The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

Note: *Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.*

Specific Design Plan SDP-1002

Application	General Data	
Project Name: Smith Home Farms Stream Restoration **Location:** Approximately 1,900 feet east of the intersection of Pennsylvania Avenue (MD 4) and Presidential Parkway. **Applicant/Address:** SHF Project Owner, LLC 1999 Avenue of the Stars, Suite 2850 Los Angeles, CA 90067	Planning Board Hearing Date:	01/26/12
	Staff Report Date:	01/18/12
	Date Accepted:	11/16/11
	Planning Board Action Limit:	N/A
	Plan Acreage:	757
	Zone:	R-M/L-A-C
	Dwelling Units:	N/A
	Gross Floor Area:	N/A
	Planning Area:	78
	Tier:	Developing
	Council District:	06
	Election District	15
	Municipality:	NA
	200-Scale Base Map:	205SE89 206SE89

Purpose of Application	Notice Dates	
Review of stream restoration per Condition 56 of the approval of Preliminary Plan of Subdivision 4-05080 and Condition 2 of the approval of Specific Design Plan SDP-0506.	Informational Mailing:	11/20/10
	Acceptance Mailing:	11/16/11
	Sign Posting Deadline:	12/17/11

Staff Recommendation			Staff Reviewer: Ruth Grover, MUP, AICP Phone Number: 301-952-4317 E-mail: Ruth.Grover@ppd.mncppc.org
APPROVAL	**APPROVAL WITH CONDITIONS**	**DISAPPROVAL**	**DISCUSSION**
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE' S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Specific Design Plan SDP-1002
Smith Home Farms Stream Restoration

The Urban Design staff has completed its review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

This specific design plan was reviewed and evaluated for compliance with the following criteria:

a. The requirements of Zoning Map Amendments A-9965-C and A-9966-C.

b. The requirements of Comprehensive Design Plans CDP-0501 and CDP-0501-01.

c. The requirements of Preliminary Plan of Subdivision 4-05080.

d. The requirements of Specific Design Plans SDP-0506 and SDP-0506/01.

e. The requirements of the Zoning Ordinance, specifically,

(1) Sections 27-507, 27-508, and 27-509 governing development in the R-M Zone;
(2) Sections 27-494, 27-495, and 27-496 governing development in the L-A-C Zone; and
(3) Sections 27-274, Design Guidelines, and 27-528(a) and (b).

f. The requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance.

g. The requirements of the Tree Canopy Coverage Ordinance.

h. The requirements of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment.*

i. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject specific design plan, the Urban Design staff recommends the following findings:

1. **Request:** The subject application is for approval of a specific design plan (SDP) for stream restoration required by Condition 56 of the approval of Preliminary Plan of Subdivision 4-04080 and Condition 2 of the approval of Specific Design Plan-0506.

2. **Development Data Summary:**

	Existing	**Proposed**
Zones	R-M/L-A-C	R-M/L-A-C
Uses	Vacant	Residential
Acreage (in the subject SDP)	757/30	757/30
Lots	*	*

*No lots are proposed in this SDP for stream restoration.

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

   The subject SDP includes a review of the streams on-site and a determination of which locations on the various streams on-site should take priority for stream restoration efforts.

4. **Surroundings and Use:** The Smith Home Farms project is bounded to the north by existing subdivisions and undeveloped land in the Rural Residential (R-R), Residential-Agricultural (R-A), Miscellaneous Commercial (C-M), Commercial Office (C-O), and Townhouse (R-T) Zones; to the east by undeveloped land in the R-R and R-A Zones; to the south by existing development, such as the German Orphan Home, existing single-family detached houses, and undeveloped land in the R-A Zone; and to the west by existing development (Mirant Center) in the Light Industrial (I-1) Zone, existing residences in the R-R and R-A Zones, and undeveloped land in the I-1 and Mixed Use—Transportation Oriented (M-X-T) Zones.

5. **Previous Approvals:** The subject site, Smith Home Farms, measures 757 gross acres, including 757 acres in the R-M Zone and 30 acres in the Local Activity Center (L-A-C) Zone, which was rezoned from the R-A Zone through Zoning Map Amendments A-9965-C and A-9966-C, for 3,648 dwelling units (a mixture of single-family detached, single-family attached, and multifamily condominiums) and 140,000 square feet of commercial/retail space. Zoning Map Amendments A-9965-C and A-9966-C were approved (Zoning Ordinance Nos. 4-2006 and 5-2006) by the District Council on February 13, 2006, subject to three conditions. On May 22, 2006, the District Council approved an amendment to A-9965 and A-9966 based on a motion filed by the applicant to move the L-A-C line further south about 500 feet. The acreage of the L-A-C Zone remains the same as previously approved. On February 23, 2006, Comprehensive Design Plan CDP-0501 for the entire Smith Home Farms site was approved by the Planning Board, subject to 30 conditions. The District Council finally approved the comprehensive design plan on May 22, 2006.

