37-acre Case Property, (Parcel 19) & 78.9-acre Yergat Property) (Parcel 5)	TCP1/006/2022-01	Planning Board	Approved	Planning Board 9/8/2022	PGCBP No. 2022-86
<b>SDP-2203</b> (Infrastructure Only)	TCP2/048/2022	District Council	Approved	Planning Board 3/16/2023  District Council 4/27/2023	PGCBP No. 2023-25  No Request to Hear

<b>CDP-0601-02</b>				Planning Board 4/20/2023	PGCBP No. 2023-38
63.30-acre Bean Property (Parcel 14)	TCP1-002-2023	District Council	Approved	District Council 5/15/2023	No Request to Hear

**C. Purposes of Request**

The purposes of this Basic Plan Amendment are as follows:

1. To remove the Applicant's Property from the land area included in Basic Plan A-9973 and to establish a separate basic plan pursuant to Section 27-197(b) of the Zoning Ordinance.
2. To revise the prior approved land use quantities in A-9973 to correspond with the revised boundaries and acreages included with the subject Basic Plan Amendment.
3. To amend and/or replace prior approved conditions in A-9973, as appropriate, to facilitate the residential development proposed in the subject Basic Plan Amendment.

**D. Proposed Development Concept**

From its inception, the vision for Woodside Village has been to create a residential community that will be complementary to other residential developments within the Westphalia Sector Plan area. The proposed residential development quantities, unit types, and locations shown as part of this Basic Plan Amendment will remain largely consistent with the spirit of initial basic plan A-9973. This application will also allow for appropriate modifications to basic plan A-9973 to facilitate the development of the Applicant's Property. The development contemplated in this Basic Plan Amendment also represents a high-quality residential community which will serve as an appropriate transition and linkage between the adjacent Parkside and Marlboro Ridge subdivisions.

**E. Compliance with The Prince George's County Zoning Ordinance**

The instant Basic Plan Amendment satisfies all required criteria of approval set for in the Zoning Ordinance as follows:

**Sec. 27-197(b): Amendment of Approved Basic Plan**

- (b) An amendment of an approved Basic Plan which results in dividing a single approved Basic Plan into two (2) or more separate Basic Plans may be approved by the District Council where significant changes in circumstances with regard to the approved Basic Plan have created practical difficulties for the applicant to the extent that, unless the Basic Plan is amended to separate a specified amount of land area, the applicant will be unable to proceed to the Comprehensive Design Plan phase. An amendment will not be granted where the practical difficulty is self-created or self-imposed, or where the applicant had knowledge of, and control over, the changing circumstances and the problems bringing about the practical difficulty at the time the Basic Plan was approved. The following procedures shall apply to consideration of any such amendment in lieu of the requirements of Subsection (c), below:***

**COMMENT:** As stated above, this Basic Plan Amendment proposes to divide the initial basic plan area by deleting Applicant's Property from the total assemblage of properties in A-9973. The Applicant's Property will stand on its own as a separate basic plan. This division is necessary because the total assemblage of properties in A-9973 is no longer under common ownership (as was the case when A-9973 was approved), thus making the implementation of the initial basic plan a practical impossibility and preventing the Applicant from proceeding to the subsequent development stages applicable to comprehensive design zones such as the R-M Zone (i.e., CDP and SDP).

The 63.30-acre Bean Property (Parcel 14), the 78.91-acre Yergat Property (Parcel 5), the portion of Parcel 48 (71.24 acres) retained by M-NCPPC, and the 79.37-acre Case Property (Parcel 19), that were previously included in A-9973 are not included in the Basic Plan Amendment. The 148.7-acre Suit Property (Parcels 42 & 48), and the 11.68-acre Wholey Property (Parcel 13) were previously acquired by M-NCPPC and were intended to be included as part of the forthcoming Westphalia Central Park. The prior acquisition of these parcels by M-NCPPC significantly altered the development patterns approved in A-9973 and necessitated the division of the basic plan area to allow for the appropriate development of the remaining parcels.

Due to the changes in ownership, the original basic plan assemblage has since been divided into several approved basic plan applications. Basic Plan Amendment, A-9973-01, was recently approved for the 63.30-acre Bean Property (Parcel 14) via Zoning Ordinance No. 5-2022. Similarly, Basic Plan Amendment, A-9973-02 was recently approved for the 78.91-acre Yergat Property (Parcel 5), and the 79.37-acre Case Property (Parcel 19), via Zoning Ordinance No. 8-2021. This leaves the Suit and Wholey Properties that are the subject of the current Basic Plan Amendment, A-9973-03.

Specifically, the initial basic plan contemplated that Woodside Village would be



developed as a residential development organized around a park/school site of approximately 56 acres within the Suit Property that would then be combined with the larger Westphalia Central Park located in the adjacent Parkside subdivision. With M-NCPPC initially acquiring the Suit Property (Parcels 42 & 48), and Wholey Property (Parcel 13), and then selling portions of the property to the Applicant, the Applicant is unable to conform to the land use requirements for a park/school site mandated by Conditions 1 and 4(e) in the initial basic plan (mandating that the Applicant dedicate approximately 56 acres for the park/school site).

It is impossible for the development approved in A-9973 to be fully achieved in a unified manner due to ownership of land by M-NCPPC and the separate development approvals for the Case, Yergat, and A. Bean properties. As a result, it is highly appropriate for the basic plan area to once again be divided in a manner to allow the Applicant's Property to proceed independently from the remaining assemblage parcels that previously made up the land area in A-9973. The hardships faced by the Applicant in implementing the initial basic plan approval were not caused by the Applicant, and certainly were not known at the time of the initial basic plan approval (since the Suit Parcels and Wholey parcel were acquired by M-NCPPC after the approval of A-9973). Conversely, this Basic Plan Amendment presents an opportunity for the Applicant's Property to develop in a manner consistent with the goals and visions of the Westphalia Sector Plan by creating a high-quality residential community to benefit existing and future residents of the County.

- (1) ***The applicant shall file the request in triplicate with the Clerk of the Council. The petition shall be accompanied by a new reproducible copy of the proposed new Basic Plan graphic showing how the Basic Plan is to be divided and any other proposed revisions, three (3) copies of the proposed new Basic Plan Text if any, and the names and addresses of the current owners of the property separated by the proposed amendment. The Clerk's office shall advise the applicant in writing that the Technical Staff has found that the request is complete.***

**COMMENT:** The Applicant has complied with this requirement.

- (2) ***The Clerk of the Council shall refer copies of the request and accompanying documents to the Planning Board and to the People's Zoning Counsel. The Planning Board and the People's Zoning Counsel shall submit any comments which they have on the request to the District Council, the Zoning Hearing Examiner, the petitioner, and all persons of record in the original Zoning Map Amendment application. The comments shall be submitted not later than sixty (60) days after the date the petition is referred, unless such deadline is waived in writing by the applicant.***

**COMMENT:** The Applicant agrees with the above requirement. The Clerk of the Council, Planning Board and the People's Zoning Counsel will need to follow the above procedures.

- (3) *Within one hundred twenty (120) days after referral of the petition to the Planning Board and People's Zoning Counsel, the Zoning Hearing Examiner shall conduct a public hearing on the petition. The hearing shall be held in accordance with Section 27-129. The hearing shall not be held until after the sixty (60) day review period has expired, unless both the Planning Board and People's Zoning Counsel have submitted their comments.*

**COMMENT:** The Applicant agrees with above requirement. The Zoning Hearing Examiner will need to follow the above procedures.

- (4) *In approving the petition, the applicant shall establish, and the District Council shall find, that:*
- (A) *The approval of the amended Basic Plan will not result in a change in land area, or an increase in land use density or intensity, for the overall area included in the original, approved Basic Plan;*

**COMMENT:** The proposed Basic Plan Amendment does not involve an increase in the overall density approved for the Woodside Village development set forth in Basic Plan A-9973. As stated earlier, the central purpose of this Basic Plan Amendment is to divide the basic plan area by deleting the Applicant's Property from the total assemblage of properties in A-9973. The remaining parcels in the original basic plan assemblage have already obtained recent approvals of subsequent/separate basic plan amendments, (A-9973-01 for the Bean Property, & A-9973-02 for the Case & Yergat Properties). As a result, the Applicant's Property will need to stand on their own as a separate basic plan.

The overall residential development of Woodside Village would not exceed the total 1,497 dwelling units approved in A-9973. Basic Plan Amendment, A-9973-01 for the 63.30-acre Bean Property (Parcel 14) was approved for a maximum of 354 dwelling units via Zoning Ordinance No. 5-2022. Basic Plan Amendment, A-9973-02 for the 78.91-acre Yergat Property (Parcel 5), and the 79.37-acre Case Property (Parcel 19), was approved for a maximum of 661 dwelling units via Zoning Ordinance No. 8-2021. The total of these two approvals is 1,015 dwelling units, leaving a total of 482 units still remaining from the original basic plan approval for Woodside Village.

The Applicant proposes a maximum aggregate density of 359-368 dwelling units for the Applicant's Property. In summary, should the subject application be approved, the maximum combined density of the three basic plans amendments for Woodside Village

would be a total of 1,383 dwelling units, which is 114 dwelling units less the overall density approved with the original basic plan of 1,497 units. As such, this Basic Plan Amendment is eligible to be processed under the condensed review procedures set forth in Section 27-197(b).

- (B)**     *The approval of the amended Basic Plan will not significantly impair the character of the original, approved Basic Plan with respect to land uses, density ranges, unit types, circulation, accessibility, public facilities, public benefit features, and open space;*

**COMMENT:** The instant Basic Plan Amendment will not impair the character of the originally approved basic plan. The land use, density ranges, circulation patterns, and amenities proposed for the Applicant's Property are substantially consistent with those approved in the initial basic plan.

- (C)**     *The proposed amended Basic Plan conforms to the requirements of Section 27-195(b);*

**COMMENT:** This Basic Plan Amendment conforms to the requirements of Section 27-195(b) as set forth above and below.

- (D)**     *The separate Basic Plans that result will be capable of standing by themselves as individual, cohesive developments;*

**COMMENT:** This Basic Plan Amendment has been designed in a manner that it can stand alone as an individual development. Moreover, the development of the Applicant's Property as an individual subdivision will be cohesive with the remaining portions of Woodside Village.

- (E)**     *Any staging of development that was required in the approval of the original Basic Plan, and that is still appropriate, is included as part of the amended Basic Plan; and*

**COMMENT:** No staging of development was required in A-9973.

- (F)**     *No owner of any land which is included in the original, approved Basic Plan will, by the approval of the proposed amended Basic Plan, be denied reasonable use of his property.*

**COMMENT:** No owner(s) of land included in the original basic plan will be denied reasonable use of their property. The Applicant's Property will stand on its own as a separate basic plan. In combination with the other prior approved basic plan amendment applications (A-9973-01 & 02), the residential development of the Applicant's Property

would not exceed the total 1,497 dwelling units that was approved in the original Woodside Village basic plan, A-9973.

Except for the Applicant's Property and the portion of Parcel 48 still owned by M-NCPPC, all the other parcels included in the original basic plan assemblage have already obtained approval of a separate basic plan amendment and were allocated their own portion of the overall density approved with A-9973. As a result, should the subject application be approved, no owner(s) of land included in the original basic plan will be denied reasonable use of their property.

**Section 27-195(b): Criteria for Approval of a Basic Plan**

***(1) Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:***

***(A) The proposed Basic Plan shall either conform to***

***(i) The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties;***

***(ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses; or***

***(iii) The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code.***

**COMMENT:** The proposed Basic Plan Amendment conforms to the recommendations of both the 2035 General Plan and the 2007 Westphalia Sector Plan as follows:

**Plan 2035, Approved General Plan:**

According to the approved 2035 General Plan (Map 10. Generalized Future Land Use Map, (Page 101)), the site is labeled as designated as a "Residential Medium." The General Plan further states that the "Residential Medium" designation represents

“residential areas up to 3.5 and 8 dwelling units per acre. Primarily single-family dwellings (detached and attached), (Page 100).” The uses proposed in this Basic Plan Amendment are consistent with the vision, policies and strategies of the 2035 General Plan. Specifically, the subject application proposes 359 to 368 dwelling units on the Applicant’s Property that would roughly equal 3.6 to 3.68 dwelling units per adjusted gross acre (total gross area less half the floodplain).

**2007 Westphalia Sector Plan and Sectional Map Amendment:**

*The 2007 Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan) recommends a low-density residential land use in the area of this Basic Plan Amendment. Moreover, the Sector Plan recommends that the residential areas outside of the core areas of the Westphalia Town Center consist of “townhomes and small lot single-family homes to add diversity to neighborhoods or as a transition between higher density units and lower family single-family neighborhoods”, (See Sector Plan, Policy 5 – Residential Areas).

The instant Basic Plan Amendment does exactly what the recommendations in the Westphalia Sector Plan call for. Specifically, the proposal contains single-family detached units to serve as a transitional buffer between the denser Parkside and Westphalia Town Center projects to the south, and the less dense portions of the Sector Plan area to the north and west. The design proposed in this basic plan amendment reflects an efficient and interconnected street system that includes critical sections of proposed Master Plan Roadways, MC-631& P-619, and a development pattern that seamlessly ties in with the adjacent Parkside project and other sections of Woodside Village.

- (B)**     *The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;*

**COMMENT:** The instant application does not contain a proposal for retail commercial development. Therefore, an economic analysis is not required for this application.

- (C)**     *Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service*

***anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;***

**COMMENT:** The Applicant has included a traffic impact study as part of this statement of justification. The submitted traffic impact study demonstrates that all transportation facilities, either existing or and/or proposed to be constructed by the Applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density in this application.

**(D) *Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;***

**COMMENT:** The public facilities which are either existing, under construction or fully-funded within the County's Capital Improvement Program ("CIP"), will be adequate for residential uses proposed in this application. Moreover, it should be noted that the residential units proposed in this development will be subject to all appropriate school and public safety surcharges imposed by the County.

The Applicant's property is also subject to the provisions of CR-66-2010 (approved by the County Council) and is required to pay a share of the cost for the planning, engineering, construction of the Westphalia Road/MD 4 intersection/interchange.

**(E) *Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.***

**COMMENT:** The Applicant proposes to use the site's existing natural contours, woodlands, and other natural features to shape the development envelopes while minimizing impacts to floodplains, wetlands, and other sensitive areas.

**(2) *Notwithstanding subparagraphs (C) and (D), above, where the application anticipates a construction schedule of more than six (6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the***

***probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.***

**COMMENT:** The Applicant intends to complete all development located on the Applicant's Property within the next 6 years.

**Section 27-487 – Housing provisions**

***Comprehensive Design Zone proposals shall contain provisions for housing to serve all income groups.***

**COMMENT:** The instant Basic Plan Amendment proposes single-family detached units that are intended to address a wide variety of price points and market needs/preferences. This includes high quality residential units that will have a range of finished square footages (final square footage numbers will be confirmed at time of SDP). The provisions of such a variety of single-family detached units are needed for numerous reasons. First, there is a growing demand for housing options by consumers such as seniors and millennials. For example, by the year 2030, it is predicted that 20% of the total US population will be 65 or older. According to most estimates, the US will need an additional 800,000 units of senior housing by 2030 to meet the growing demand from the aging Baby Boomer generation. In Prince George's County, there are over 170,000 adults over the age of 60 representing 18.6% of the total County population. Over the next several years it is anticipated that 20% of the County's population will be over the age of 60. Without an increase in the number of housing geared towards seniors, there simply will not be enough supply to meet the consumer demand. The inclusion of more efficient single-family detached units on smaller lots with a range of square footages will result in the ability to yield a reasonable amount of additional single-family detached lots for a growing senior population in Prince George's County. Similarly, "millennials" represent nearly 38% of the current buyers in the national market per a 2024 generational report by the National Association of Realtors. Both the senior and millennial buyers in today's market are seeking modern, efficient, and more compact living spaces with high end finishes, attractive architecture, and access to amenities. Such a concept reflects a lifestyle that includes smaller living spaces, first floor accessibility, and lot sizes that offer outdoor opportunities that are not overly burdensome from a maintenance standpoint.

The proposed Basic Plan Amendment will allow for the development of single-family detached units that will meet all the above stated market preferences. The proposed Basic Plan Amendment will also allow for appropriately sized units to be built for nearly all segments of the market, while allowing each single-family detached unit to have an appropriate amount of outdoor space. Moreover, consumers typically desire all the above housing preferences at a price that is affordable. Affordability means different things to different buyers. Having such a range of single-family detached home sizes will help ensure that this project will have an affordable home type for just about every buyer. Further, the proposed units will have high-quality finishes and architectural features (that will be demonstrated at time of SDP) that will ensure that each home style will be compatible and complimentary, regardless of the size of the home.

**Section 27-507: Purposes of R-M Zone**

This section demonstrates how the instant Basic Plan Amendment continues to conform and support the purposes of the R-M Zone as follows:

***(a) The purposes of the R-M Zone are to:***

***(1) Establish (in the public interest) a plan implementation zone, in which (among other things):***

***(A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and***

***(B) The location of the zone must be in accordance with the adopted and approved General Plans, Master Plan, Sector Plan, public urban renewal plan, or Sectional Map Amendment Zoning Change;***

**COMMENT:** As stated earlier in this Statement of Justification, the proposal for this application is consistent with the recommendations of the applicable portions of the 2035 General Plan and the Westphalia Sector Plan. The subject application proposes 359 to 368 dwelling units on the Applicant's Property that would roughly equal 3.6 to 3.68 dwelling units per gross acre. The residential development of the Applicant's Property would not exceed the total 1,497 dwelling units approved in A-9973. The additional public benefit features that are necessary to justify the proposed density in this application will be provided at time of the amendment of the comprehensive design plan for the project.

***(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public***



***urban renewal plans, and Sectional Map Amendment Zoning Changes) can serve as the criteria for judging individual physical development proposals;***

**COMMENT:** The Applicant agrees with this requirement. It should be noted that the development of this project will remain consistent with the applicable planning documents, including, but not limited to, the recommendations of the 2035 General Plan, and the Westphalia Sector Plan. Upon approval of this Basic Plan Amendment application, the Applicant will pursue all appropriate amendments to existing entitlement applications as necessary.

- (3) *Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;***

**COMMENT:** As stated earlier in this Statement of Justification, the proposed development will remain consistent and complimentary to existing and proposed surrounding land uses and public facilities, and will also continue to promote the health, safety, and welfare of present and future inhabitants of the County.

- (4) *Encourage amenities and public facilities to be provided in conjunction with residential development;***

**COMMENT:** The Suit and Wholey properties that comprise this Application are adjacent to the Westphalia Central Park. Accordingly, this project will be in close proximity to significant public recreational facilities. In addition, the Applicant will provide supplemental recreational facilities dispersed conveniently throughout the project. The details of these facilities will be provided as part of future entitlement applications. The Applicant will also contribute fees for the Westphalia Central Park as required by existing conditions of approval.

- (5) *Encourage and stimulate balanced land development; and***

**COMMENT:** The proposed development in this Application will contribute much needed single-family detached homes on the Property to balance the concentration of townhouses within the greater Westphalia market.

- (6) *Improve the overall quality and variety of residential environments in the Regional District.***

**COMMENT:** The proposed development in this Application will contribute much needed single-family detached homes on the Property to balance the concentration of townhouses within the greater Westphalia area market.

**F. Compliance with Existing Basic Plan Conditions**

Basic Plan Amendment A-9973 was approved for the subject property by the District Council on February 6, 2007, via Council Resolution No. CR-2-2007, with the following conditions:

- The following development data and conditions of approval serve as limitations on the land use types, densities, and intensities, and shall become a part of the approved Basic Plan:*

<b>Total Area</b>	<b>381.95 acres</b>
<i>Land in the 100 year floodplain*</i>	<i>15.69 acres</i>
<i>Adjusted gross area: (381.95 less half the floodplain)*</i>	<i>374.15 acres</i>
<i>Density permitted under the R-M (Residential Medium Zone)</i>	<i>3.6-5.8 dwellings/acre</i>
<i>Base residential density (3.6du/ac)*</i>	<i>1,347 dwellings</i>
<i>Maximum residential density (5.8 du/ac)*</i>	<i>2,170 dwellings</i>

<b>Approved Land Use Types and Quantities</b>	
<i>Residential: 374.15 adjusted gross acres @ 3.8-4.0 du/ac*</i>	<i>1,422-1,497</i>
<i>Number of the units above the base density:</i>	<i>75-150 dwellings</i>
<i>Permanent open space: (31 percent of original site area)*</i>	<i>116 acres</i>
<i>Public active open space: (parkland and school sites)*</i>	<i>26.0 acres minimum parkland</i> <i>10 acres minimum elementary school</i> <i>20 acres minimum middle school</i>
<i>Private open space (homeowner association and other)</i>	<i>60 acres</i>

*\* To be validated during the review of a CDP to account for the addition of the 11.65-acre Toll Brothers, Inc. property.*

**COMMENT/REVISION:** The Applicant is proposing the following revision to the previously approved land use types and quantities for Woodside Village. It should be

noted that Basic Plan Amendment A-9973-01 was approved for the 63.30-acre Bean Property (Parcel 14) via Zoning Ordinance No. 5-2022, and Basic Plan Amendment, A-9973-02 was approved for the 78.91-acre Yergat Property (Parcel 5), and the 79.37-acre Case Property (Parcel 19) via Zoning Ordinance No. 8-2021. These properties were previously included in Basic Plan Amendment A-9973, and are not included in the subject application. It should also be noted that a portion of the Suit Property, (part of Parcel 48), is currently owned by M-NCPPC.

<b>Total Area</b>	<b>100.84 acres</b>
Total Area	100.84 acres
Land in the 100-year floodplain	1.73 +/- acres
Adjusted gross area: (100.84 acres minus half the floodplain (.86 acres))	99.98 +/- acres
Density permitted under the R-M (Residential Medium Zone)	3.6 – 5.7 dwelling units/acre
Base allowable residential density (3.6 du/ac)	359 dwelling units
Maximum allowable residential density (5.7 du/ac)	569 dwelling units

<b>Proposed Land Use Types and Quantities</b>	
Residential Use (Single-Family Detached)	359-368 dwelling units
Number of units above the base density:	0 - 9 dwelling units
Density proposed in the R-M (Residential Medium Zone)	3.6 – 3.68 dwelling units/acre
Permanent open space outside of proposed lots or rights-of-way: (Includes environmental, recreational, and HOA areas)	28.14 +/- acres

2. *Prior to approval of the Basic Plan the Applicant shall revise the Basic Plan to provide the following:*
  - a. *Eliminate the cul-de-sac streets on the Case property that stretch out of the subject site boundary to the Smith Home Farms property, and terminate the cul-de-sac within the subject property.*

**COMMENT/REVISION:** The Case property is not included in the subject application. As a result, the above condition is no longer needed and can be deleted.

- b. Show one (1) primary street connection between the subject property and the adjacent W. Bean property to the east.*

**COMMENT/REVISION:** The Suit property is not physically contiguous with the W. Bean property. Master Plan right-of-way, MC-631, will extend north to south along the eastern edge of the Wholey Property and will merge into the W. Bean property prior to reaching Westphalia Road. This condition should be deleted as it is not relevant to the land subject to this application.

3. *The following shall be required as part of the Comprehensive Design Plan (CDP) submittal package:*

- a. The Transportation Planning staff shall make Master Plan transportation facility recommendations consistent with the Westphalia Sector Plan. The CDP road alignments shall conform to road alignments in all other adjacent approved subdivisions.*

**COMMENT:** The Applicant concurs with the above condition. The road alignments shown on the submitted Basic Plan provides a seamless transition to the prior approved road alignments in the adjacent Parkside Subdivision. It should be mentioned that while the Applicant proposes dedication of all rights-of-way for P-616, a portion of said roadway to the south of the site has been eliminated on the adjacent Parkside per a prior PPS approval. As such the Applicant proposes to dedicate, but not construct, the southernmost portion of P-616 beyond a proposed cul-de-sac shown on the amended Basic Plan.

- b. The Transportation Planning staff shall review the list of significant internal access points as proposed by the Applicant along Master Plan roadways, including intersections of those roadways within the site. This list of intersections shall receive detailed adequacy study at the time of Preliminary Plan of Subdivision. The adequacy study shall consider appropriate traffic control as well as the need for exclusive turn lanes at each location.*

**COMMENT:** The Applicant concurs with the above condition.

- c. The Transportation Planning staff shall review minor street connections between the subject site and adjacent properties. All minor street connections shown on*

*the Comprehensive Design Plan shall conform to all other adjacent approved subdivisions.*

**COMMENT:** The Applicant concurs with the above condition.

- d. The Applicant shall build the MD 4/Westphalia Road interchange with the development of the subject property and this may be accomplished by means of a public/private partnership with the State Highway Administration and with other developers in the area. This partnership may be further specified at the time of Preliminary Plan of Subdivision, and the timing of the provision of this improvement shall also be determined at the time of Preliminary Plan of Subdivision.*

**COMMENT/REVISION:** The Applicant is also subject to the provisions of CR-66-2010 (approved by the County Council) and is required to pay a per unit share of the cost for the planning, engineering, construction of the Westphalia Road/MD 4 intersection/interchange. This intersection/interchange will be constructed by a duly formed development consortium. Thus, this condition should be deleted, as the Applicant is no longer required to build the interchange.

- e. The CDP shall demonstrate that a majority of lots located along Westphalia Road are single-family detached lots in order to be compatible with the surrounding land use pattern and to preserve a rural character as recommended in the WCCP Study.*

**COMMENT:** The subject Property has very limited street frontage along Westphalia Road. However, all of the lots proposed with the subject application are single-family detached lots. No lots are proposed to have direct access to Westphalia Road. All lots are to be accessed from roads within the subdivision. Units visible from Westphalia Road will be attractive and consistent with the suburban character recommended by the 2007 Westphalia Sector Plan.

- f. The Applicant shall meet with and obtain written approval from the DPW&T to front and/or provide driveway access to any townhouse units that may be located along C-631. If the townhouses or two-over-two townhouses are to be located along any roadways, which are classified as collector and above, they should be accessed through an alley.*

**COMMENT/REVISION:** No townhouses or two-over-two units are proposed with the subject application. All lots proposed with the subject application are single-family detached lots. No direct access to C-631 is proposed from individual lots. As such, the

above condition, (which only pertains to townhouses or two-over-two units), should be deleted.

*g. The Applicant and the Applicant's heirs, successors, and/or assignees shall provide the following in conformance with the 1994 Master Plan and the WCCP Study:*

- (1) Provide the Master Plan hiker-biker-equestrian trail along the subject site's entire portion of the Cabin Branch stream valley subject to Department of Parks and Recreation coordination and approval.*
- (2) Provide an eight-foot wide sidepath or wide sidewalk along the subject property's entire frontage of Suitland Parkway extended.*
- (3) Provide a sidepath (Class II Trail) along the subject site's entire road frontage of Westphalia Road.*
- (4) Provide the internal HOA trails and sidepaths as conceptually shown on the submitted hiker and biker trail path.*

**COMMENT/REVISION:** The above condition should be deleted as the basic plan amendment reflects the trail facilities within the subject Property as recommended in the 2007 Westphalia Sector Plan. The recommendations in the 1994 Master Plan and the WCCP Study are no longer controlling planning documents for this property.

*h. Submit a design package that includes an image board and general design guidelines that establish review parameters, including design, material and color, for architectural, signage, entrance features and landscaping for the entire site.*

**COMMENT:** The Applicant concurs with the above condition.

*i. Provide a description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.*

**COMMENT/REVISION:** Portions of the property included in the original basic plan are already under the ownership of M-NCPPC. This includes part of the original Suit Property (part of Parcel 48) consisting of approximately 59.55 acres owned by M-NCPPC. As a result, the current Basic Plan Amendment proposes no further dedication of land. Possible locations for private on-site recreational facilities are shown on the submitted plan.



Specifics for these facilities will be demonstrated at the time of CDP. This condition should be revised to **delete** any reference to recreation facilities on public parkland.

- j. *The Applicant, and the Applicant's heirs, successors and/or assignees shall agree to make a monetary contribution or provide in-kind services for the development, operation and maintenance of the central park. The recreational facilities packages shall be reviewed and approved by DPR prior to Comprehensive Design Plan (CDP) approval. The total value of the monetary contribution (or in-kind services) for the development, operation and maintenance of the central park shall be \$3,500 per dwelling unit in 2006 dollars. The Applicant may make a contribution into the "park club" or provide an equivalent amount of recreational facilities. The value of the recreational facilities shall be reviewed and approved by DPR staff. Monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia Study Area. The park club shall be established and administered by DPR.*

**COMMENT:** The Applicant concurs with the above condition.

- k. *The Applicant shall submit a scope of services from a qualified urban park design consultant for development of a Comprehensive Concept Plan for the portion of central park in the project area. The Comprehensive Concept Plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of a Comprehensive Concept Plan. The Comprehensive Concept Plan shall be approved by DPR prior to approval of the Comprehensive Design Plan (CDP).*

**COMMENT/REVISION:** This condition can be deleted as the Parkside development has already satisfied this design requirement for the future Westphalia Central Park. Further, the Applicant does not propose any public recreational facilities as part of this Basic Plan Amendment.

- l. *The public recreational facilities shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The concept plan for the development of the parks shall be shown on the Comprehensive Design Plan.*

**COMMENT/REVISION:** This condition can be deleted as there are no proposed public recreational facilities as part of this Basic Plan Amendment.

- m. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.*

**COMMENT/REVISION:** This condition can be deleted as this Basic Plan Amendment does not contain any portion of the Cabin Branch Trail.

- n. Provide the site location and timing or propose a contribution for the pro-rata share of funding for the following public facilities to be reviewed and approved by the appropriate agencies and the Countywide Planning Division:*

- (1) Fire station*
- (2) Library*
- (3) Police facility*
- (4) Middle school*
- (5) Elementary school*

**COMMENT/REVISION:** This condition shall be deleted as it has been determined through entitlement applications for the adjacent Parkside project that none of the above public facilities should be, or are required to be, located within this portion of the Westphalia Sector Plan area.

- o. Submit a signed Natural Resources Inventory (NRI) with the Comprehensive Design Plan. All subsequent plan submittals shall clearly show the Patuxent River Primary Management Area (PMA) as defined in Section 24-101(b)(10), and as shown on the signed NRI.*

**COMMENT:** The Applicant is in agreement with the above condition.

- p. Demonstrate that the PMA has been preserved to the fullest extent possible. Impacts to the PMA shall be minimized by making all necessary road crossings perpendicular to the streams and by using existing road crossings to the extent possible.*

**COMMENT:** The Applicant is in agreement with the above condition.

- q. Submit a required Type I Tree Conservation Plan (TCPI). The TCPI shall:*

- (1) Focus on the creation and/or conservation/preservation of*

*contiguous woodland*

- (2) *Concentrate priority areas for tree preservation in areas within the framework of the approved Green Infrastructure Master Plan, such as stream valleys. Reflect a 25 percent Woodland Conservation Threshold (WCT) and meet the WCT requirements on-site.*
- (3) *Mitigate woodland cleared within the PMA's Preservation Area on-site at a ratio of 1:1, with the exception of impacts caused by Master Plan roads which shall be mitigated 1:25. This note shall also be placed on all Tree Conservation Plans.*
- (4) *Focus afforestation in currently open areas within the PMA and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.*
- (5) *Prohibit woodland conservation on all residential lots.*

**COMMENT:** The Applicant is in agreement with the above condition.

- r. Submit an exhibit showing areas where Marlboro Clay occurs on-site.*

**COMMENT:** The Applicant is in agreement with the above condition.

- s. Submit a plan that addresses how housing will be provided for all income groups in accordance with Section 27-487 and the Master Plan recommendations for the planned community.*

**COMMENT:** The Applicant is in agreement with the above condition.

- t. Present all roadway improvement plans for Westphalia Road to the Historic Preservation and Transportation Planning staff for review and comment to ensure that all scenic and historic features associated with this historic road are properly evaluated and preserved as necessary.*

**COMMENT:** The Applicant is in agreement with the above condition.

- u. Complete a Phase I archeological investigation report and submit to the Historic Preservation staff for approval.*

**COMMENT/REVISION:** This condition was addressed and satisfied by virtue of CDP-0601. Phase I archeological survey was conducted on the five parcels comprising the Woodside Village property from February to April 2005 and January to May 2007.

4. *At the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision, the Applicant shall:*

- a. *Show proposed dedication area for a non-CIP-sized sewer extension approximately 2,400 feet long to serve the eastern portion of the property and connect to the 24-inch diameter sewer in the Cabin Branch stream valley, or other alternative as required by WSSC.*

**COMMENT/REVISION:** This condition should be revised to reflect that the appropriate sewer layout shall be shown at the time of Preliminary Plan.

- b. *Submit Hydraulic Planning Analysis to WSSC to address access to adequate water storage facilities and water service to be approved by the WSSC to support the fire flow demands required to serve all site development.*

**COMMENT:** The Applicant is in agreement with the above condition.

- c. *Submit a letter of justification for all proposed PMA impacts, in the event disturbances are unavoidable.*

**COMMENT:** The Applicant concurs with this condition and will provide the requested information at the time of PPS.

- d. *Submit a plan, prior to Planning Board approval of a Preliminary Plan of Subdivision, that shall provide for:*

- (1) *Either the evaluation of any significant archaeological resources existing in the project area at the Phase II level, or*  
(2) *Avoiding and preserving the resource in place.*

**COMMENT:** The Applicant will comply with this condition.

- e. *The Applicant shall dedicate 56 developable acres of public open space to the M-NCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites shall be determined at the time of CDP Plan approval. The land*

*to be conveyed to the M-NCPPC shall be subject to the following conditions:*

- (1) An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plats.*
- (2) M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.*
- (3) The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.*
- (4) The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitably to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.*
- (5) Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.*
- (6) All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.*
- (7) All existing structures shall be removed from the property to be conveyed, unless the Applicant obtains the written consent of the DPR.*

- (8) *The Applicant shall terminate any leasehold interests on property to be conveyed to the Commission.*
- (9) *No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.*

**COMMENT/REVISION:** As mentioned previously in the statement of justification, this condition cannot be satisfied by the Applicant because M-NCPPC already purchased the Suit property subsequent to the approval of A-9973. The Suit property was the area designated to be dedicated for public parkland as part of the initial basic plan. In December of 2023, M-NCPPC sold the portion of the Suit property to the Applicant that is not proposed for public parkland. The public parkland is located directly adjacent to MC-631 & P-619 along the subject Property and totals approximately 59.55 acres. In addition, the Applicant plans to provide private trails and recreational facilities to supplement public amenities. As such, this condition should be **deleted in its entirety.**

- f. Enter into an agreement with DPR, prior to the first Final Plat of Subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.*

**COMMENT/REVISION:** This condition should be revised as the Applicant is not proposing to construct any public facilities as part of this Basic Plan Amendment. Nonetheless, the Applicant will contribute all required fees per unit as a part of a forthcoming Westphalia “Park Club” Agreement.

- g. Submit three original, executed agreements for participation in the park club to DPR for their review and approval, eight weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.*

**COMMENT:** The Applicant is in agreement with the above condition.

- 5. *Prior to submittal of any grading or building permits, the Applicant shall demonstrate that the Dunblane (Magruder family) Cemetery shall be preserved and protected in accordance with Section 24-135-02 of the Subdivision regulations, including:*
  - a. An inventory of existing cemetery elements.*



- b. *Measures to protect the cemetery during development.*
- c. *Provision of a permanent wall or fence to delineate the cemetery boundaries, and placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The Applicant shall submit for review and approval by the Historic Preservation staff, the design of the wall and design and proposed text for the marker at the Dunblane (Magruder family) cemetery.*
- d. *Preparation of a perpetual maintenance easement to be attached to the legal deed (i.e., the lot delineated to include the cemetery). Evidence of this easement shall be presented to and approved by the Planning Board or its designee prior to final plat.*

**COMMENT/REVISION:** This condition should be deleted as the Dunblane Cemetery is not located on the Applicant's Property.

## **CONCLUSION**

This Basic Plan Amendment application meets all requirements for approval as discussed herein. As such, the Applicant respectfully requests that the instant Basic Plan Amendment be approved.

Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Antonetti, Jr.", is written over a light blue grid background.

Robert J. Antonetti, Jr.

RJA/jjf

cc: Woodside Land Investments, LLC  
Arthur J. Horne, Jr., Esq.  
Lenhart Traffic Consulting, Inc.  
Dewberry



12/12/2024

**MEMORANDUM**

TO: Todd Price, Development Review Division

FROM: Leah Daniels, Transportation Planning Section, Countywide Planning Division  
*Leah Daniels*

VIA: N& Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division  
Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: **A-9973-03 Woodside Village**

**Proposal**

The subject Basic Plan Amendment proposes to separate Parcels 13, 42, and 48 (except 59.55 acres owned by M-NCPPC) from the remaining Woodside Village property included within the previously approved Basic Plan (A-9973) to allow for development of up to 368 single family detached dwelling units.

**Prior Conditions of Approval**

The subject application is under the purview of Basic Plan A-9973 and Comprehensive Design Plan CDP-0601. There are no prior conditions of approval on the subject property that are relevant to the subject application.

**Master Plan Compliance**

**Master Plan Right of Way**

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

The subject property is separated into two land areas, north and south. The northern area has frontage along Westphalia Road (C-626), a primary roadway (P-617), and Suitland Parkway Extended (MC-631). Westphalia Road is a two-lane collector roadway with an ultimate 80-foot right of way. The portion of Westphalia Road that fronts the subject property is constructed as a two-lane roadway. Suitland Parkway Extended is a planned four-lane major collector roadway with a 100-foot right of way. Planned road P-617 is proposed to have two lanes with an ultimate right of way of 70-feet. The southern area has frontage along Suitland Parkway Extended and planned road P-619, a two-lane primary road with a proposed 70-foot right-of-way.

Right of way dedication for the planned roads within this application will be further examined at the time of subsequent development applications.

### **Master Plan Pedestrian and Bike Facilities**

The MPOT recommends the following master planned facilities:

Planned Side path: Westphalia Road and Suitland Parkway Extended

Shared Roadway: P-617 and P-619

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

**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 *Westphalia Sector Plan* recommends the following policies:

**Policy 1: Develop a transportation system that improves existing roadways, develops new roadways with minimal disruptions, and supports the sector plan's proposed development pattern.**

**Policy 2: Provide for a comprehensive, multimodal transportation network to support the land use growth and development recommendations of the amended 2002 General Plan and the Westphalia Sector Plan.**

**Policy 3: Provide appropriate trails and bicycle pedestrian facilities throughout the Westphalia area**

**Comment:** The submitted plan proposes pedestrian circulation through a network of internal paths and side paths along Suitland Parkway Extended and P-619, while P-617 is shown as a shared roadway. Additional bicycle and pedestrian recommendations will be further examined and recommended with subsequent development applications. These frontage improvements and internal facilities create continuous paths and bicycle-friendly roadways to meet the intent of the Complete Streets policies.

### **Transportation Planning Review**

#### **Zoning Ordinance Compliance**

Section 27-197(b)(4) includes provisions for findings the District Council must make in approving the application for a basic plan amendment that divides a single approved Basic Plan into two or more separate Basic Plans. This includes conforming to the requirements of 27-195(b):

(1) Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

(A) The proposed Basic Plan shall either conform to:

(i) The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties.

(ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses.

**Comment:** As discussed above, the roadways proposed within this development are unbuilt and will be analyzed in accordance with the recommendations of the MPOT and sector plan with subsequent development applications. As development occurs within the proposed area, staff will further evaluate bicycle and pedestrian facilities and amenities. The applicant submitted a traffic impact study analysis for the proposed development; however, adequacy will be evaluated with future development applications. Staff find that the subject application will conform to the General Map Plan, Area Master Plan, and principles and guidelines of the plan if pedestrian and bicycle facilities provided are in accordance with the recommendations of the 2009 MPOT Complete Streets Policies and Principles.