A single revision to the CDP, CDP-0501-01, was approved by the Planning Board on December 1, 2011 with conditions, as formalized in the adoption of PGCPB Resolution No. 11-112, adopted by the Planning Board on January 5, 2012. The 30-day appeal/call-up period for this case, calculated from the mail-out date of the resolution, January 10, 2012, has not expired yet. The site also has an approved Stormwater Management Concept Plan, 24819-2006-01.

On April 6, 2006, the Planning Board approved Preliminary Plan of Subdivision 4-05080 for Smith Home Farms, as formalized in PGCPB Resolution No. 06-64, adopted by the Planning Board on the same date. Subsequently, a reconsideration of 4-05080 was filed and after being continued three times (June 1, 2006, June 15, 2006, and July 6, 2006), the reconsideration was approved as memorialized in PGCPB Resolution No. 06-64(A). Specific Design Plan SDP-0506 was approved by the Planning Board on July 27, 2006, and PGCPB Resolution No. 06-192 was adopted on September 7, 2006 formalizing that approval. A single revision to that SDP, SDP-0506/01 was approved on December 12, 2007 by the Development Review Division as designee of the Planning Board to revise A-67 to a 120-foot right-of-way and to add bus stops and a roundabout.

6. **History of the Evaluation of the Stream Corridors for Smith Home Farms:** Condition 1b of the District Council's approval of CDP-0501 and VCDP-0501 required that a stream corridor assessment (SCA) be conducted prior to signature approval of the plan to evaluate areas of potential stream stabilization, restoration, or other tasks related to overall stream functions. Further, it required that all of the streams on-site shall be walked and that a SCA report with maps and digital photographs be provided. Lastly, Condition 1b required that the applicant demonstrate to the satisfaction of the Environmental Planning Section, based on estimates from qualified consultants, that total expenditures related to the stream corridor assessment and actual stream restoration work performed, would be no less than $1,476,600.

   Such an assessment entitled "Smith Home Farms Stream Corridor Assessment" and dated March 2006 was prepared by Environmental Systems Analysis, Inc. for DASC/LLC, the applicant in the CDP Smith Home Farms case. The assessment involved fieldwork conducted on March 10, 2006 and March 29, 2006 which revealed several stream systems on-site consisting of the main stem of Cabin Branch, which bisects the site flowing east, and several associated unnamed tributaries. For the purposes of the assessment, the stream systems were divided into identified "reaches," with right and left bank orientation in a downstream direction. The assessment consisted of walking the stream corridors, noting their condition, and identifying and photographing areas with potential stabilization and restoration opportunities. The photograph locations were numerically referenced and noted on a site plan. The assessment identified potential areas for stormwater retrofit, riparian buffer planting, wetland enhancement/creation, and stream stabilization such as removing obstructions and debris jams, installing grade control structures and bank protection, grading banks, and adjusting meander bends and channel geometry. The results and discussion of their investigations of the following reaches, followed by photographs, was then provided, with the conclusion that only reaches C-6, C-7, 3-4, 6-2, 7-5, and 7-6ll would be good candidates for stream restoration efforts.

   - Cabin Branch, Reach C-1
   - Cabin Branch, Reach C-2
   - Cabin Branch, Reach C-3
   - Cabin Branch, Reach C-4
   - Cabin Branch, Reach C-5
   - Cabin Branch, Reach C-6

- Cabin Branch, Reach C-7
- Reach 1, including Reach 1-1, Reach 1-2, and Reach 1-3
- Reach 2
- Reach 3, including Reach 3-1, Reach 3-2, Reach 3-3, and Reach 3-4
- Reach 4, including Reach 4-1, Reach 4-2, and Reach 4-3
- Reach 5
- Reach 6, including Reach 6-1, Reach 6-2, and Reach 6-3
- Reach 7, including Reach 7-1, Reach 7-2, Reach 7-3, Reach 7-4, and Reach 7-5
- Reach 8, including Reach 8-1, Reach 8-2, and Reach 8-3

The assessment was found acceptable to staff and the CDP was certified.