Section 27-507 includes provisions for the purposes of the R-M zone

**(a) The purposes of the R-M Zone are to:**

**(1) Establish (in the public interest) a plan implementation zone, in which (among other things):**

**(A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**

**(B) The location of the zone must be in accordance with the adopted and approved General Plans, Master Plan, Sector Plan, public urban renewal plan, or Sectional Map Amendment Zoning Change.**

**(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public urban renewal plans, and Sectional Map Amendment Zoning Changes) can serve as the criteria for judging individual physical development proposals.**

**(3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.**

**(4) Encourage amenities and public facilities to be provided in conjunction with residential development.**

**(5) Encourage and stimulate balanced land development; and**

**(6) Improve the overall quality and variety of residential environments in the Regional District.**

**Comment:** Staff recommend the applicant provide six-foot-wide sidewalks and traffic calming devices throughout the subject site. These facilities will provide opportunities for multimodal travel and contribute to an improved residential environment as envisioned in the R-M zone.

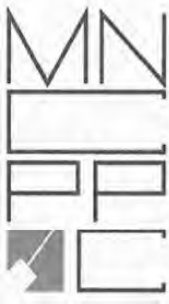
### **Conclusion**

Based on the findings presented above, staff conclude that the pedestrian and bicycle access and circulation for this plan is acceptable, consistent with the master plan facilities, and meets the findings required by Section 27-197 and 27-507 for a basic plan amendment and the purpose of the R-M zone for pedestrian and bicycle transportation, if the following conditions are met:

1. Provide the below master plan facilities, designed to be consistent with the 2012 *AASHTO Guide for the Development of Bicycle Facilities*, and to be reviewed as part of subsequent applications and shown prior to their acceptances, including the comprehensive design plan, unless modified by the permitting agency with written correspondence:
  - a. Minimum 10-foot-wide path along Westphalia Road (C-626)
  - b. Shared roadway pavement markings and signage along P-617
  - c. Minimum ten-foot-wide path along P-619
  - d. Minimum ten-foot-wide path along MC-631
2. Internal streets and shared-use paths are to follow MPOT Complete Streets Policies and Principles, and include traffic calming measures. These will be reviewed as part of subsequent applications and shown prior to their acceptances.

3. All sidewalks within the subject site shall be a minimum of six feet in width.





# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

## MEMORANDUM

DATE: December 9, 2024

TO: Todd Price, Planner III  
Development Review Division  
Planning Department

VIA: Sonja Ewing, Division Chief [SME](#)  
Dominic Quattrocchi, Planning Supervisor [DAQ](#)  
Park Planning and Environmental Stewardship Division  
Department of Parks and Recreation

FROM: Ivy Thompson, Planner III [IRT](#)  
Park Planning and Environmental Stewardship Division  
Department of Parks and Recreation

SUBJECT: **A- 9973-03 Woodside Village**

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The Department of Parks and Recreation (DPR) has reviewed and evaluated this Basic Plan Amendment application as it pertains to public parks and recreational facilities.

### **PROPOSAL**

This application is for the development of lots on Parcels 13, 42 and a portion of Parcel 49 (from the original approved basic plan for Woodside Village) for up to 368 residential dwelling units. The applicant seeks to establish a new basic plan per Prince George's County Zoning Ordinance Section 27-197(b), revise previously approved land use quantities per the boundaries and acreage of the property and amend or replace the prior approved conditions of A-9973 as related to the proposed development.

### **BACKGROUND**

This 160.37-acre property, zoned Legacy Comprehensive Design and Military Installation Overlay (LCD/MIO) is located on the south side of Westphalia Road approximately 1500 feet from its intersection with Matapeake Drive. The subject property is located within Planning Area 78 and Council District 6.

### **REVIEW OF PREVIOUS CONDITIONS OF APPROVAL**

**Zoning Map Amendment A-9973** approved by the Prince George's County Planning Board June 1, 2006, with the accompanying basic plan (PGCPB Res. No. 06-112) rezoning 370.3-acres of land.

**Zoning Map Amendment A-9973-01** approved by the Prince George's County Planning Board September 30, 2021, removing Parcel 14 (Bean Property), The District Council approved Zoning Ordinance 5-2022 April 11, 2022.

**Zoning Map Amendment A-9973 -02** approved by the District Council effective November 15, 2021, to separate the basic plan and approve up to 661 dwelling units on only two parcels, including Parcel 5 (Yergat property) and Parcel 19 (Case property), with 15 conditions that supersedes the prior basic plan for these two parcels.

**Conceptual Design Plan CDP-0601** was approved by the Prince George's County District Council on September 11, 2008, (PGCPB Res. No. 08-121) relating to land dedication to DPR and the Westphalia Central Park.

**Conceptual Design Plan CDP-0601-01** was approved by the Prince George's County Planning Board on May 19, 2022, (PGCPB Res. No. 2022-50) amending the previously approved plan with seven conditions, none specifically relating to DPR.

**Conceptual Design Plan CDP-0601-02** was approved by the Prince George's County Planning Board April 20, 2023, (PGCPB Res. No. 2023-38)

**Preliminary Plan of Subdivision (PPS) 4-21049** was approved by the Prince George's County Planning Board on September 8, 2022 (PGCPB Res. No. 2022-86) with 30 conditions relating to DPR.

**DISCUSSION:**

Park and Recreation amenities serving the subject property include Westphalia Park located approximately 1 mile west of Woodside Village and Mellwood Park located 5 miles to the south. The subject property is also approximately 1.5 miles east of Westphalia Community Center. Adjacent to the property (south and west) is the proposed Westphalia Central Park, a premier park facility currently being developed. Once completed, the park will provide playgrounds, a network of trails, informal fields and lawn areas, a recreational pond, a seasonal ice rink, and several other amenities for public enjoyment

The property is subject to the 2007 *Approved Westphalia Sector Plan; Plan Prince George's 2035 Approved General Plan*; the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and *Formula 2040, Functional Master Plan for Parks, Recreation and Open Space*. One of the strategies of the 2007 *Approved Westphalia Sector Plan* is to designate Westphalia Central Park and Cabin Branch Greenway as community focus areas. Another strategy calls for the establishment of a parks fee of \$3,500 (in 2006 dollars) for each new dwelling unit built in the Westphalia Sector Plan area to fund the construction of the public park facilities recommended in the sector plan.

Basic Plan A-9973 was approved by the Prince George's County District Council, February 6, 2007, via Council Resolution No. CR-2-2007 with 4 conditions. The following conditions are related to the Department of Parks and Recreation:

- 3(g). *The Applicant and the Applicant's heirs, successors, and/or assignees shall provide the following in conformance with the 1994 Master Plan and the WCCP Study:*
- (1) *Provide the Master Plan hiker-biker-equestrian trail along the subject site's entire portion of the Cabin Branch stream valley subject to Department of Parks and Recreation coordination and approval.*
  - (2) *Provide an eight-foot wide sidepath or wide sidewalk along the subject property's entire frontage of Suitland Parkway extended.*

- (3) *Provide a sidepath (Class II Trail) along the subject site's entire road frontage of Westphalia Road.*
- (4) *Provide the internal HOA trails and sidepaths as conceptually shown on the submitted hiker and biker trail path.*

**COMMENT: DPR staff agrees with the deletion of this condition.**

- i. *Provide a description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.*

**COMMENT: DPR staff agrees to revising this condition to eliminate references of recreation facilities on the public parkland. The submitted plan complies with the condition to illustrate general locations of onsite recreation facilities, which will be further reviewed at the time of CDP.**

- j. *The Applicant, and the Applicant's heirs, successors and/or assignees shall agree to make a monetary contribution or provide in-kind services for the development, operation and maintenance of the central park. The recreational facilities packages shall be reviewed and approved by DPR prior to Comprehensive Design Plan (CDP) approval. The total value of the monetary contribution (or in-kind services) for the development, operation and maintenance of the central park shall be \$3,500 per dwelling unit in 2006 dollars. The Applicant may make a contribution into the "park club" or provide an equivalent amount of recreational facilities. The value of the recreational facilities shall be reviewed and approved by DPR staff. Monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia Study Area. The park club shall be established and administered by DPR.*

**COMMENT: DPR staff recommend condition 3(j) is revised to eliminate the in-kind services references. The applicant shall provide a contribution the "park club".**

- k. *The Applicant shall submit a scope of services from a qualified urban park design consultant for development of a Comprehensive Concept Plan for the portion of central park in the project area. The Comprehensive Concept Plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of a Comprehensive Concept Plan. The Comprehensive Concept Plan shall be approved by DPR prior to approval of the Comprehensive Design Plan (CDP).*

**COMMENT: DPR agrees with the deletion of this condition. The Parkside development satisfied this design requirement for the future Westphalia Central Park. This Basic Plan Amendment does not propose any public recreational facilities.**

- l. *The public recreational facilities shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The concept plan for the development of the parks shall be shown on the Comprehensive Design Plan.*

**COMMENT: DPR agrees with the deletion of this condition. This Basic Plan Amendment does not propose any public recreational facilities.**

- m. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.*

**COMMENT: DPR staff agree with the deletion of this condition because it does not apply to the subject property.**

- 4. At the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision, the Applicant shall:*

- e. The Applicant shall dedicate 56 developable acres of public open space to the MNCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites shall be determined at the time of CDP Plan approval. The land to be conveyed to the M-NCPPC shall be subject to the following conditions:*

- (1) An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, Maryland-National Capital Park and Planning Commission (MNCPPC), along with the final plats.*
- (2) M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.*
- (3) The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.*
- (4) The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitably to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.*
- (5) Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may*

*require a performance bond and easement agreement prior to issuance of grading permits.*

- (6) All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.*
- (7) All existing structures shall be removed from the property to be conveyed, unless the Applicant obtains the written consent of the DPR.*
- (8) The Applicant shall terminate any leasehold interests on property to be conveyed to the Commission.*
- (9) No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.*

**COMMENT: DPR staff agree that this condition is no longer relevant and can be deleted.**

- f. Enter into an agreement with DPR, prior to the first Final Plat of Subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.*

**COMMENT: DPR staff agree that condition 4(f) be revised to eliminate the reference to the in-kind agreement, keeping the fee contribution to the Westphalia "Park Club" Agreement.**

- g. Submit three original, executed agreements for participation in the park club to DPR for their review and approval, eight weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.*

**COMMENT: DPR Staff recommend condition 4 (g) is brought forward as a condition of approval of this amendment.**

#### **RECOMMENDATION**

DPR staff recommends the approval of A-9973-03 Woodside Village, subject to the following revised (renumbered) conditions:

1. Prior to the acceptance of the CDP, provide a description of the type, amount, and location of the open space and recreation facilities on the site to serve development on all portions of the subject property.

2. The applicant, and the Applicant's heirs, successors and/or assignees shall agree to make a monetary contribution to the central park. The total value of the monetary contribution for the development, operation and maintenance of the central park shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park.
3. Enter into an agreement with DPR, prior to the first Final Plat of Subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC.
4. Submit three original, executed agreements for participation in the park club to DPR for their review and approval, eight weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.

cc: Leonard Pettiford



December 9, 2024

## MEMORANDUM

**TO:** Todd Price, 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, Community Planning Division *KM*

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

**SUBJECT:** **A-9973-03 Woodside Village**

## FINDINGS

The Community Planning Division finds that pursuant to Section 27-195(b)(1)(A), of the prior zoning ordinance, the proposed amendment to the Basic Plan conforms to the policies and strategies described in the 2007 *Approved Westphalia Sector Plan* (Sector Plan) with respect to land use, the number of dwelling units, and the location of land uses.

## BACKGROUND

**Application Type:** Amendment to the Basic Plan of a Zoning Map Amendment

**Location:** Approximately 1,500 feet east of the intersection of Westphalia Road and Matapeake Drive

**Size:** 100.84 Acres

**Existing Uses:** Vacant

**Future Land Use:** Low-Density Residential/Public/Private Open Space

**Proposal:** To amend Basic Plan A-9973 to allow for the development of up to 368 single-family detached dwelling units on the property using the prior Zoning Ordinance.

**Existing Zoning:** Legacy Comprehensive Design (LCD) and Military Installation (MIO) Overlay Zones

**Prior Zoning:** Residential Medium Development (R-M) Zone and Military Installation (MIO) Overlay Zones

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

**General Plan:** The 2014 *Plan Prince George's 2035 Approved General* (Plan 2035) places this property in the **Established Communities** Growth Policy area. Established communities are defined as “existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development” (p. 20).

**Analysis:** *The proposed single-family residential use is consistent with this recommendation and is compatible with the surrounding uses.*

**Master Plan:** The 2007 *Approved Westphalia Sector Plan* (Sector Plan) recommends **Low-Density Residential and Public/Private Open Space** land uses on the subject property. The Sector Plan is silent on preferred densities for recommended land use designations. However, the 2014 *Approved Plan Prince Georges 2035 General Plan* states that the density for the Residential Low land use category ranges from greater than 0.5 and fewer or equal to 3.5 dwelling units per acre. Residential Low is defined Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings. (p. 100).

**Analysis:** *Final construction of the proposed development on the subject property will result in a development that is approximately 3.65 dwelling units per acre. This represents a marginal increase beyond the allowed density. Therefore, because the increase in density is not significant, the proposed use conforms to the recommended land use and marginally surpasses the recommended density.*

The 2007 *Approved Westphalia Sector Plan* makes the following recommendations that affect the subject property and help advance the intent and purpose of the Sector Plan:

### **PART 3 – INFRASTRUCTURE ELEMENT - Environmental Infrastructure**

#### **Policy 1 – Green Infrastructure (p. 35)**

- Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area.



**Strategies (pp. 35, 38)**

- 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.
- Enhance regulated areas by concentrating required woodland conservation adjacent to regulated areas and in an interconnected manner.
- Limit overall impacts to sensitive environmental areas to those necessary for infrastructure improvements such as road crossings and utility installations.

***Analysis:*** This application is in the Patuxent River Watershed. The western branch of the Patuxent River runs along and through the subject property in multiple locations. Several wooded areas are also on the subject property. Staff requests that the applicant coordinate with the Environmental Planning Section to preserve natural areas and limit impacts to sensitive environmental features to ensure that the property meets all environmental regulations on site.

**Policy 2 – Water Quality and Quantity (p. 38)**

- Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area.

**Strategies (p. 38)**

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

***Analysis:*** Staff requests that the applicant coordinate with the Environmental Planning Section and the Department of Permits Inspections and Enforcement (DPIE) to ensure that the property meets all stormwater management regulations and uses low-impact development techniques to the extent practical. Techniques that are uses might include rain gardens, innovative stormwater outfalls, green street technology, rain barrels, grass swales, and includes stream restoration in the final site design for the property.

### **PART 3 – INFRASTRUCTURE ELEMENT - Transportation**

#### **Policy 1 – Roadways (p. 39)**

- Develop a transportation system that improves existing roadways, develops new roadways with minimal disruptions, and supports the sector plan's proposed development pattern.

#### **Strategies (pp. 40, 42)**

- **Collectors:** A multilane or two-lane roadway designed to carry medium-speed traffic between an arterial and internal local street, to provide access to major traffic generators, and to connect residential neighborhoods to major highway systems. Access to abutting properties is usually permitted. Major collectors include separate left-turn lanes at major intersections and may incorporate medians to control left-turn access. Collector rights-of-way are generally a minimum of 80 feet, where underground drainage is provided, and up to 100 feet on major collectors.
- Improve and extend existing, or construct new, collectors as required by current and proposed development.
  - Construct MC-631 (Suitland Parkway extended) from MC-634 (Presidential Parkway extended) to A-39 (Ritchie Marlboro Road) as a major collector. Require additional right-of-way at major intersections for one additional lane in each direction (but not along the entire road length) in order to minimize the impacts on adjacent properties and provide LOS D operation at the major intersections during peak hours.
- Improve C-626 (Westphalia Road) from MC-634 (Presidential Parkway extended) to A-39 (Ritchie Marlboro Road).

***Analysis:*** The site plan shows the location of MC-631, a Major Collector roadway. Staff recommends implementing the transportation recommendations to the extent practicable and encourages the applicant to work with the Transportation Planning Section, and the operating agencies as appropriate to improve, extend existing, or construct new, collectors as required by the Sector Plan.

- **Primary Roads:** These two-lane roadways provide access to, from, and through residential areas. On these roadways, the street space is valuable for bicycle and pedestrian movement as well as for vehicular movement. In Westphalia, primary residential roadways have 60- to 70-foot rights-of-way regardless of whether open

drainage or curb and gutter drainage is utilized. As a means of improving safety for nonvehicular users, traffic calming measures may be considered.

- Construct new primary roads as required to connect and consolidate access to current or proposed development.
  - Construct a new primary road P-617 from P-616 (Westphalia Boulevard extended) to A-39 (Ritchie Marlboro Road).
  - Construct a new primary road P-619 from P-615 (Dower House Road extended) to MC-631 (Suitland Parkway extended) as a 70-foot right-of-way with two travel lanes and parking on each side of the roadway

***Analysis:*** *The site plan shows the location of P-617 and P-619, two Primary roadways. Staff recommends implementing the transportation policies and strategies of the Plan, to the extent practicable, and encourages the applicant to work with the Transportation Planning Section, and the operating agencies as appropriate to provide access to and through residential areas. Primary roadways should include enough space for bicycles, pedestrian movement, and vehicular movement to allow for multimodal travel.*

**Policy 3 – Sidewalks, Bikeways, and Trails (p. 45)**

- Provide appropriate trails and bicycle and pedestrian facilities throughout the Westphalia area.

**Strategies (p. 43)**

- Create a system of sidewalks, bikeways, natural surface paths, and hiker/biker/equestrian paths as shown on Map 11.

***Analysis:*** *Staff recommends the installation of sidewalks bikeways and trails to provide connections in the development and with neighboring properties. These connections will be shown at the time of the Detailed Site Plan and staff recommend the applicant work with the Urban Design, Transportation and the Parks and Recreation Sections, in addition to the appropriate operating agencies to provide adequate bicycle and pedestrian facilities throughout the Westphalia Area.*

**Policy 4 – Design Principles (p. 46)**

- Develop a transportation system that incorporates design principles promoting the intended character of the Westphalia area and the desires of the Westphalia community.

**Strategies (p. 47)**

**Arterials and Major Collectors**

- Arterial and major collector roadways should be designed as parkway-like streets, edged by linear green spaces and fronted by development.
- Wide planted medians, meandering paths and trails, lush plantings, and pedestrian lights should all be provided.
- Development, neighborhood recreation, and park activities should front onto roadways. Intersecting streets, frontage streets, and alleys should be designed to facilitate this condition. Alleys, used in lieu of direct access driveways or homes backing up to the roadway, are the preferred design solution throughout Westphalia.
- On-street parking and direct parking should be avoided and direct access driveways should be minimized.
- Road segments classified as collectors should be consolidated wherever possible.

**Local Streets**

- Streets should be designed to ensure low speed travel without unduly restricting traffic capacity, by utilizing narrow pavement widths, tighter curve radii, traffic roundabouts, circles and squares, and on-street parking with curb bump-outs at intersections.
- Designs should promote pedestrian and bike activity.
- Planting strips with full-size shade trees should be provided between curb and sidewalks or hiker/biker trails on all streets and roadways designated rural roads.
- Except in the industrial areas in the Andrews Air Force Base noise zone, streets should be designed to discourage through movement of large trucks.

**Alleys**

- Alleys are strongly encouraged in both residential and commercial areas and should be designed to accommodate delivery, service and emergency vehicles.
- Alleys are most encouraged behind developments that front on to roads with limited curb cuts and in sections where homes are placed back to back.

### **Sidewalks, Bikeways and Street Trees/Planting Strips**

- Sidewalks should be provided throughout the Westphalia community, except on designated scenic rural roads, highways, bikeways, trails, and lanes.
- Street trees should be provided in planting strips between curbs and sidewalks on all roads and streets with walks or paths.

**Analysis:** *Staff recommends implementing the transportation recommendations, if feasible at the time of Subdivision Review and Detailed Site Plan. Roadway design should include strategic wayfinding and branding elements to provide a visual character for the area. These might include elements such as landscaped medians, street trees, street furniture, lighting, special paving, or signage to improve the public realm and define the roadway.*

**Planning Area/Community:** 78/Westphalia and Vicinity

**Aviation/MIOZ:** This application is located within the Military Installation Overlay Zone in Conical Surface (20:1) - Right Runway, Area E and is subject to requirements for height.

**SMA/Zoning:** *The 2007 Westphalia Sector Plan and Sectional Map Amendment rezoned from the Residential Agricultural (R-A) Zone to the Residential Medium Development (R-M) Zone in 2007. Basic Plan Amendments A-9973-01 and its amendment increased the number of dwelling units on the property and divided the original basic plan into two separate plans. This application is consistent with both prior applications.*

On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA), which reclassified the subject property from the Residential Medium Development (R-M) Zone to the Legacy Comprehensive Design (LCD) Zone, effective April 1, 2022.

### **MASTER PLAN CONFORMANCE ISSUES**

None

cc: Long-Range Agenda Notebook



Countywide Planning Division  
Prince George's County Planning Department

301-952-3650

December 6, 2024

**MEMORANDUM**

TO: Todd Price, Planner II, Zoning Section, DRD

VIA: Thomas Burke, Planning Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Alexander Kirchhof, Planner II, Environmental Planning Section, CWPD *ANK*

**SUBJECT: Woodside Village A-9973-03**  
**Petition for Basic Plan Amendment**

The Environmental Planning Section has reviewed the above referenced Zoning Map Amendment application accepted on November 8, 2024. The amendment application meets all applicable environmental requirements. The following comments are provided for your consideration.

**Background**

The Environmental Planning Section (EPS) has extensively reviewed this site previously with the review of the following applications:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
NRI-158-05	N/A	Staff	Approved	12/23/2005	N/A
A-9973	N/A	District Council	Approved	2/6/2007	Final Decision
CDP-0601	TCP1-006-08	Planning Board	Approved	7/31/2008	08-121
NRI-158-05-01	N/A	Staff	Approved	10/4/2012	N/A
A-9973-01	N/A	District Council	Approved	4/11/2022	Final Decision
NRI-158-05-02	N/A	Staff	3/30/2020 Approved	11/15/2021	N/A
A-9973-02	N/A	District Council	Approved	11/15/2021	Final Decision
NRI-158-05-03	N/A	Staff	Approved	9/16/2021	N/A
SDP-1002	N/A	Planning Board	Approved	1/26/2012	12-07
NRI-158-05-04	N/A	Staff	Approved	11/02/2022	N/A
NRI-158-05-05	N/A	Staff	Approved	10/02/2023	N/A
A-9973-03	N/A	District Council	Pending	Pending	Pending

### **Proposed Activity**

This application requests to amend the approved Basic Plan to separate the Suit and Wholley properties (Parcels 13, 42 and a portion of Parcel 48), a total of 89.16 acres, from the Woodside Village Basic Plan.

### **Applicable Environmental Regulations**

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on July 1, 2024, because the development proposal will be required to file an amended comprehensive design plan and a new preliminary plan application to reflect changes proposed under the Basic Plan amendment.

### **Site Description**

The subject property is 89.16 acres in the Residential Medium Development (R-M) zone, located on the south side of Westphalia Road, west of Ritchie-Marlboro Road. There are streams, wetlands, 100-year floodplain, and associated areas of steep slopes on the property. Marlboro clay is found to occur within the vicinity of the site. No Sensitive Species Project Review Areas are indicated or mapped on the site. Furthermore, no rare, threatened or endangered species are indicated as present on site. Westphalia Road is a designated historic road fronting this development. This property is located in the Western Branch watershed in the Patuxent River basin. The site is currently located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (Plan 2035). The site contains Regulated Areas and Evaluation Areas as designated on the 2017 *Countywide Green Infrastructure Plan* (GI Plan) of the *Approved Prince George's County Resource Conservation Plan*. The subject property is in the Westphalia Sector Planning Area.

### **Plan Prince George's 2035 Approved General Plan (2014)**

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map and has a Growth Policy of Established Communities as designated by *Plan Prince George's 2035 Approved General Plan* (Plan 2035).

### **Master Plan Conformance**

The *Approved Westphalia Sector Plan and Sectional Map Amendment* (February 2007) approved by the District Council is the current master plan for this area. This Master plan included environmentally related policies and their respective strategies in the Environmental Infrastructure section.

Below in **bold** are the primary policies relating to the site. More detail regarding the strategies can be found in the *Approved Westphalia Sector Plan and Sectional Map Amendment*.

#### **Policy 1 – Green Infrastructure**

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

This policy has been addressed under the Green Infrastructure Section of this memorandum.

**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.**

As part of Policy 2, environmental site design (ESD) will be required for stormwater management (SWM) control to ensure that water quality and quantity is protected to the fullest extent practical as required by the County. A SWM plan reviewed by the Department of Permits, Inspection and Enforcement will be required at the time of preliminary plan.

**Conformance with the Green Infrastructure Plan**

The site is mapped within the Green Infrastructure Network as delineated in accordance with the *Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan* (2017). The Regulated Area is mapped along the streams and other Regulated Environmental Features (REF) and the Evaluation Area is mapped on the remainder of the site due to the existing forest contiguous to the streams. The plans as submitted generally show the preservation of the Regulated Areas; however, more detailed information will be evaluated during the subsequent applications. Prior to the acceptance of any future development applications, an updated NRI is required to confirm the regulated features on the site and to establish the Primary Management Area (PMA). The amended Basic Plan can be found in conformance with the *Green Infrastructure Plan*.

**COMPLIANCE WITH PREVIOUSLY APPROVED CONDITIONS**

**Conditions of Previous Approvals:**

**Basic Plan, A-9973**

On February 6, 2007, the District Council approved the Basic Plan for Woodside Village. The following conditions were determined to be environmental in nature. It is recommended that these conditions be carried forward for this application.

**3. The following shall be required as part of the Comprehensive Plan (CDP) submittal package:**

- o. Submit a signed natural resources inventory (NRI) with the comprehensive design plan. All subsequent plan submittals shall clearly show the Patuxent River Primary Management Area (PMA) as defined in Section 24-101(b)(10), and as shown on the signed NRI.**

This condition shall be carried forward; however, the Patuxent River Primary Management Area is now called the Primary Management Area (PMA) and is defined in Section 24-101(b)(22).

- p. Demonstrate that the PMA has been preserved to the fullest extent possible. Impacts to the PMA shall be minimized by making all necessary road crossings perpendicular to the streams and by using existing road crossings to the extent possible.**



This condition shall be carried forward and met at the time of the Comprehensive Design Plan review.

**q. Submit a required Type I Tree Conservation Plan (TCPI). The TCPI shall;**

**(1) Focus on the creation and/or conservation/preservation of contiguous woodland.**

**(2) Concentrate priority area for tree preservation in areas within the framework of the approved Green Infrastructure Master Plan, such as stream valleys. Reflect a 25 percent Woodland Conservation Threshold (WCT) and meet the WCT requirements on-site.**

**(3) Mitigate woodland cleared within the PMA's Preservation Area on-site at a ratio of 1:1, with the exception of impacts caused by master plan roads which shall be mitigated 1:25. This note shall also be placed on all Tree Conservation Plans.**

**(4) Focus afforestation in currently open areas within the PMA and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.**

**(5) Prohibit woodland conservation on all residential lots.**

These conditions shall be carried forward and met at the time of the Comprehensive Design Plan review.

**r. Submit an exhibit showing areas where Marlboro Clay occurs on-site.**

This condition shall be carried forward and met at the time of the Comprehensive Design Plan review.

**4. At the time of preliminary plan of subdivision and/or prior to the first plat of subdivision, the applicant shall:**

**c. Submit a letter of justification for all proposed PMA impacts, in the event disturbances are unavoidable.**

This condition shall be carried forward and met at the time of preliminary plan of subdivision review.

**Basic Plan Amendment, A-9973-01**

On April 11, 2022, the District Council approved a revision of the Basic Plan for Woodside Village to separate out the Bean property. No environmental conditions were identified in the District Councils final decision.

**Basic Plan Amendment, A-9973-02**

On November 11, 2021, the District Council approved a revision of the Basic Plan for Woodside Village to separate out the Case and Yergat properties. No environmental conditions were identified in the District Councils final decision.

**Comprehensive Design Plan, CDP-0601, PGCPB. No. 08-121**

The conditions of approval of the Comprehensive Design Plan, CDP-0601 found in resolution PGCPB-08-121 are not applicable to the review of the current application. This application will be subject to CDP revision and will be further evaluated at that stage.

**Environmental Review**

**Existing Conditions/Natural Resource Inventory (NRI)**

An NRI is not required as part of a zoning amendment application and an NRI was not provided in the submission package. No further information is needed at this time. An updated NRI reflective of the current requirements of the Woodland Conservation Ordinance that came into effect July 1, 2024, including expanded stream buffers, will be needed for future development review cases.

**Woodland Conservation**

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on July 1, 2024. Prior to acceptance of any CDP revision a revised NRI which details the regulated environmental features in accordance with the current Subtitle 25 requirements is required. The woodland conservation threshold (WCT) per A-9973 shall be 25 percent with the WCT requirements being met on-site. A Type 1 tree conservation plan will be required with any CDP or PPS filed for this site. A Type 2 tree conservation plan will be required with any SDP applications filed for this site. All future applications will require a revision to the tree conservation plans.



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
[www.pgplanning.org](http://www.pgplanning.org)

December 14, 2024

## MEMORANDUM

**TO:** Todd Price, Planning II, Zoning Section

**VIA:** Mridula Gupta, Acting Planner Supervisor, Subdivision Section *MG*

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

**SUBJECT:** A-9973-03; Woodside Village

The subject property consists of Parcels 13 and 42, and part of Parcel 48. Parcel 13 is recorded in the Prince George's County Land Records in Book 49820 at page 253; Parcel 42 and Parcel 48 are recorded in Book 49820 at page 269. The property area is 100.84 acres, and includes entire acreage of Parcels 13 and 42, and approximately 52.37 acres of Parcel 48. The property is in the Legacy Comprehensive Design (LCD) as well as the Military Installation Overlay (MIO) Zone for height. This Basic Plan Amendment A-9973-03 was filed pursuant to the prior Zoning Ordinance and prior Subdivision Regulations, and the property's prior Residential Medium Development (R-M) and the Military Installation Overlay (M-I-O) zones. The property is subject to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The subject application was accepted on November 8, 2024, and major issues were provided to the applicant during the SDRC meeting on November 22, 2024. This referral memo is based upon revised plans received on December 6, 2024.

The original Basic Plan A-9973 covers 381.95 acres and includes three more acreage parcels known as Parcels 5, 14, 19, in addition to Parcels 13, 42, and 48. Parcel 14 is to be developed independently subject to another Basic Plan Amendment, A-9973-01, while Parcels 5 and 19 are to be developed independently subject to Basic Plan Amendment A-9973-02.

Basic Plan Amendment A-9973-03 proposes to create a new basic plan exclusive to the Parcels 13, 42, and part of Parcel 48 of the original Woodside Village Basic Plan (A-9973) for residential development. Approximately 59.55-acres of Parcel 48 are currently owned by M-NCPPC, and are not included in this application. Parcel 48 was divided by deed pursuant to Book 49820 at page 269 by sale of 52.37 acres of Parcel 48 by M-NCPPC to Woodside Land Investments, LLC, a private entity. This division of land owned by a government entity by sale to a private entity is exempt from filing a preliminary plan of subdivision (PPS) and a final plat pursuant to Section 24-107 of the prior Subdivision Regulations, until such time that the subdivided land is developed in a manner not exempt from exceptions in Section 24-107(c) of the prior Subdivision Regulations.

There are no previous preliminary plans of subdivision (PPS) or final plats of subdivision applying to this site. A PPS and final plat of subdivision will be required for the division of land and the proposed construction of 359 to 368 single-family detached dwelling units. The PPS must be filed after, or at the same time as, any new comprehensive design plan (CDP) which will be filed following approval of this basic plan amendment. Final plats of subdivision will be required following approval of the PPS and specific design plans (SDP) before any permits can be approved for the subject site.

Basic Plan A-9973 has five conditions of approval, three of which contain sub-conditions which will apply at the time of PPS or are otherwise related to subdivision. The applicant has proposed that the following of the subdivision-related sub-conditions of approval be modified with this Basic Plan amendment. The conditions the applicant has requested to be modified are listed below in **bold** text. Staff recommendations regarding the proposed modifications follow each one in plain text.

**2. Prior to approval of the Basic Plan the Applicant shall revise the Basic Plan to provide the following:**

- a. Eliminate the cul-de-sac streets on the Case property that stretch out of the subject site boundary to the Smith Home Farms property, and terminate the cul-de-sac within the subject property.**
- b. Show one (1) primary street connection between the subject property and the adjacent W. Bean property to the east.**

The Case property is not included in the subject application. Also, the W. Bean property is not physically contiguous with the subject property. The applicant proposed that this condition be deleted, and subdivision staff concur.

**3. The following shall be required as part of the Comprehensive Design Plan (CDP) submittal package:**

- d. The Applicant shall build the MD 4/Westphalia Road interchange with the development of the subject property and this may be accomplished by means of a public/private partnership with the State Highway Administration and with other developers in the area. This partnership may be further specified at the time of Preliminary Plan of Subdivision, and the timing of the provision of this improvement shall also be determined at the time of Preliminary Plan of Subdivision.**

The applicant proposed that this condition be deleted, and subdivision staff concur. Construction of the proposed interchange of MD 4 and Westphalia Road is now being funded by a public facilities financing and implementation program (PFFIP) and is not the responsibility of any single developer. At the time of PPS, a condition will be recommended that the applicant make a monetary contribution to the PFFIP, in an amount to be determined by the Transportation Planning Section.

- f. The Applicant shall meet with and obtain written approval from the DPW&T to front and/or provide driveway access to any townhouse units that may be located along C-631. If the townhouses or two-over-two townhouses are to be located along any roadways, which are classified as collector and above, they**

**should be accessed through an alley.**

The applicant proposed that this condition be deleted, and subdivision staff concur. No townhouses or two-over-two units are proposed with the subject application. All lots proposed with the basic plan amendment are single-family detached lots, with no direct access proposed to C-631.

- g. The Applicant and the Applicant's heirs, successors, and/or assignees shall provide the following in conformance with the 1994 Master Plan and the WCCP Study:**

- (1) Provide the Master Plan hiker-biker-equestrian trail along the subject site's entire portion of the Cabin Branch stream valley subject to Department of Parks and Recreation coordination and approval.**
- (2) Provide an eight-foot wide sidepath or wide sidewalk along the subject property's entire frontage of Suitland Parkway extended.**
- (3) Provide a sidepath (Class II Trail) along the subject site's entire road frontage of Westphalia Road.**
- (4) Provide the internal HOA trails and sidepaths as conceptually shown on the submitted hiker and biker trail path.**

The applicant proposed that this condition be deleted, since the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* amends the 1994 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Area 77 & 78)*. The applicant also asserts that the current basic plan amendment reflects the trail facilities within the subject Property as recommended in the 2007 *Approved Westphalia Sector Plan*. The proposed deletion of this condition should be evaluated by Transportation Planning Section.

- i. Provide a description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.**

The applicant proposed that this condition be modified to remove reference to there being recreation facilities on dedicated public parkland, stating in their statement of justification (SOJ) that they are not proposing any dedication of land or public recreation facilities. Further, the applicant intends to provide private on-site recreational facilities. The proposed deletion of this condition should be evaluated by the Department of Parks and Recreation.

- k. The Applicant shall submit a scope of services from a qualified urban park design consultant for development of a Comprehensive Concept Plan for the portion of central park in the project area. The Comprehensive Concept Plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design**

**consultant prior to development of a Comprehensive Concept Plan. The Comprehensive Concept Plan shall be approved by DPR prior to approval of the Comprehensive Design Plan (CDP).**

The applicant proposed that this condition be deleted, as the Parkside development (CDP-0501 and revisions) has already satisfied this design requirement for the future Westphalia Central Park. Subdivision staff concur that this condition may be deleted, as the design for the future Westphalia Central Park has been completed and approved.

- l. The public recreational facilities shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The concept plan for the development of the parks shall be shown on the Comprehensive Design Plan.**

The applicant proposed that this condition be deleted, stating in their SOJ that no public recreational facilities are proposed. The proposed deletion of this condition should be evaluated by the Department of Parks and Recreation.

- m. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.**

The applicant proposed that this condition be deleted, stating in their SOJ that the current basic plan amendment does not contain any portion of the Cabin Branch Trail. The proposed deletion of this condition should be evaluated by the Department of Parks and Recreation.

- n. Provide the site location and timing or propose a contribution for the pro-rata share of funding for the following public facilities to be reviewed and approved by the appropriate agencies and the Countywide Planning Division:**

- (1) Fire station**
- (2) Library**
- (3) Police facility**
- (4) Middle school**
- (5) Elementary school**

The applicant proposed that this condition be deleted, stating that it has been determined that none of the above public facilities should be, or are required to be, located within this portion of the Westphalia Sector Plan area. Subdivision staff do not object to the deletion of this condition, as the necessary adequate public facilities for the development can be further investigated (with conditions imposed) at the time of PPS. However, adequacy findings regarding these facilities may be made at the time of this basic plan. Further review and recommendation should be provided by the Special Projects Section.

- 4. At the time of Preliminary Plan of Subdivision and/or prior to the first plat of Subdivision, the Applicant shall:**

- a. **Show proposed dedication area for a non-CIP-sized sewer extension approximately 2,400 feet long to serve the eastern portion of the property and connect to the 24-inch diameter sewer in the Cabin Branch stream valley, or other alternative as required by WSSC.**

The applicant proposed that this condition be revised to simply require that an appropriate sewer layout be shown at the time of PPS. The proposed site layout has changed since the original approval of the basic plan and the specific infrastructure referenced in this condition may no longer be needed. In addition, the western and eastern portions of the original property are not proposed to be included in this basic plan amendment. WSSC may comment on the proposed sewer layout at the time of PPS. They and/or other agencies may also comment on specific infrastructure needed to serve the development at the time of this basic plan. Since projects are required to show an appropriate sewer layout at the time of PPS regardless of whether they are specifically conditioned to do so with earlier plans, this condition may be deleted rather than modified.

- e. **The Applicant shall dedicate 56 developable acres of public open space to the M-NCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites shall be determined at the time of CDP Plan approval. The land to be conveyed to the M-NCPPC shall be subject to the following conditions:**

- (1) **An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, Maryland-National Capital Park and Planning Commission (M- NCPPC), along with the final plats.**
- (2) **M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.**
- (3) **The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.**
- (4) **The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitably to be judged by the General Counsel's Office, M-NCPPC) shall**

be submitted to DPR within two weeks prior to applying for grading permits.

- (5) **Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.**
- (6) **All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.**
- (7) **All existing structures shall be removed from the property to be conveyed, unless the Applicant obtains the written consent of the DPR.**
- (8) **The Applicant shall terminate any leasehold interests on property to be conveyed to the Commission.**
- (9) **No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.**

The applicant proposed that this condition be deleted, stating that the 56 acres previously identified for dedication have already been purchased by M-NCPPC. Subdivision staff concur with the deletion for that reason; approximately 59.55 acres of the original basic plan area adjacent to MC-631 and P-619 are now owned by M-NCPPC and available to establish a public parkland. The project will still be required to demonstrate mandatory dedication of parkland at the time of PPS, which may be met through land dedication, fee-in-lieu, private recreational facilities, or a combination thereof.

- f. **Enter into an agreement with DPR, prior to the first Final Plat of Subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.**

The applicant proposed that this condition be revised, stating that it is not needed since no public recreation facilities are proposed. The applicant also stated that they will provide the required fees into the Westphalia Park Club. This payment is covered by Condition 4g, which the applicant concurs with. Since there are no other recreation facilities which would require payment into a separate account, this condition may be deleted in its entirety.



**Additional Comments:**

1. Bearings and distances for the boundary of subject property are not shown on the plans.
2. Three master planned primary roads; P-617, P-619, and MC-631, are shown on the proposed basic plan amendment serving the residential development area. P-617 crosses the northern portion of the site in an east-west orientation, connecting with MC-631 within the site limits. P-619 runs in a north-south orientation within the property, connecting to MC-631 within its limits. MC-631 enters the site near its southwest corner and connects north to Westphalia Road. All master planned roads appear to be shown with the correct widths. Acceptability of the proposed alignments should be determined by the Transportation Planning Section.

**Recommended Conditions:**

1. Prior to certification of the basic plan, the plan shall be modified as follows:
  - a. Add bearings and distances for the boundaries of the subject property and for the A-9973 basic plan area (on Sheet 2).
  - b. In the Subject Property table, show the Book/Page of each property's current deed reference.
  - c. Revise the Site Information Table on Sheet 2, to list the proposed dwelling units as single-family detached dwelling units.
2. The following shall be required as part of the Comprehensive Design Plan (CDP) submittal package:
  - a. Provide a description of the type and amount of any recreation facilities on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.

In addition to the above recommended conditions, Subdivision Section staff recommend that the following conditions from Basic Plan A-9973 be carried forward unmodified, as the applicant has not requested any revisions to them: Conditions 3a, 3b, 3c, 3e, 3h, 3j, 4b, 4c, 4d, 4g, and 5.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. A preliminary plan of subdivision and final plat will be required. All bearings and distances must be clearly shown on the site plan, and must be consistent with the property's legal description, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.



Countywide Planning Division  
Historic Preservation Section

301-952-3680

December 10, 2024

**MEMORANDUM**

**TO:** Todd Price, Zoning Section, Development Review Division

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

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

**SUBJECT: A-9973-03 Woodside Village (Former Suit and Wholey Properties)**

The subject property comprises 100.84 acres and is south of Westphalia Road, 0.64 miles from its intersection with Ritchie Marlboro Road. The subject property was zoned Residential Medium Development (R-M), per the prior Zoning Ordinance, and is located within the 2007 *Approved Westphalia Sector Plan* area.

The subject application includes Parcels 13, 42, and a portion of Parcel 48. The subject application proposes an amendment to Basic Plan (A-9973) to divide the initial basic plan area by deleting the Applicant's property from the land originally included in A-9973. This proposal requests the approval of 356-368 single-family detached dwelling units. The residential development proposed on the applicant's property will only include single-family detached units and will not exceed the total 1,497 dwelling units approved for the overall Woodside Village development through application A-9973. This basic plan division is necessary because the total assemblage of properties in A-9973 is no longer under common ownership.

The 2007 *Approved Westphalia Sector Plan* contains goals and policies related to historic preservation (pp. 66-68). However, these are not specific to the subject site.

A Phase I archeology survey was conducted on the Suit property in 2005, with additional investigations in 2007. The archeological surveys of the Suit property involved archival and background research, the systematic excavation of shovel test pits within areas of poor surface visibility, a systematic intensive pedestrian survey in areas of adequate visibility, and an inventory of all structures. Archival research indicates that the Suit property was part of the Joy's Fortune land patent owned by Peter Joy during the early eighteenth century. Historic documents suggest that the land was farmed by several owners prior to the end of the Civil War, all of whom held enslaved people and resided elsewhere. However, no map evidence indicates the presence of structures on this tract until the twentieth century.

A total of 537 shovel test pits (STPs) were excavated across the Suit Property, and surface collection was conducted at 1,020 locations. Four archeological sites were identified. Two of the sites, 18PR892 and 18PR895, are the locations of late-nineteenth and twentieth-century tenant houses, located in the northern portion of the property. These sites were not considered to contain significant information for further investigation. One site, 18PR1893, is the location of the Suit House in the central part of the property. Site 18PR894 is the location of either a tenant residence or possibly was originally a quarter for the enslaved. This site is located on a portion of the overall Suit property that was conveyed to M-NCPPC for parkland. Other artifact locations, containing twentieth-century material were widely scattered and are considered isolated finds. Phase II investigations were recommended on site 18PR894 in the site report. The land on which site 18PR894 is located was conveyed to M-NCPPC as part of the Central Park for the overall Woodside Village development in 2015 and is not included in this application.

A Phase I archeology survey was conducted on the 10-acre Wholey property in January 2007. Background archival research indicated that the Wholey property was once part of the Dunblane land patent through the mid-twentieth century. The manor house associated with the Dunblane plantation was located on the adjoining parcel to the west. No structures pre-dating the twentieth century were identified on the property. Of a total of 175 shovel test pits (STPs) excavated across the property, only 14 contained cultural material. Twelve of the positive STPs were concentrated in a 40 by 80-meter area surrounding a twentieth-century residential structure. This artifact concentration was recorded as archeological site 18PR860. It comprises a light artifact scatter dating to the twentieth century and is associated with the extant twentieth-century residential structure. Two other positive tests were situated at the head of a drainage located in the southeastern part of the property and contained twentieth-century materials, likely representing trash disposal. Neither of these artifact scatters were determined to be significant. No additional archeological investigations were recommended on the Wholey property by the surveyors, and no further studies were required.

## **Conclusions**

Site 18PR893, representing the site of the late nineteenth to early twentieth-century Suit residence, appears to have also been the site of an earlier, eighteenth-century residence, based on the recovery of domestic artifacts from that period in the Phase I investigations. Historic Preservation staff recommend additional Phase II investigations of this site to determine if significant archeological features and artifact deposits remain intact. No further archeological investigations are recommended on sites 18PR892, 18PR894, 18PR895 on the Suit property, or 18PR860 on the Wholey property.

A Phase II archeological survey shall be required at the time of the preliminary plan of subdivision on archeology site 18PR893, to determine if any significant cultural features are present. The applicant shall submit a Phase II Research Plan for approval by the staff archeologists prior to commencing the Phase II investigations. If significant archeological materials are identified, Phase III archeological mitigation may be required. Depending upon the significance of the findings at the Phase II, or III level, the applicant may be required to provide interpretive signage at the time of Detailed Site Plan/Specific Design Plan.

## Recommendation

Historic Preservation staff recommend to the Planning Board approval of A-9973-03 Woodside Village with the following conditions:

1. Prior to approval of the preliminary plan, Phase II (evaluation) archeological investigations, according to the Planning Board's *Guidelines for Archeological Review* (May 2005), shall be conducted on site 18PR893, the site of the Suit residence. The applicant shall submit a Phase II Research Plan for approval by the staff archeologists prior to commencing Phase II work. Evidence of M-NCPPC concurrence with the final Phase II report, and recommendations, is required prior to signature approval of the preliminary plan.
2. Upon receipt of the report by the 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:
  - i.) mitigating the resource at the Phase III level, or
  - ii.) avoiding and preserving the resource in place.
3. 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.
4. Prior to the approval of the final plat, the applicant and the applicant's heirs successors, and/or assignees, shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Historic Preservation Commission and the M-NCPPC staff archeologist. The plan shall include the timing for the installation of the signage and the implementation of public outreach measures.



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-3796

PGCPB No. 06-112

File No. A-9973

## RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Zoning Map Amendment Petition No. A-9973, Woodside Village requesting rezoning from the R-A (Rural Agriculture) Zone to the R-M (Residential Medium Development) Comprehensive Design Zone in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on May 11, 2006, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The 370.3-acre subject property has approximately 4,500 feet of frontage along the south side of Westphalia Road, approximately one-third mile southwest of its intersection with Ritchie Marlboro Road, and opposite the Westphalia Woods Subdivision. The property is hatchet-shaped and comprises four contiguous parcels ranging in size from 63 to 149 acres: Parcel 5 (Yergat); Parcel 14 (A. Bean); Parcel 19 (Case); and Parcel 42 (Suit) on Tax Map 82. A rectangular shaped property wedges into the site from Westphalia Road and divides the frontage into two parts. The property is adjacent to the Smith Home Farms project to the west and Marlboro Ridge (Villages of Clagett Farm) to the east. The southern boundary is the Cabin Branch stream.

A certified nonconforming use (CNU 6730-88-U) for a trash hauling operation exists on the western-most portion of the subject property on Parcel 19 (Case property), operating under the name PG Trash. The remainder of the subject property contains agricultural fields, a few barns, and a dwelling.

- B. **History:** The 1994 *Melwood-Westphalia Approved Master Plan and Sectional Map Amendment* (SMA) retained the property in the R-A (Residential-Agricultural) Zone. The R-A Zone is intended to be a holding zone for the majority of the subject property until the area is developed in accordance with the master plan's designated "planned community" and comprehensive design zone recommendations.

- C. **Master Plan Recommendation:**

1. **2002 General Plan:** This application is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. Growth policies in the Developing Tier encourage compact residential neighborhood design and limit commercial uses to designated centers, preserve and enhance environmental features and green infrastructure elements, provide as many multimodal transportation options as feasible, and provide public facilities to support the planned development pattern.
2. **1994 Approved Master Plan and Sectional Map Amendment (SMA) for Melwood and Westphalia (Planning Areas 77 and 78):** The master plan shows the subject property within the South Westphalia community. All except the 63-acre A. Bean portion

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(Parcel 14) is within a 1,300-acre rural area recommended for a "planned community." A proposed stream valley park is recommended along Cabin Branch. There are no public facilities recommended on the subject property, other than improvements to Westphalia Road and Dower House Road extended. The 1994 SMA placed the property in the R-A Zone.

Several design principles are recommended by the plan to guide implementation of the planned community concept. Several residential, open space and general guidelines to direct the physical form of development are provided (pp. 68 and 69). Implementation of the planned community is envisioned through use of several different comprehensive design zones that correspond to the density levels shown on the master plan's "conceptual planned community" map, and described in Table 8 of the master plan (p. 67). We emphasize that these density levels are not intended to be property specific because they are graphically rendered as a series of concentric rings to convey diminishing densities as distance from planned activity centers increases. The master plan's "planned community" recommendations are:

- [A planned community shall be] comprehensively planned with a balanced mix of residential, commercial, recreational and public uses and include public gathering places for residents to participate in community activities.
- [It shall provide] a variety of lot sizes and dwelling types to ensure housing for a broad spectrum of incomes, ages and family structures.
- [It shall have] a distinct physical identity, expressed through a coherent and compact land plan, consistent treatment of common design elements such as streetscape and signage, and emphasis on the public realm.
- [It shall promote] a form of development that facilitates the most efficient use of costly public infrastructure.
- [It shall provide] development on a human scale with strong community identity based on a shared, coherent, physical, economic, social and cultural environment.
- [It shall] link proximate land uses with trails, sidewalks and paths.

On January 17, 2006, the District Council initiated a sector plan amendment to the 1994 master plan and a concurrent SMA, including an amendment to the 2002 General Plan (Council Resolution CR-5-2006). The amendment will establish goals, policies and strategies to guide orderly development of a planned community recommended in the October 2005 *Westphalia Comprehensive Concept Plan* study (WCCP Study). The resolution states: "The goals of the sector plan are to recommend land use, zoning, and design guidelines that will establish a foundation for new real estate and economic development...The [WCCP Study] shall constitute the goals, concepts and guidelines for preparation of the preliminary sector plan and SMA...[and] the land use and public facility recommendations of the [WCCP Study] shall be the basis for publication of the preliminary sector plan and SMA...."



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3. **2005 Westphalia Comprehensive Concept Plan (WCCP Study):** The Urban Design Section indicates (March 20, 2006 memorandum) that the 2005 *Westphalia Comprehensive Concept Plan* (WCCP Study) produced a comprehensive land use vision for the Westphalia study area that is consistent with the 2002 General Plan. On January 10, 2006, the District Council endorsed the WCCP Study, which provides specific land use and density guidance to the subject application.

The purpose of the WCCP Study is stated in its executive summary.

“The purpose of the Plan is to supplement M-NCPPC planning for the 6,000 acre Westphalia area, Councilmanic District 6. This plan refines policies established by the 2002 General Plan and the 1994 Melwood-Westphalia plan. Its major goal is to provide an updated vision, coordination and detailed guidance for several major developments that have begun to create the long planned Westphalia Community Center.”

“This document is consistent with the 2002 General Plan and the intent of the 1994 Melwood-Westphalia plan. It serves as a supplement to the adopted area plan. It will be used by the M-NCPPC to review and approve zoning and development applications and permits as well as to guide funding and implementation of public infrastructure improvements within the study area.”

The WCCP Study was authorized by the County Council who directed the hiring of independent consultants to assist county staff in conducting community workshops and developing an agreed upon comprehensive concept for reviewing several comprehensive design zone applications in the context of implementing the master plan’s planned community. The WCCP Study was developed through an extensive design and consensus-building process over a four-month period in 2005. The process included five well-attended community meetings/charrettes, a comprehensive visual preference survey, and a community survey. The study included the subject property and the applicant actively participated in its development. The applicant uses the study as the primary rationale for justifying this application.

Technically, the 2005 WCCP is a “study” because, at the time of its publication, it had not been subjected to the requirements for the adoption and approval of a master plan. Section 27-140 of the Zoning Ordinance states that studies, “...which have not been subjected to the requirements for the adoption and approval of a master plan, shall not be used as a basis for approval or disapproval of zoning cases.” However, as stated above, the District Council initiated a sector plan amendment and concurrent SMA that uses the WCCP’s development vision, issues, and public involvement process as prerequisites for preparing the preliminary sector plan. These prerequisites consist of goals, concepts, guidelines and a public participation process. Therefore, the WCCP’s development vision, issues, goals, concepts and guidelines can be viewed as constituting the preliminary plan in progress.

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Section 27-140 also allows the Planning Board to consider preliminary master plan recommendations, prior to Council approval of the plan, provided the plan and SMA are prepared in accordance with the concurrent plan/SMA provisions of Section 27-225.01.05; which is the process being followed for the Westphalia sector plan amendment and SMA. While the preliminary sector plan and SMA are in progress, it is permissible to consider factual and empirical evidence contained in the WCCP Study.

In the context of the WCCP Study, the Urban Design Section indicates that: "the subject site has been retained in the outer fringe residential area...that consists of approximately 3,488 acres of land and about 1,597 acres are for public uses including streets and other uses. Approximately 7,677 out of the total 15,301 dwelling units for the Westphalia area have been allocated in the outer fringe residential area. The density for the outer fringe area is 4.06 dwelling units per acre, which is very close to the minimum density (4 dwelling units per acre) as recommended for the edge area in the General Plan. The subject application requests a density range of 3.8 to 4.0 residential dwelling units per gross acre and dwelling units of a minimum 1,377 and a maximum 1,450. With a total of 370.3 acre of the proposed development, the allowable dwelling units for the subject site pursuant to the [WCCP Study] is a maximum 1,503. The requested land use as residential development and the requested density of 3.8 to 4.0 dwelling units per gross acre in the subject application are within the allowable limits established by the 2005 WCCP Study."

Staff notes that the published October 2005, WCCP does not account for the complete development of the subject property. The applicant explains (February 24, 2006 letter) that Appendix V (Land Use Development Estimates) of the WCCP Study unintentionally excluded a portion of the subject property (Parcel 42 or Land Bay 10), referred to as the Suit property (148.7 acres and 592 dwellings), from the density calculations. Therefore, by inserting the Suit development factors back into the Land Use Density Estimates table, the overall density for the Outer Fringe Area is 4.06 dwellings per acre. This density excludes the 1,597 acres that are proposed for "public uses" in the outer fringe area as described on Page 11 of the WCCP Study. The outer fringe area is shown containing 7,677 dwelling units on 3,488 gross acres (pp. 10/11), with 1,597 of these acres devoted to open space.

- D. **Request:** The application seeks rezoning from the R-A (Rural Agricultural) Zone to the R-M (Residential Medium Development) Comprehensive Design Zone (3.6 to 5.8 dwellings per acre). The basic plan and accompanying basic plan submission text propose a density of between 3.8 to 4.0 dwellings per net acre in conformance with the recommendations of the WCCP Study.

The applicant states: "The vision for Woodside Village is to compliment and harmonize with the other villages of the New Town of Westphalia, but at the same time create a sense of its own unique character and charm.... The Village will represent an upscale luxury community which will serve as an appropriate transition and linkage between the Smith Home Farms and Marlboro Ridge Villages." The applicant also states the following purposes for the application:

- a. "To facilitate the future development of the planned Westphalia New Town as envisioned by the Westphalia CCP Study to include the following:

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- “The completion of master plan road connections that are crucial to the development of the entire New Town
  - “To provide a diversity of housing types to address local and regional demand
  - “To master plan and dedicate two school sites as recommended by the Westphalia CCP, to serve the new development and the surrounding areas.”
- b. “To provide an expanding economic base for Prince George’s County that will foster economic development within the County and State of Maryland.”

## DEVELOPMENT DATA

The proposed basic plan and/or text reflects the following land use types and quantities:

<b>Total area</b>	370.3 acres
Land in the 100 year floodplain	15.69 acres
Adjusted gross area: (370.3 less half the floodplain)	362.5 acres
Density permitted under the R-M (Residential Medium Zone)	3.6–5.8 dwellings/acre
Base residential density (3.6 du/ac)	1,305 dwellings
Maximum residential density (5.8 du/ac)	2,103 dwellings
<b>Proposed Land Use Types and Quantities:</b>	
Residential: 362.5 adjusted gross acres @ 3.8-4.0 du/ac	1,377-1,450 dwellings
Number of the units above the base density:	73-145 dwellings
Permanent open space: (31 percent of total site area)	116 acres
Public active open space: (parkland and school sites)	26.0 acres parkland 10.0 acres elementary school 20.0 acres middle school
Private Open Space (homeowner association and other)	60 acres

The R-M density range (3.6 to 5.8), will allow between 1,305 to 2,103 dwelling units. The proposed density (3.8 to 4.0) yields between 1,377 to 1,450 dwellings, or 653 dwellings less than the maximum permitted in the R-M Zone.

Staff notes that the amended basic plan (February 27, 2006) indicates a discrepancy in the amount of total open space measured (135.2 acres) and the total listed in the legend (124.83 acres). Prior to approval of the basic plan by the Zoning Hearing Examiner, the applicant must correct the acreage discrepancy. Also the basic plan legend indicates a different range of dwelling types between 1,121 and 1,821 units that equate to a density of 3.03 to 4.92 dwellings per acre, including single-family detached dwellings (232 to 732 units); townhouse dwellings (599 to 799 units), and condominium dwellings (190 to 290 units). The applicant indicated in a telephone conversation on February 28, 2006, regarding this discrepancy, that the proposed density will not exceed 4.0 dwellings per acre. It was explained that the range of units shown in the basic plan legend are for illustrative purposes only and do not necessarily tie down the exact number of each unit type because this will be done during review of the comprehensive design plan.

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## BASIC PLAN CONCEPTUAL DESIGN FEATURES

**Site conditions:** Forested land comprises approximately 98 acres of the subject property primarily along the stream channels and in areas to the south. The site is generally hilly with many areas containing slopes of 15 to greater than 25 percent. These slope areas are not limited to forested areas and are located throughout the site with concentrations along the stream channels. Approximately 1.2 acres of wetlands exist. The remainder of the property contains agricultural fields.

**General layout:** Woodside Village is proposed as one of several residential villages that will comprise the "New Town of Westphalia", as recommended in the 2005 WCCP Study. The revised basic plan (submitted on February 27, 2006) shows higher density condominiums concentrated adjacent to a central park with attached units located nearby and along the proposed main access roads (C-631) and portions of the Westphalia Road frontage (Exhibit 1). Various single-family detached units are located along proposed road C-632, adjacent to adjoining properties or open space. In the case of the adjoining Marlboro Ridge project, the proposal maintains continuity in street, block, and lot layout. Three roadways extend south and are intended to (but do not) link with the roadways on the Smith Home Farms site. Direct street and sidewalk connections are also planned to link with the W. Bean parcel, adjacent to the east.

The stream valley open space and a planned central open space divide the development into roughly four sections. These sections are linked together by a 56-acre open space, inclusive of a 26-acre central park and adjacent 30-acre academic campus proposed for an elementary and middle school. The applicant indicates 45 acres of preserved stream valley parks radiate out to connect the three neighborhoods. The Urban Design Section notes that the parkland on the subject property, along with approximately 75 acres of parkland on the adjacent Smith Home Farms site, will constitute the grand central park of the Westphalia area, as envisioned in the WCCP Study.

Each neighborhood is designed to be within a 20-minute walk from the central park and academic campus. Most lots are within a 500-foot radius of a green open space except for lots on portions of the Case parcel. The Urban Design Section indicates that a neighborhood open space should be preserved in the middle of the grid streets in the Case section.

The pedestrian and road connections, including the stream valley parks, are proposed to knit Woodside Village together with the applicant's adjacent equestrian-themed community of Marlboro Ridge. Three roadways are shown extending south, attempting to link with the roadways on the Smith Home Farms site. The applicant also proposes to support the concept of a community-wide Westphalia central sports complex and actively work with surrounding developers to create a comprehensive recreational program for the consolidation of the facility, develop architectural designs for the center, and arrive at a financial formula to fairly allocate costs to all land developers and builders in the 6,000 acre WCCP Study area.

The basic plan shows a general layout and access points that are consistent with the final preferred land use option of the WCCP Study. Initial access to Woodside Village will be from Westphalia

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Road (C-626) and from internal road connections to the planned recreation community of Marlboro Ridge to the east. Seven access roads intersect with Westphalia Road. Other future access is proposed via an extension of Suitland Parkway as collector road (C-631), providing primary access to the proposed school sites and the central park. The applicant proposes development of C-631 as a tree-lined urban boulevard with substantial setbacks and no direct driveway access. The applicant also proposes a new north-south connector across the Cabin Branch to the Smith Home Farms property for extension to the Westphalia Urban Core. It is noted that this north-south connector is shown as collector road (C-632) in the 2005 WCCP Study. Eight-foot-wide hiker/biker trails are proposed parallel to the alignments of Westphalia Road, C-631, and the north-south connector road.

- E. **Neighborhood and Surrounding Uses:** The applicant appears to have adopted the general neighborhood identified in the 1994 *Melwood-Westphalia Approved Master Plan and Sectional Map Amendment*, extending from north of MD 4 to Westphalia Road. The master plan identifies this area, including most of the subject property, as "the last opportunity at a location adjacent to the Capital Beltway to build a cohesive planned community." Staff has extended the neighborhood boundary to be coterminous with those accepted in the Smith Home Farms rezoning application (A-9965 and A-9966), and used in the 2005 WCCP. The neighborhood contains approximately 6,000 acres and is bounded by:

North and East—Ritchie Marlboro Road  
 South—Pennsylvania Avenue (MD 4)  
 West—Capital Beltway (I-495)

The neighborhood is rural in the vicinity of the subject property. However adjacent properties have been approved for or are proposing substantial development as indicated in the WCCP Study. The adjacent Smith Home Farms planned community forms another residential village that will comprise the New Town of Westphalia. It has recently been rezoned to the R-M and L-A-C (Local Activity Center) Comprehensive Design Zones to allow 3,243 dwellings. The approved Marlboro Ridge equestrian-themed planned community will contain 1,058 single-family dwellings in the R-R (Rural Residential) Zone. There is one parcel adjacent to the east of Woodside Village that is not currently proposed for development (W. Bean property) in the R-A Zone.

- F. **Zoning Requirements:** Section 27-195(b) provides that prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

(A) The proposed Basic Plan shall either conform to:

- (i) The specific recommendation of a General Plan map, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties; or

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- (ii) **The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses.**

**Applicant's Position:** The applicant has evaluated the proposal against the applicable master plan, General Plan and the WCCP Study. They acknowledge that the 1994 Melwood-Westphalia master plan recommends the use of comprehensive design zones (R-L and R-S Zones), including retention of R-A zoning outside of the area designated for the planned community (A. Bean parcel). However, they suggest the master plan recommendations are outdated because of subsequent policy changes and because the 2002 General Plan significantly changes the guiding principles and values reflected in the 1994 master plan. They acknowledge that the request increases densities over those recommended in the master plan in order to "...compensate for the high percentage of preserved stream valleys and nature areas and yet still provide villages compact enough to encourage pedestrian use, future public transportation and a diversity of housing types." The applicant cites several policy changes since the 1994 master plan and 1982 General Plan in support of higher density. These changes include:

- Operational changes to the road and transit systems (completion of Metro to Largo; completion of Beltway interchanges at Ritchie Marlboro Road and Arena Drive; and the preclusion of the extension of arterial A-37 beyond Ritchie-Marlboro Road). Staff notes that all but the Arena Drive interchange was envisioned by the 1994 master plan and the 1982 General Plan. The extension of A-37 is still planned to Ritchie-Marlboro Road.
- New environmental regulations related to preserving sensitive environmental features, conserving forestland, and providing open space linkages in accordance with the Green Infrastructure Plan. The applicant believes these changes "prevent the development of the future planned community in the concentric circle pattern recommended in the 1994 Master Plan."
- New General Plan policies supporting smart growth; increased densities in Centers and Corridors, in which the applicant suggests the subject property is located; and emphasis on quality housing. The applicant suggests the 2002 General Plan contradicts and amends sections of the 1994 master plan related to centers, corridors, quality housing and smart growth.

The applicant indicates the basic plan was designed in accordance with master plan guidelines to decrease density as distance from the planned community center increases. They believe the basic plan conforms to General Plan guidelines that support a density of 4.0 dwellings per acre on the "edge" of the planned community center, including the WCCP Study recommendations for 4.0 units per acre on the subject property.

**Staff Comment:** The Community Planning staff (December 22, 2005, memorandum) finds that the application is not inconsistent with the above mentioned 2002 General Plan Development Pattern policies for the Developing Tier. The General Plan shows the location for the Westphalia Community Center near Pennsylvania Avenue (MD 4) on the site of the Presidential Corporate Center, and designates MD 4 as a corridor. The General Plan defines center cores as generally having a radius of one-quarter to one-third mile walking distance from a transit stop or station,

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while center edges are an additional one-quarter to one-third mile beyond the center core. Residential densities for community center "edge" areas are between 4 to 20 dwellings per gross acre. By specific measurement of the General Plan graphic, the subject site is beyond the "edge" by about a mile and half, according to the Urban Design staff (March 20, 2006 memorandum). However, the location of the subject site at the edge of the Westphalia planned community is compatible with the minimum edge densities suggested by the General Plan.

The 1994 master plan indicates three levels of density for the subject property that are described in Table 8. The R-L (0.5 to 1.5) Zone is appropriate to implement the larger area in the "Transitional-Suburban Planned Community" portion of the community located south of Westphalia Road (approximately 158 acres). The R-S (1.6 to 2.6) Zone is appropriate to implement the smaller "Low-Suburban Planned Community" portion located in the southern portion of the Suit property nearest Cabin Branch. The third area, located outside the designated "Planned Community" (the 63-acre A. Bean parcel), falls within the Large Lot/Alternative Low Density area where the R-L Zone at a density of 0.5 to 0.9 units per acre is appropriate. The overall densities suggested by the master plan yield approximately 600 dwelling units while the proposed basic plan yields a maximum 1,450 dwellings. However, the applicant's requested density of 1,450 dwellings is approximately 650 units less than the maximum permitted in the R-M Zone.

The Community Planning staff finds (November 22, 2005, memorandum) that the basic plan is not in strict conformance with the master plan because the proposed densities are higher than those recommended and the transportation network alignments have been changed somewhat from those in the master plan. Notwithstanding this finding, staff agrees that the request, with the conditions recommended in the Conclusion section of this technical staff report, is in conformance with the principles and guidelines of the 1994 Melwood-Westphalia master plan text that address the design and physical development of the property. These principles provide for a general gradient of densities and relationship between land uses that fits the master plan's vision for a planned community. Staff finds that the overall element, spirit, and intent of the basic plan, with a maximum density of 4.0 dwellings per acre, can be considered to be in conformance with master plan principles and design guidelines for development of a planned community in this area.

- (B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan.**

**Staff Comment:** There are no retail commercial uses proposed for this site.

- (C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which 100 percent of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plan, or urban renewal plans.**



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**APPLICANT'S POSITION:** The applicant proposes to implement the master plan's transportation goals and guidelines to provide an efficient transportation system that minimizes impacts on environmental features by slightly modifying alignments where necessary, while ensuring that required facilities are provided and built. The applicant commits to providing full rights-of-way and building their portion of Suitland Parkway extended (C-631) that will form the backbone of the road/street/sidewalk network, a new north/south connector road across Cabin Branch to the Smith Home Farms property and will provide full right-of-way and upgrading of its section of Westphalia Road. The extension of Suitland Parkway (C-631) will be designed as a tree-lined boulevard with double rows of street trees, sidewalks and parallel parking. Other road connections recommended in the WCCP will be provided and built by the applicant. These connections include realignment of one road in the previously approved Marlboro Ridge to connect to the relocated Westphalia Town Center and a southern connector from the central park to the town center. Wherever possible, a continuous street grid and alleyways are incorporated. The applicant will also provide public bus stops to allow integration of WMATA and county bus service to the community. In addition, the applicant will participate with other landowners to establish a new town commuters hotline on its community bulletin board to facilitate carpool opportunities.

**Staff Comment:** The basic plan does not conform to the road alignments recently approved or proposed in other communities being developed as part of the master plan's planned community or WCCP Study. The alignments for several roads in the adjacent Smith Home Farms Preliminary Plan of Subdivision (4-05080) do not match alignments shown on this basic plan. Also, a cul-de-sac, extending from Parcel 19 (Case property) on the subject site into Parcel 219 in Smith Home Farms is shown for a stormwater management pond in the Smith Home Farms preliminary plan. These issues must be resolved at the time of CDP review.

The Transportation Planning Section staff (March 27, 2006 memorandum) finds that "...the existing transportation facilities and those to be provided by the applicant will be adequate to carry anticipated traffic generated by the development based on the maximum proposed density [4.0 dwellings per acre]. Furthermore, [if the application is approved with conditions] the uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved area master plan, in accordance with Section 27-195...." The recommended conditions are in the Conclusion section of this technical staff report. The following findings are extracted from the March 27, 2006, memorandum:

"The applicant has not submitted a formal traffic study with this application. It is anticipated that future comprehensive design plan and preliminary plan of subdivision applications will be accompanied by a traffic study that will examine the site impact at the following existing intersections:

- "• MD 4 and Westphalia Road/Old Marlboro Pike (signalized)
- "• MD 4 and Suitland Parkway/Presidential Parkway (signalized)
- "• Westphalia Road and Sansbury Road/Mellwood Road (unsignalized)
- "• Westphalia Road and Ritchie Marlboro Road (unsignalized)
- "• Ritchie Marlboro Road and White House Road (signalized)
- "• Ritchie Marlboro Road and Sansbury Road (signalized)"

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"The proposal is estimated to generate (assuming a mix of 60 percent single-family, 30 percent townhouse, and 10 percent condominium) 1,031 AM (206 in, 825 out) and 1,216 PM (795 in, 421 out) peak-hour vehicle trips."

"The following observations have been made regarding other applications in the area:

- "1. The Ritchie Marlboro Road intersections with Sansbury Road and White House Road are operating at LOS C or better in both peak hours in consideration of existing traffic and traffic generated by other approved developments. Nonetheless, both intersections should be studied in the future to ensure that both operate adequately with the buildout of the subject property.
- "2. The two unsignalized intersections along Westphalia Road (Sansbury/Mellwood and Ritchie Marlboro Roads) will not operate acceptably as unsignalized intersections in consideration of existing traffic and traffic generated by other approved developments. Future traffic analyses should consider signalization at both locations, but must also first give consideration to physical improvements to each leg as a means of improving operations both before and after signalization.
- "3. Several master plan roadways cross the site and lead traffic from the site to the regional highway network. As the review process continues, it must be determined that these roadways are constructed to adequately serve traffic and that the necessary traffic controls are installed. Therefore, at the time of comprehensive design plan, the plan must be reviewed by transportation staff in order to determine major intersections within and near the site for study at the time of preliminary plan.
- "4. Other traffic studies done in the vicinity have determined that it is essential that MD 4 be upgraded to a controlled access facility in the area of the subject site. It is essential to note that the MD 4/Suitland Parkway intersection is currently programmed for construction in the State Consolidated Transportation Program (CTP) for reconstruction as an interchange. Other sites have recommended that a public/private partnership be formed wherein developers would construct the MD 4/Westphalia Road interchange as a condition of approval of their plans. The materials provided with this application have given no such proffer, nor do they provide any consideration of the potential impact of this site on MD 4. An assurance of funding for the major intersections along MD 4 would be a major part of the overall determination of adequacy in accordance with Section 27-195. Therefore, a condition will be written to ensure funding of major transportation facilities along MD 4."

"This abbreviated traffic analysis is provided for purposes of establishing a record and allowing comment upon the scope of future studies as a part of this process. If the zoning is granted, detailed transportation conditions will be imposed at the time of the comprehensive design plan (CDP) and the preliminary plan applications. It is anticipated, with a condition to require construction of the MD 4/Westphalia Road interchange and other conditions that may be imposed at the time of CDP, sufficient evidence exists to show that the transportation system as exists, with improvements to be funded and constructed by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density."

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### “Master Plan Impacts and Plan Comments”

As part of the WCCP Study, land use “...recommendations were tested with an independent traffic analysis based upon the operation of links, or sections of roadway (either existing or planned) within the study area. The plan proposes a modified roadway system in consideration of planned development patterns, current environmental constraints, and the intent to provide transit-oriented development within a core area with proposed future rail transit service.”

“Within the Developing Tier, all links are planned to operate at a volume-to-capacity ratio (V/C) of 0.80 or better. The V/C is a measure of the degree of congestion along a roadway link, and a value of 0.80 is equivalent to a Level-of-Service (LOS) D. The traffic analysis done for the [WCCP Study] dated August 31, 2005, included the following:

- “1. The master plan network (existing roadways plus proposals on the 1994 Melwood-Westphalia master plan) was used to establish a future base case within the study area. This base case assumed no development within the study area.
- “2. The land uses on the approved 1994 master plan were added to the network. These land uses would have added approximately 135,000 daily vehicle trips to the network. It was determined that all links within the study area would operate at a V/C of 0.80 or better.
- “3. A revised roadway concept within the study area was developed in consideration of planned development patterns, current environmental constraints, and the intent to provide transit-oriented development within a core area with proposed future rail transit service. The base traffic volumes shown in (2) above were then assigned or reassigned to this revised network to provide a base for the proposed plan.
- “4. Land uses were developed in consideration of current General Plan policies as well as planned development patterns. These land uses were then added to the revised roadway concept described in (3) above. These proposed land uses are estimated to add approximately 239,500 daily vehicle trips to the network. In discussions, it was determined that trips within the core area of the study area would be decreased by 25 percent to account for the improved availability of transit and the ability for residents to live, work, and shop within a walkable community.
- “5. Lane recommendations were assigned to each link to create a plan recommendation. It was determined that most links within the study area would operate at a V/C of 0.80 or better. The exceptions included several links within or adjacent to the core area that could eventually become a designated center and be subject to a higher V/C. Another link was identified to potentially become eight lanes under the 1994 master plan.
- “6. For the subject site, the August 31, 2005, study has been reviewed in detail to ensure that the request conforms to the analysis. The original study did not include full buildout for the proposal on the subject property, and has been modified by the applicant. Appendix B of the study contains the detailed sheets that were used in preparing the analysis. Particular attention is given to pages B-4, B-4A, B-5, and B-7—these sheets show the trip distributions and assignments associated with the subject property and the adjacent Village

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of Claggett Farm (VCF) development (approved as Preliminary Plan 4-04080), along with the land use assumptions. The following is noted:

- “a. The original Page B-4 included 529 residences, all of which were within VCF. The revised Page B-4 includes 529 residences within VCF and 592 residences within the subject site.
- “b. The original page B-4A includes 529 residences, which are totally within VCF. This page was not revised.
- “c. The original page B-5 includes 574 residences, which are split between the subject property and the W. Bean Property. The initial proposal for the W. Bean Property is 126 residences, leaving 448 residences within the subject property. This page was not revised.
- “d. The original page B-7 includes 717 residences, which are split between the subject property and two small properties surrounded by the subject site that are not part of the application. The two small properties at their current zoning could contain a net of 4 residences, leaving 713 residences within the subject property. This page was not revised.
- “e. The VCF development includes 1,058 residences and is wholly encompassed within Pages B-4 and B-4A. Those pages together total 1,650 residences, leaving 592 residences within the subject property.
- “f. Only pages B-4, B-5, and B-7 include portions of the subject property, and the development within the subject property potentially shown for this site totals 1,753 residences under the revised analysis.”

“The August 31, 2005, study together with the revision is being used to recommend an adequate roadway system in the area of all proposed rezoning cases in the Westphalia Planning Area. This information is currently being used to prepare recommendations for a Westphalia Sector Plan, which will eventually govern development in the area upon its approval.”

“The area of this basic plan is adjacent to Westphalia Road, and dedication to collector standards along the frontage of this property in accordance with the master plan must be reflected on future plans. Two other collector roadways identified as C-631 and C-632 also traverse the site. Regarding these facilities, the following comments are offered:

- “1. The plan shows C-631 as the major roadway through the site. In the draft Westphalia sector plan, this roadway has been redesignated as MC-631. Future plans must demonstrate right-of-way dedication of a minimum of 100 feet along this roadway.
- “2. The plan conceptually shows townhouses fronting on C-631. Although these townhouses are designated as alley-loaded, it is recommended that discussions occur with the county Department of Public Works and Transportation (DPW&T) if this application and concept moves forward. DPW&T is averse to fronting townhouses on public streets in general, and

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that agency would likely have grave concerns with maintenance of a collector facility in front of townhouses. Issues such as deliveries and guest parking must be adequately addressed before this configuration can be approved.

- “3. The plan also shows C-632 along the western end of the site, traversing a north-south path between Westphalia Road and the adjacent Smith Home Farms development. In the draft Westphalia sector plan, this roadway has been redesignated as P-616. The initial plan showed this facility as a primary residential street. Initially, it was thought that a larger street would be needed, but it appears that a dedication of 60 feet will be sufficient.
- “4. It is noted that the current basic plan proposal for MC-631 and P-616 does not match the most recent preliminary plan for Smith Home Farms (4-05080). Further discussions will be occurring in order to ensure that there is consistency between Smith Home Farms and the subject site regarding master plan roadway location.”

“The circulation pattern for the site includes several street connections between the site and the adjacent VCF [Marlboro Ridge] development. However, that site has subdivision approval without most of the street connections shown. Will that adjacent plan be revised as it proceeds through detailed site plan review and recordation? Also, a primary street connection is shown to the south into the Smith Home Farms site. While that applicant [Smith Home Farms] has been requested by transportation staff to show that connection on their plan, such a connection has not been shown by that applicant to date. Finally, the [WCCP Study] shows several connections between the subject site and the W. Bean property to the east. None are shown on the circulation plan for the subject property even though these connections are useful for creating and enhancing vehicular and pedestrian movement, particularly to public school, recreational, and shopping facilities within the Westphalia Planning Area. It is recommended that the circulation plan be revised to show at least one such primary street connection.”

- (D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries and fire stations) will be adequate for the uses proposed.**

**APPLICANT'S POSITION:** The applicant believes other public facilities are or will be adequate to serve the proposal. They support proposals in the WCCP Study to locate various facilities in the Westphalia urban core. They also indicate (p. 58) in reference to schools “...we support the concept of a fair financial formula equitable to all land owners based on residential units and/or commercial development approved. This formula should include all public uses on developable land.”

**Staff Comment:** Other public facilities are generally considered to be adequate for the uses proposed as indicated in the referral replies below, except for the provision of parkland. The 1994 Melwood-Westphalia master plan identifies no existing or proposed public facilities at this location other than the Cabin Branch Stream Valley Park.

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## Trails

The applicant proposes hiker/biker and equestrian trails and sidewalks that interconnect with the Marlboro Ridge and other trails on adjoining properties. Trails will be both hard surface and pervious surface where required for environmental reasons.

**Staff Comment:** The Transportation Planning Section staff (December 12, 2005, memorandum) indicates that the 1994 master plan recommends several trails that impact the subject site. Staff analysis indicates the following and includes several recommendations included in the Conclusions section of this technical staff report to ensure integration of the trail system on the subject site with trail systems on surrounding development projects as recommended in the master plan and WCCP Study:

Staff points out that it is important to coordinate the trails and sidewalk facilities on the subject property with facilities on the adjacent Smith Home Farms and Marlboro Ridge (Clagett Farm) properties. Marlboro Ridge already has a network of trails planned on the previously approved CSP-03005 and 4-04080. This network includes the Cabin Branch Trail, as well as several trail and pedestrian connections between the Marlboro Ridge and Woodside Village. The applicant's hiker and biker trail plan shows the proposed trails for the two sites.

Staff finds that the proposed trail plan is comprehensive and utilizes available open space as trail corridors. Also, several sidepaths or trails adjacent to proposed roadways supplement the network. In general, staff supports this network as shown. However, the following is noted:

- The Sidepath (Class II Trail) along Westphalia Road should be extended for the entire length of the subject site's road frontage.
- The trail/bikeway along Suitland Parkway extended should connect to Westphalia Road, not end part way through the subject site as currently shown.
- Future development submittals should delineate M-NCPPC trails from homeowner association (HOA) trails.
- The adjacent Smith Home Farms application (CDP-0501 and 4-05080) provides a hiker-biker-equestrian trail along its Cabin Branch frontage. The WCCP Study indicates that such a trail may be desirable along both sides of Cabin Branch in some areas. However, such a trail, its location and any stream crossings should be coordinated with and approved by the Department of Parks and Recreation. A detailed analysis of the trail and pedestrian facilities will be completed at the time of CDP and SDP review.

## Parks and Recreation

The major issue with this application relates to the amount of parkland proposed by the applicant and that recommended by the Department of Parks and Recreation (DPR) in their March 27, 2006, memorandum (see staff comments below). The applicant has found that in trying to provide the 63 acres of dedicated parkland requested by DPR staff, it is no longer feasible to also dedicate a minimum of 30 acres for the two school sites that are shown on the basic plan and are

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recommended in the WCCP Study. The applicant, as discussed in Section 3c above, has relied on the WCCP Study recommendations as the primary rational for developing and justifying this application.

The applicant and the DPR staff have been meeting to reach a compromise whereby the applicant would dedicate 53 acres of parkland to implement the DPR concepts for the grand central park and still provide an elementary and/or a middle school. This solution, however, jeopardizes the ability to obtain dedication of both school sites at the time of subdivision. Moreover, after considering the park acreage compromise and reexamining the WCCP Study, the applicant contends that the basic plan conforms to and implements the public facility and open space recommendations shown on Modified Preferred Option WCCP Study map (page 10 of 29) and described in a table on page 21 of 29.

In an April 10, 2006, letter, the applicant notes that during the extensive WCCP Study public input process, they consistently proposed to dedicate approximately 56 acres for civic use. The applicant states: "These uses could include a variety of amenities and functions, including, but not limited to, schools and parks." The applicant contends that the requested DPR acreage, shown on Exhibit A, does not follow the recommendation and guidelines of the WCCP Study with regard to the central park and the park school sites. The applicant concludes that: "...the Parks Department, not the applicant, has failed to conform to the guidelines and recommendations with regards to the 'central park' and the location and number of school sites within the WCCP Study." The applicant believes the basic plan implements and conforms to the WCCP Study recommendations pertaining to the following:

1. The "central park" shown on the WCCP's Open Space Plan (pages 20 and 21 of 29) is reflected as open space on the basic plan. The two school sites proposed for dedication by the applicant fall all or partially within the area designated as the "central park" (page 10 of 29).
2. The location for the middle school site falls within the area designated as the WCCP's "central park."
3. The location for the elementary school site falls partially within the subject property (also on the Clagett Farm property) and is also within the area designated as the WCCP's "central park." The applicant, who is also developing the Clagett Farm property, has elected to provide the elementary school site entirely within the subject property and adjacent to the middle school site (see basic plan).
4. The table in the WCCP Study (page 21 of 29) identifies both the Woodside Village elementary school and middle school sites as: "School site[s] with additional land and recreational facilities in Central Park." The table also lists the sites as school/park sites.
5. The applicant in essence is proposing to dedicate the two school sites as part and parcel of a park/school concept that provides 10 acres for the elementary school, 20 acres for the middle school and 26 acres for their share of the WCCP Study's recommended 400-acre central park/Cabin Branch Greenway.



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6. The applicant contends that the DPR acreage request and the exhibit showing which land is to be dedicated extends the "central park" boundary and acreage beyond the limits shown on the WCCP Study map (pages 20 and 21 of 29) and therefore is not in conformance with the WCCP.

**Staff Comment:** The Department of Parks and Recreation staff evaluated the request in the context of the General Plan, master plan, WCCP Study, and surrounding developments (March 27, 2006, memorandum) and offer the following comments and recommendations. Their comments are:

"The approved Smith Home Farms applications A-9965C and CDP-0501 were approved with provisions for the dedication of 148 acres of open space for a public central park and Cabin Branch stream valley park. The applicant for Woodside Village A-9973 proposes the dedication of 26 acres of additional parkland to be added to the planned central park.

"The approved master plan for the Melwood-Westphalia Planning Area designates the Cabin Branch stream valley as public parkland. The approved Smith Home Farms and Villages of Clagett Farm projects include the dedication of the Cabin Branch stream valley and construction of the hiker/biker and equestrian trails along the stream valley."

"The applicant's proposal includes 1,377 to 1,450 residential dwellings units. Using current occupancy statistics for single-family dwelling units, one would anticipate that the proposed development would result in a population of 3,718 to 3,915 residents in the new community."

"The General Plan establishes objectives for the provision of public parkland. They [are a] minimum of 15 acres of M-NCPPC local parkland...per 1,000 population (or equivalent amenity in terms of parks and recreation service) and 20 acres of regional, countywide and special M-NCPPC parkland per 1,000 residents."

"By applying the General Plan standards for projected population in the new community (3,718 to 3,915 residents), staff has determined that 56 acres of local and 74 acres of regional public parkland suitable for active recreation are needed to serve the proposed community. The applicant's proposal shows only 26 acres of recreational open space to be allocated for the public park. The subject development proposal falls 104 acres short. Needless to say, the proposed rezoning application does not meet the General Plan objectives for providing public parkland."

The technical staff notes that the WCCP Study only considers local parkland needs because no regional parks are proposed (page 19 of 29). Also we cannot find within the WCCP Study any reference to a public open space acreage requirement for the entire subject property. However, we note that the WCCP Study recommends (page 8 of 29) that developers be permitted and encouraged to meet a portion of the requirements for local and regional public recreation needs by using several options to include:

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- Dedication of land for public parks and park school sites
- Contributions to the park club infrastructure
- Construction of new public park facilities and improvements at new or existing public park sites or school park sites within the area
- Providing public access to privately owned facilities, green spaces and trail networks through covenants or other means
- Providing some of the recreational obligation with private recreational land and facilities reserved for the exclusive use of development residents through HOA covenants or other means

Overall, the technical staff believes it is a worthy goal to acquire more land for the central park. However, in the context of the planning effort and proffers made as part of the WCCP Study, including a review of the basic plan in context of the WCCP Study, we must agree with the applicant that the basic plan conforms to the WCCP Study.

"DPR staff finds that the demand for public parkland will only grow with the extensive residential development, which is anticipated (38,550 new residents) in this region.... Further, Planning Area 78 is currently ranked as in high need for public parkland and for public recreational facilities such as football, soccer and baseball fields, basketball courts, playgrounds and picnic areas." The technical staff notes that the WCCP Study recommends 578 acres of local parkland for the entire WCCP Study area.

The DPR staff refers to Section 27-507 and the purposes of the R-M Zone. One purpose is to encourage the provision of amenities and public facilities in conjunction with residential development and to improve the overall quality and variety of residential environments. The DPR staff then states the following: "The applicant proposes to dedicate 26 acres and improve the dedicated parkland with ball fields, tennis courts, tot lots, picnic areas and sitting areas. While the applicant strives to meet the intent of the General Plan, Master Plan, and provides public benefits and amenities, we believe that proposed rezoning application does not measure up to the criteria set forth in this section of the Zoning Ordinance."

"The development vision of the [WCCP Study] addresses the needs of the larger and more urban community. The [WCCP Study] proposes 400 acres for the central park and Cabin Branch stream valley park. The central park shown on the plan is approximately 210 acres in size and is located within the Smith Home Farms and Woodside Village projects. This park is planned as a major recreational component and focal point for the entire Westphalia region."

"The [WCCP Study] envisions a centrally located urban park in the heart of Westphalia study area similar to Grant Park in Chicago and Central Park in New York City. Central Park in New York City contains 843 acres and Grant Park in Chicago 319 acres of parkland. DPR staff believes that the land provided for this [Westphalia] urban park from these two projects [Smith Home Farms and Woodside Village] would be the ultimate acreage available for the central park. Currently, only 148 acres will be dedicated from the Smith Home Farm development. To achieve the goal of

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the [WCCP Study], DPR staff believes that a larger public parkland contribution is needed than proposed by the applicant.” The technical staff cannot find any reference within the WCCP Study to a stated public open space acreage requirement for the subject property.

“DPR staff accomplished the following analysis of Woodside Village and Smith Home Farms... to evaluate the public recreational package and benefit features of the two projects. We believe that these projects are very similar in scope and location. In addition, they are codependent and support each other with regard to public facilities such as schools, roads, parks and recreation.”

- The Smith Home Farms is 723 acres in size. The applicant dedicated a total 148 acres of open space for the central park and Cabin Branch stream valley park, of which 75 acres are developable for active recreation. The applicant proposes an extensive package of private recreational facilities on HOA land. In addition, the Smith Home Farms developer has agreed to make a monetary contribution or provide in-kind services totaling \$2,500-3,500 per dwelling unit into a “park club.”
- “The Woodside Village project area is 370 acres in size and the applicant proposes to dedicate 26 acres of open space for the central park and Cabin Branch stream valley park, of which only 20 acres are developable for active recreation. The Woodside Village developer proposes to develop the dedicated parkland. The applicant shows three soccer fields, four softball fields, and six tennis courts on dedicated parkland. The proposed layout shown on the plan is conceptual, with no consideration made for slopes, setbacks, layout, need for SWM facilities, parking lots and other development infrastructures. Further, DPR staff believes that these recreational facilities cannot be accommodated on the proposed park parcel.”

Based on the above analysis of the two projects, DPR staff “...finds that the proposed parkland dedication and recreational facilities package within Woodside Village does not measure up to the recreational facilities package proposed within the Smith Home Farms development. DPR staff further believes that the conditions of approval applied to Smith Home Farms should also be used for the Woodside Village rezoning application.”

The DPR staff concludes that the proposal has not demonstrated compliance with the goals, concepts, and guidelines of the WCCP Study in terms of public parks and recreational facilities. The DPR staff cites Council Resolution CR-5-2006, wherein the District Council stated that the development vision and issues of the WCCP Study shall constitute the goals, concepts and guidelines for preparation of the preliminary plan and SMA. DPR staff finds that to satisfy the WCCP Study recommendations and General Plan objectives regarding the recreational needs for Woodside Village, the applicant should dedicate 63 acres of parkland, including 56 acres of developable land suitable for active recreation, and convey the Cabin Branch Stream Valley to M-NCPPC as shown on DPR Exhibit “A.” DPR staff is also requesting the applicant provide in an amount similar to that required of the Smith Home Farms development, \$2,500 to \$3,500 per dwelling unit. The fund should be used for the development, operation and maintenance of the central park.” Aside from requesting the above acreage, DPR provides several conditions of approval in the Conclusion section of this technical staff report.

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### **Other Community Facilities**

The Public Facilities Planning Section provides comments regarding fire and rescue, police, library, and school facilities (November 23, 2005, memorandum):

#### **Fire and Rescue**

The applicant supports the location of a fire and rescue facility in the Westphalia urban core area as recommended in the WCCP Study.

**Staff Comment:** "The existing, (first due) fire engine service to the subject property is currently provided by Company 23, Forestville, located at 8321 Old Marlboro Pike. The response time to the entrance to the property is 5.25 minutes. The design of the internal road system will determine the exact coverage that would be possible."

"The Melwood-Westphalia Plan approved in March 1994 recommends the relocation of the Forestville Fire Station to a location that has access to Pennsylvania Avenue in both directions. The Public Facilities Planning Section met with representatives of the fire department to review the proposal to construct a new station on an adjacent property. The fire department and Countywide Planning Division staff endorse the concept of a new station. This application should include a condition that provisions for a new station deemed acceptable to the fire department and the Countywide Planning Division staff, will be provided as part of this development. The location and timing of the station can be determined at the time of CDP approval."

#### **Police Facilities**

The applicant supports the location of a police substation in the Westphalia urban core area as recommended in the WCCP Study.

**Staff Comment:** "The [WCCP Study] identifies a police facility as an appropriate use in the central urban core, in the vicinity of the intersection of Melwood Road and Pennsylvania Avenue. This application should include a condition that a police facility will be provided that is deemed acceptable to the Prince George's County Police Department and the Countywide Planning Division staff. The location and timing of the police facility can be determined at the time of CDP approval."

#### **Library Facility**

The applicant agrees with the WCCP Study recommendation to locate a library in the Westphalia urban core area.

**Staff Comment:** "The [WCCP Study] identifies a library as an appropriate use in the central urban core area. This application should include a condition that a library will be provided that is deemed acceptable to the Prince George's County Memorial Library Department and the Countywide Planning Division staff. The location and timing of the library can be determined at the time of CDP approval."

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## Schools

The WCCP Study identifies one new middle school park site of 20± acres and an elementary school of 12 to 18± acres located in the central park area fronting the parkway (page 18 of 29). The applicant is dedicating land for a 10-acre elementary school and a 20-acre middle school in accordance with the acreage standards in the 1994 Melwood-Westphalia master plan.

**Staff Comment:** Staff indicates that the WCCP Study proposes four elementary schools, one middle school and one high school. The residential units proposed in this basic plan application will generate 355 elementary school children, 89 middle school pupils, and 177 high school students. Although the applicant is proposing to dedicate a 10-acre elementary school site and a 20-acre middle school site, the Board of Education has advised the Planning Department that 10 usable acres and 20 useable acres are necessary for these types of schools. This acreage does not take into account stormwater management, tree preservation and other environmental considerations. The final determination of location and size of the land to be dedicated will be made at the time of CDP approval.

## Water and Sewerage Facilities

The applicant indicates that there is adequate sewerage capacity and that connections will be needed to both water and sewer lines in adjacent properties.

The Washington Suburban Sanitary Commission (WSSC) indicates in a November 9, 2005, E-mail from Beth Forbes, that a request was made during the August 2005 Water and Sewer Amendment Cycle to move the property from Sewer/Water Category S5/W5 to S4/W4. Regarding the basic plan text pertaining to Adequacy of Utility Services (pages 70-71), WSSC staff indicates the following:

1. The property is within the Western Branch Basin where interceptor and treatment capacity is adequate. The development will produce a flow of 230,000 gallons per day (GPD) and program sized sewer mains are not required to serve the property.
2. "A 24-inch sewer line in the Cabin Branch stream valley traverses the southern edge of the property (contract no. 68-2970A). Twelve- and eight-inch diameter sewers traverse the property along its western boundary (Contract Nos. 68-970C and 68-2970B, respectively). Nevertheless, a non-CIP-sized sewer extension about 2,400 feet long is required to serve the eastern portion of the property. This extension would connect to the 24-inch diameter sewer mentioned above and would abut approximately one property in addition to the applicant's. Rights-of-way would be required. Construction of this extension may involve the removal of trees and temporarily disturb a stream."
3. "Adequate water service cannot be provided to the development from the existing 12-inch and 16-inch diameter mains in Westphalia Road. These mains cannot support the fire flow demand necessary for townhouses, schools or recreation facilities. Some of the detached homes MAY be able to receive service from these mains. The proposed development will likely be dependent on either (a) the mains within the Smith Farm and Marlboro Ridge subdivisions or (b) a three-mile-long CIP-sized main in Ritchie-Marlboro Road between

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the Beltway and Westphalia Road. More information on the phasing of the development is required before the service dependencies can be finalized.”

4. “Water storage in this area is at deficient levels. The development may become dependent on water storage projects proposed for this area. The Clinton Zone Water Storage Facility (CIP Project #W-62.04) and the Prince George’s County High Zone Storage Study (#W-65.09) have been proposed for the WSSC’s FY07 CIP.”

(E) **Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety and welfare of the present and future inhabitants of the Regional District.**

#### **APPLICANT’S POSITION**

The applicant explains that the basic plan was prepared using the sites natural features to design a curvilinear relationship between the road network, lotting patterns, and open space. Environmental impacts have been minimized except for limited disturbance at road crossings and utility outfalls. This applicant’s emphasis on preserving ecological features explains the apparent fragmentation of the development areas. The basic plan overcomes this fragmentation by an intricate system of roads interconnecting developed areas without impacting sensitive areas. The application appears to adequately accommodate pertinent environmental goals and guidelines in the master plan.

#### **Natural Environment**

The Environmental Planning Section (November 16, 2005, memorandum) indicates an approved Type II Tree Conservation Plan, TCP II/223/92 exists on a portion of the property as part of a grading permit. Other comments are provided below and appropriate conditions are in the Conclusion section of this technical staff report:

- “1. Streams, wetlands, and floodplain associated with Western Branch watershed of the Patuxent River basin occur on the property. The Subdivision Ordinance provides for the protection of streams, 50-foot stream buffers, wetlands, 25-foot wetland buffers, 100-year floodplain, adjacent areas of slopes in excess of 25 percent, adjacent areas of slopes between 15 and 25 percent with highly erodible soils, and specific areas of rare or sensitive wildlife habitat. The review package contains a brief discussion of the environmental features of the site and includes a detailed forest stand delineation on page 97 of the basic plan application. The application also states that a natural resources inventory (NRI) has been prepared. Because of the numerous environmental features of the site, an approved NRI will be necessary at the time of comprehensive design plan. The main purpose of an NRI is to identify the environmental features that are regulated by federal, state and county code. Although a signed NRI is a required submission for any preliminary plan of subdivision, the information provided by an NRI is of significant value for the consideration of a comprehensive design plan.”

- “2. When a property is located within the Patuxent River watershed, certain designated features comprise the Patuxent River Primary Management Area (PMA). Because the

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Subdivision Ordinance, Section 24-130(b)(5), requires that the PMA shall be preserved to the fullest extent possible, all disturbances to these features shall be avoided. All disturbances not essential to the development of the site as a whole are prohibited within stream and wetland buffers. Essential development includes such features as public utility lines [including sewer and stormwater outfalls], road crossings, and so forth, which are mandated for public health and safety; nonessential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. In the event disturbances are unavoidable, a letter of justification for all proposed PMA impacts will be required as part of the submission for a preliminary plan."

- "3. The 370.3 acre property is subject to the Prince George's County Woodland Conservation and Tree Preservation Ordinance because a portion of the property has a previously approved TCPII. The Type I TCP for the entire site will invalidate all previously approved Type II Tree Conservation Plans. A TCPI is required with the comprehensive design plan."

"The current R-A Zone has a Woodland Conservation Threshold (WCT) of 50 percent while the proposed R-M Zone has a WCT of 20 percent. The site is currently approximately 25 percent wooded. The reduced WCT would result in a 23-acre reduction of the current base requirement for this property. The site contains woodland for priority preservation along the stream, wetlands, and within the floodplain. Provisions to ensure the preservation of these features are needed. Additionally, the Green Infrastructure Plan shows a major corridor along the Cabin Branch stream valley that runs along the southern property line. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland."

- "4. According to the "Prince George's County Soils Survey" the soils found to occur are in the Adelphia, Bibb, Collington, Howell, Marr, Mixed Alluvial, Sassafrass, Sandy Land, Shrewsbury, and Westphalia soil series. Some of these soils series have a variety of limitations that could affect the development potential of the property including seasonally high water tables, impeded drainage, poor drainage and slopes. Marlboro clay does occur on this property in and around the elevation of the floodplain for Cabin Branch, a tributary of Western Branch."

### **Cultural Environment**

The applicant is advised that the Prince George's County Historic Sites and Districts Plan (1992) is the appropriate reference document for historic resources in this county, not the Maryland Historical Trust (MHT). The MHT is the definitive authority for historical and cultural projects involving state or federal involvement.

The Historic Preservation and Public Facilities Planning Section provides the following information regarding archeological resources and architectural assessments (November 15, 2005 memorandum):



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- “The Historic Sites and Districts Plan 1981 and 1982 identifies the Dunblane Site and Cemetery (Historic Resource 78-010) as the location of an eighteenth century plantation. The main house was destroyed by fire in 1969. The small Magruder family cemetery (approximately 50 feet by 60 feet) exists adjacent to a small cluster of buildings. Because archeological artifacts may remain at the Dunblane House site, the applicant should conduct a Phase I archeological investigation as required by Planning Board directives. Completion of the Phase I investigation is required prior to approval of the CDP.”
- “The applicant identifies two cemeteries on the property; however, the Historic Preservation Section has records only for the Dunblane (Magruder family) cemetery. Documentation of these two cemeteries is needed from the applicant.”
- “The applicant offers to erect markers at the cemeteries as per recommendations of the ‘Prince George’s County Historical Society’ (page 72). Consultation for these markers should be with the Historic Preservation Commission (HPC) or staff of the Historic Preservation Section. The Dunblane Site and its interpretation is not addressed by the basic plan.”
- “Westphalia Road is an historic road between D’Arcy and Ritchie Marlboro Roads. The basic plan proposes to widen Westphalia Road to a four-lane collector. A guideline in the 1994 Melwood-Westphalia master plan states that the design of public facilities in the vicinity of historic resources should be sensitive to their historic character. The widening of roads and choice of street trees are examples of design elements that can either reinforce or change the character of an area.” It is noted that the applicant indicates agreement to meet with Historic Preservation and Transportation staff during preparation of roadway improvement plans to ensure that all scenic and historic features are properly located and resolved (pages 41 and 42).
- “Subtitle 29-118 (a)(2) requires that the Historic Preservation Commission (HPC) conduct a public hearing to determine whether any unclassified historic resource should be classified as a historic site or property within a Historic District when any zoning map amendment is referred to the Commission. The HPC will review the significance of the Dunblane Site and Cemetery features and artifacts after the Phase I Archeological Investigation report is submitted. If the HPC determines that Dunblane and Cemetery meet the criteria of Subtitle 29-104 and designates the property as a historic site, an environmental setting will also be delineated at that time.”

Based on the above findings, the Historic Preservation Section staff recommends several conditions contained in the Conclusion section of this technical staff report. Staff advises that further comments may be warranted after the Phase I Archeological Investigation Report.

- F. Notwithstanding subparagraphs (C) and (D) above, where the application anticipates a construction schedule of more than six years (Section 27-179), public facilities (existing or scheduled for construction within the first six years) will be adequate to serve the development proposed to occur within the first six years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities**

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**construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.**

**Staff Comment:** The applicant does not anticipate a construction schedule beyond six years and believes that public facilities will be adequate to serve the proposal. However, the Urban Design Section recommends that the applicant submit with the CDP application package a phasing plan to ensure that necessary infrastructure and amenities are in place to support each phase of development, including recreation facilities.

**G. Conformance with the Purposes of the R-M Zone:**

The application must further the purposes of the R-M Zone as found in Section 27-507(a) as follows:

**Section 27-507(a)(1) Establish (in the public interest) a plan implementation zone, in which (among other things):**

- (A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**
- (B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, or public urban renewal plan;**

**APPLICANT'S POSITION**

The staff agrees with the applicant's contention that the proposal satisfies all criteria for approval in that it meets master plan principles and guidelines that address the design and physical development of the property, while providing public benefit features above and beyond those anticipated on the master plan in return for increased density. The applicant believes a modest density increase of between 3.8 to 4.0 dwellings per acre, above the 3.6 dwelling base density, furthers the above criteria. Although density could potentially increase by 70 percent (an additional 911 units) by providing public benefit components, only an 11 percent increase is proposed (approximately 145 units) above the base density.

**Section 27-507(a)(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, and public urban renewal plans) can serve as the criteria for judging individual physical development proposals;**

**Staff Comment:** Until a new sector plan implementing the WCCP Study is approved by the District Council, the 1994 master plan and the 2002 General Plan are the only public documents upon which approval or disapproval can be based. However, as discussed earlier, Section 27-140 of the Zoning Ordinance allows the Planning Board to consider the recommendations of a preliminary master plan and any factual or empirical evidence contained in staff studies when making recommendations on CDZ applications. The District Council, in initiation of the

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Preliminary Westphalia Sector Plan and concurrent SMA, indicates that the WCCP Study "...shall constitute the goals, concepts and guidelines for preparation of the preliminary sector plan and SMA...[and] the land use and public facility recommendations of the [WCCP Study] shall be the basis for publication of the preliminary sector plan and SMA." Therefore, in addition to the current master plan and General Plan, staff also used the factual and empirical findings in the WCCP Study and its land use and public facility recommendations to evaluate the proposed basic plan.

**Section 27-507(a)(3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**

**Staff Comment:** The proposal is part of an integrated planned community envisioned by the 1994 master plan and reaffirmed by the latest planning efforts reflected in the 2005 WCCP Study. However, regarding a compatible road network, the Urban Design Section (March 20, 2006, memorandum) indicates that since the adjacent Smith Home Farms site has gone through both basic plan and comprehensive design plan approvals, the applicant should coordinate with the design team of Smith Home Farms to make sure that the proposed three major road connections are aligned with the approved locations on the Smith Home Farms site. The applicant is aware that these roadway connections are required. Also, the basic plan shows one of the cul-de-sac streets on the Case parcel stretching out of the subject site boundary into the Smith Home Farms property. This street should be terminated within the site boundary.

Another compatibility issue is the location of two-over-two townhouses shown along Westphalia Road and along both sides of the C-631 extension. Since the subject site is located in the outer fringe area and is close to Ritchie Marlboro Road where the WCCP Study calls for rural character to be preserved, a general layout principle should be established to arrange large single-family lots along the perimeter areas of the site and along the major roadways, and to locate townhouses around the internal open spaces in order to be compatible with the surrounding land use pattern. If the townhouses or two-over-two townhouses are to be located along any roadways, which are classified as collector and above, they should be accessed through an alley. Staff finds that with the recommended conditions in the Conclusion section of this technical staff report, the proposal will be compatible with existing and proposed surrounding land uses.

**Section 27-507(a)(4) Encourage amenities and public facilities to be provided in conjunction with residential development;**

**Staff Comment:** The basic plan provides several public amenities and facilities that are not required by the 1994 Melwood-Westphalia master plan. These additional amenities and facilities are proposed to support the level of development recommended in the WCCP Study (e.g., two proposed park/school sites, a large central park, and an indoor recreational facility). The applicant recognizes that the basic plan is part of the larger planned community that will eventually contain a police substation, library, public schools, and other public facilities. The basic plan text (pp. 80-81) states: "To the extent necessary, the applicant, along with adjacent Land Owners who make up the New Town, will privately contribute to the construction of public facilities not currently provided in the Basic Plan or County Capital Improvement Program...."

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To help ensure availability of adequate facilities and amenities for each phase of development, the Urban Design Section recommends the following as part of the CDP submittal package:

- Submission of a phasing plans to ensure that necessary infrastructure and amenities are in place to support each phase of development, including recreation facilities.
- Submission of a design package that includes an image board and general design guidelines that establish review parameters, including design, material and color, for architectural, signage, entrance features and landscaping for the entire site.
- Description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site.
- Relocate larger single-family detached lots along the perimeter areas of the site and major roadways and align the attached and multifamily dwelling units along internal public open space.

**Section 27-507(a)(5) Encourage and stimulate balanced land development;**

**Staff Comment:** The basic plan proposes land use relationships in line with the physical development recommendations of the master plan, while providing several residential housing products including detached, attached and condominium units. By integrating the development and transportation system with the goal of preserving sensitive environmental features, the proposal will further the last purpose of the R-M Zone —to improve the overall quality of residential environments in the Regional District (Section 27-507(a)(6)).

**Section 27-487** requires that CDZ proposals shall contain provisions for housing to serve all income groups. The applicant must address how housing will be provided for all income groups. One can infer from the size of the drawn lots, and the Conceptual Residential Components map shown in the application that most houses of the same variety are grouped together. As part of the plan for providing housing for all income groups, the Community Planning staff recommends that the applicant explore the potential of mixing housing units and styles on individual block lengths instead of segregating them.

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 recommends to the District Council for Prince George's County, Maryland that the above-noted application be APPROVED, subject to the following conditions:

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1. The following development data and conditions of approval shall be printed on the face of a revised basic plan prior to approval by the Zoning Hearing Examiner:

**DEVELOPMENT DATA:**

<b>Total area</b>	370.3 acres
Land in the 100 year floodplain	15.69 acres
Adjusted gross area: (370.3 less half the floodplain)	362.5 acres
Density permitted under the R-M (Residential Medium Zone)	3.6–5.8 dwellings/acre
Base residential density (3.6 du/ac)	1,305 dwellings
Maximum residential density (5.8 du/ac)	2,103 dwellings
<b>Approved Land Use Types and Quantities:</b>	
Residential: 362.5 adjusted gross acres @ 3.8-4.0 du/ac	1,377-1,450 dwellings
Number of the units above the base density:	72-145 dwellings
Permanent open space: (31 percent of total site area)	116 acres
Public active open space: (parkland and school sites)	26.0 acres minimum parkland 10 acres minimum elementary school 20 acres minimum middle school
Private open space (homeowner association and other)	60 acres

2. Prior to approval of the basic plan the applicant shall revise the plan to provide the following:
  - a. Eliminate the cul-de-sac streets on the Case property that stretch out of the subject site boundary into the Smith Home Farms property, and terminate the cul-de-sac within the subject property.
  - b. Show the location and correct acreage for all active dedicated parkland and passive open space, including stream valley parks and proposed homeowner association open space.
  - c. Show dedicated parkland that shall be reviewed and approved by the Department of Parks and Recreation (DPR) staff.
3. The following shall be required as part of the Comprehensive Design Plan (CDP) submittal package:
  - a. The Transportation Planning staff shall make master plan transportation facility recommendations consistent with the Westphalia Sector Plan. The CDP road alignments shall conform to road alignments in all other adjacent approved subdivisions.
  - b. The Transportation Planning staff shall review the list of significant internal access points as proposed by the applicant along master plan roadways, including intersections of those roadways within the site. This list of intersections shall receive detailed adequacy study at the time of preliminary plan of subdivision. The adequacy study shall consider appropriate traffic control as well as the need for exclusive turn lanes at each location.

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- c. The Transportation Planning staff shall review minor street connections between the subject site and adjacent properties. All minor street connections shown on the comprehensive design plan shall conform to all other adjacent approved subdivisions. The basic plan shall be revised to show one primary street connection between the subject site and the adjacent W. Bean Property to the east.
- d. The applicant shall build the MD 4/Westphalia Road interchange with the development of the subject property and this shall be accomplished by means of a public/private partnership with the State Highway Administration and with other developers in the area. This partnership shall be further specified at the time of preliminary plan of subdivision, and the timing of the provision of this improvement shall also be determined at the time of preliminary plan of subdivision.
- e. The CDP shall demonstrate that a majority of lots located along Westphalia Road are single-family detached lots in order to be compatible with the surrounding land use pattern and to preserve a rural character as recommended in the WCCP Study.
- f. The applicant shall meet with and obtain written approval from the DPW&T to front and/or provide driveway access to any townhouse units that may be located along C-631. If the townhouses or two-over-two townhouses are to be located along any roadways, which are classified as collector and above, they should be accessed through an alley.
- g. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following in conformance with the 1994 master plan and the WCCP Study:
  - (1) Provide the master plan hiker-biker-equestrian trail along the subject site's entire portion of the Cabin Branch stream valley subject to Department of Parks and Recreation coordination and approval.
  - (2) Provide an eight-foot wide sidepath or wide sidewalk along the subject property's entire frontage of Suitland Parkway extended.
  - (3) Provide a sidepath (Class II Trail) along the subject site's entire road frontage of Westphalia Road.
  - (4) Provide the internal HOA trails and sidepaths as conceptually shown on the submitted hiker and biker trail plan.
- h. Submit a design package that includes an image board and general design guidelines that establish review parameters, including design, material and color, for architectural, signage, entrance features and landscaping for the entire site.
- i. Provide a description of the type, amount, and general location of the recreation facilities on the dedicated parkland and elsewhere on the site, including provision of private open space and recreation facilities to serve development on all portions of the subject property.

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- j. The applicant, his heirs, successors and/or assignees shall agree to make a monetary contribution or provide in-kind services for the development, operation and maintenance of the central park. The recreational facilities packages shall be reviewed and approved by DPR prior to comprehensive design plan (CDP) approval. The total value of the monetary contribution (or in-kind services) for the development, operation and maintenance of the central park shall be in the range of \$2,500 to \$3,500 per dwelling unit in 2006 dollars. The applicant may make a contribution into the "park club" or provide an equivalent amount of recreational facilities. The value of the recreational facilities shall be reviewed and approved by DPR staff. Monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia Study Area. The park club shall be established and administered by DPR.
- k. The applicant shall submit a scope of services from a qualified urban park design consultant for development of a Comprehensive Concept Plan for the portion of central park in the project area. The Comprehensive Concept Plan shall be prepared by a qualified urban park design consultant working in cooperation with a design team from DPR and Urban Design Section. Urban Design Section and DPR staff shall review credentials and approve the design consultant prior to development of a Comprehensive Concept Plan. Said Comprehensive Concept Plan shall be approved by DPR prior to approval of the Comprehensive Design Plan (CDP).
- l. The public recreational facilities shall be constructed in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The concept plan for the development of the parks shall be shown on the comprehensive design plan.
- m. Provide a multiuse stream valley trail along the subject site's portion of Cabin Branch, in conformance with the latest Department of Parks and Recreation guidelines and standards. Connector trails should be provided from the stream valley to adjacent residential development and recreational uses.
- n. Provide the site location and timing or propose a contribution for the pro-rata share of funding for the following public facilities to be reviewed and approved by the appropriate agencies and the Countywide Planning Division:
  - (1) Fire station
  - (2) Library
  - (3) Police facility
  - (4) Middle school
  - (5) Elementary school
- o. Submit a signed natural resources inventory (NRI) with the comprehensive design plan. All subsequent plan submittals shall clearly show the Patuxent River Primary

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Management Area (PMA) as defined in Section 24-101(b)(10), and as shown on the signed NRI.

- p. Demonstrate that the PMA has been preserved to the fullest extent possible. Impacts to the PMA shall be minimized by making all necessary road crossings perpendicular to the streams and by using existing road crossings to the extent possible.
  - q. Submit a required Type I Tree Conservation Plan (TCPI). The TCPI shall:
    - (1) Focus on the creation and/or conservation/preservation of contiguous woodland
    - (2) Concentrate priority areas for tree preservation in areas within the framework of the approved Green Infrastructure Master Plan, such as stream valleys. Reflect a 25 percent Woodland Conservation Threshold (WCT) and meet the WCT requirements on-site.
    - (3) Mitigate woodland cleared within the PMA's Preservation Area on-site at a ratio of 1:1, with the exception of impacts caused by master plan roads which shall be mitigated 1:25. This note shall also be placed on all Tree Conservation Plans.
    - (4) Focus afforestation in currently open areas within the PMA and areas adjacent to them. Tree planting should be concentrated in areas of wetland buffers and stream buffers, which are priority areas for afforestation and the creation of contiguous woodland.
    - (5) Prohibit woodland conservation on all residential lots.
  - r. Submit an exhibit showing areas where Marlboro Clay occurs on-site.
  - s. Submit a plan that addresses how housing will be provided for all income groups in accordance with Section 27-487 and the master plan recommendations for the planned community.
  - t. Present all roadway improvement plans for Westphalia Road to the Historic Preservation and Transportation Planning staff for review and comment to ensure that all scenic and historic features associated with this historic road are properly evaluated and preserved as necessary.
  - u. Complete a Phase I archeological investigation report and submit to the Historic Preservation staff for approval.
4. At the time of preliminary plan of subdivision and/or prior to the first plat of subdivision, the applicant shall:
- a. Show proposed dedication area for a non-CIP-sized sewer extension approximately 2,400 feet long to serve the eastern portion of the property and connect to the 24-inch diameter sewer in the Cabin Branch stream valley, or other alternative as required by WSSC.



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- b. Submit Hydraulic Planning Analysis to WSSC to address access to adequate water storage facilities and water service to be approved by the WSSC to support the fire flow demands required to serve all site development.
- c. Submit a letter of justification for all proposed PMA impacts, in the event disturbances are unavoidable.
- d. Submit a plan, prior to Planning Board approval of a preliminary plan of subdivision, that shall provide for:
  - (1) Either the evaluation of any significant archaeological resources existing in the project area at the Phase II level, or
  - (2) Avoiding and preserving the resource in place.
- e. The applicant shall dedicate 56 acres of public open space to the M-NCPPC for a park/school. The portion of the parkland needed for school construction shall be conveyed to the Board of Education when funding for construction is in place and conveyance of the property is requested by the Board of Education. The final determination of location of the land to be dedicated for park/school sites **shall be determined at the time of CDP Plan approval**. The land to be conveyed to the M-NCPPC shall be subject to the following conditions:
  - (1) An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plats.
  - (2) M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.
  - (3) The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
  - (4) The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
  - (5) Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage

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improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.

- (6) All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
  - (7) All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
  - (8) The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.
  - (9) No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.
- f. Enter into an agreement with the DPR, prior to the first final plat of subdivision, that shall establish a mechanism for payment of fees into an account administered by the M-NCPPC. The agreement shall note that the value of the in-kind services shall be determined at the sole discretion of DPR.
- g. Submit three original, executed agreements for participation in the park club to DPR for their review and approval, eight weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the agreement shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.
5. Prior to submittal of any grading or building permits, the applicant shall demonstrate that the Dunblane (Magruder family) Cemetery shall be preserved and protected in accordance with Section 24-135-02 of the Subdivision regulations, including:
- a. An inventory of existing cemetery elements.
  - b. Measures to protect the cemetery during development.
  - c. Provision of a permanent wall or fence to delineate the cemetery boundaries, and placement of an interpretive marker at a location close to or attached to the cemetery fence/wall. The applicant shall submit for review and approval by the Historic Preservation staff, the design of the wall and design and proposed text for the marker at the Dunblane (Magruder family) cemetery.

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- d. Preparation of a perpetual maintenance easement to be attached to the legal deed (i.e., the lot delineated to include the cemetery). Evidence of this easement shall be presented to and approved by the Planning Board or its designee prior to final plat.

\* \* \* \* \*

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Eley and Parker voting in favor of the motion at its regular meeting held on Thursday, May 11, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of June 2006.

Trudye Morgan Johnson  
Executive Director

*Frances J. Guertin*

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:RB:bjs

APPROVED AS TO LEGAL SUFFICIENCY.

*George Johnson*  
M-NCPPC Legal Department

Date 5/22/06

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**Bradley S. Farrar**  
**L. Paul Jackson, II\***

\* Also admitted in the District of Columbia

February 19, 2025

**VIA ELECTRONIC DELIVERY**

Hon. Maurene Epps McNeil  
Chief Zoning Hearing Examiner  
Office of Zoning Hearing Examiner  
Wayne K. Curry Administration Building  
Largo, Maryland 20774

**RE: WOODSIDE VILLAGE (Former Suit & Wholey Properties)**  
**Basic Plan Amendment (A-9973-03)**  
**(Submission of Additional Exhibits to Close Record)**

Dear Madam Examiner:

On behalf of our client, **Woodside Land Investments, LLC**, please find two exhibits requested at this morning's Zoning Hearing Examiner's hearing for Basic Plan Amendment, A-9973-03. These exhibits include the following:

- Memorandum from Technical Staff dated January 29, 2025 (Addendum to Staff Report revising Conditions 1 and 7, and deletion of Conditions 8, 9, and 10 as originally shown in technical staff report dated December 31, 2024)
- Life Safety Facilities Exhibit

Thank you for your attention to this matter. Should you have any questions or concerns, please feel free to call me.

Sincerely,



Robert J. Antonetti, Jr.

cc: Stan D. Brown, Esq.