On November 16, 2011, the subject specific design plan, as required by identical Condition 56 of 4-05080 and Condition 2 of SDP-0506, was accepted for processing. The subject conditions require:

56. A limited SDP for stream restoration shall be developed outlining areas that are identified to be in need of stream restoration. The limited SDP shall receive certificate approval prior to the certificate approval of the SDP for the first phase of development, excluding SDP-0506. Prior to issuance of any grading permits, all SDP's shall be revised to reflect conformance with the certified stream restoration SDP. There will not be a separate TCPII phase for the stream restoration work; it shall be addressed with each phase of development that contains that area of the plan. Each subsequent SDP and associated TCPII revision shall reflect the stream restoration work for that phase. As each SDP is designed, it shall include the detailed engineering for the stream restoration for that phase.

The limited SDP for stream restoration shall:

a. Be coordinated with the Department of Parks and Recreation for land to be dedicated to DPR, other agencies who have jurisdiction over any other land to be dedicated to that agency and the review agency that has authority over stormwater management;

b. Consider the stormwater management facilities proposed;

c. Include all land necessary to accommodate the proposed grading for stream restoration;

d. Address all of the stream systems on the site as shown on the submitted Stream Corridor Assessment and provide a detailed phasing schedule that is coordinated with the phases of development of the site;

e. Be developed using engineering methods that ensure that the stream restoration measures anticipate future development of the site and the addition of large expanses of impervious surfaces;

f. Identify what areas of stream restoration will be associated with future road crossings, stormwater management, and utility crossings; and identify areas of stream restoration that are not associated with future road crossings, stormwater management and utility crossings that have an installation cost

of no less than $1,476,600 which reflects the density increment granted in the M-R-D portion of the project (see Finding No. 8, 15 of CDP-0504).

Comment: See Finding 8 for a full discussion of conformance to the above condition. The subject SDP was referred to relevant sections of the M-NCPPC and outside agencies as appropriate and referral comment received. Staff then reviewed the case for conformance with the specified evaluation criteria and referral comments, as reflected in the subject technical staff report and leading to the recommendation of approval, with conditions, as more particularly described below.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendments A-9965-C and A-9966-C:** On August 18, 2006, the District Council approved Zoning Map Amendment A-9965-C to rezone 757 acres of the subject property from the R-A Zone to the R-M Zone, and Zoning Map Amendment A-9966-C to rezone 30 acres of the subject property from the R-A Zone to the L-A-C Zone, both subject to three conditions. As the subject SDP is limited to a conceptual review of stream restoration, the conditions of the approval of A-9965-C or A-9966-C below that are required at the time of approval of the first specific design plan have been interpreted to mean that they are not required to be complied with at the time of approval of SDP-0506 (limited to approval of two roadways), nor the subject SDP (limited to establishing a conceptual stream restoration plan). These conditions shall be considered in the analysis of SDP-1003, currently scheduled for a public hearing before the Planning Board on February 16, 2012.

   In both approvals (A-9965-C and A-9966-C), this requirement was reflected as Condition 2H as follows:

   At the time of the first Specific Design Plan, the Applicant shall:

   1. Provide a comprehensive trail and sidewalk map for the entire site.

   2. Provide noise mitigation construction methods to reduce the internal noise level of the residential buildings to 45 dBA (Ldn) or lower.

8. **Comprehensive Design Plans CDP-0501 and CDP-0501-01:** Since the subject application is an SDP limited to conceptual stream restoration only, the conditions of approval of the CDPs are not directly relevant and shall be reviewed at the time of the approvals of SDPs for the lotting out of the subdivision. However, because the appeal/call-up period has not expired for the project and because signature approval has not yet been obtained on the -01 revision, a condition of this approval requires that the applicant shall ensure that, prior to signature approval, the subject plan conforms to any relevant requirements of the final approval of the -01 revision.

9. **Preliminary Plan of Subdivision 4-05080:** On April 6, 2006, the Planning Board approved Preliminary Plan of Subdivision 4-05080 for Smith Home Farms, as formalized in PGCPB Resolution No. 06-64. Condition 56 of the approval of Preliminary Plan of Subdivision 4-05080 is included in bold face-type below, followed by staff comment:

   56. A limited SDP for stream restoration shall be developed outlining areas that are identified to be in need of stream restoration. The limited SDP shall receive certificate approval prior to the certificate approval of the SDP for the first phase of

development, excluding SDP-0506. Prior to issuance of any grading permits, all SDP's shall be revised to reflect conformance with the certified stream restoration SDP. There will not be a separate TCPII phase for the stream restoration work; it shall be addressed with each phase of development that contains that area of the plan. Each subsequent SDP and associated TCPII revision shall reflect the stream restoration work for that phase. As each SDP is designed, it shall include the detailed engineering for the stream restoration for that phase.

Comment: Should the subject SDP be approved, it would be in conformance with the first subpart of this requirement. However, to ensure that the subject SDP is in conformance with the second subpart of this condition, staff has included a recommended condition below that would require the subject SDP to be certified prior to the certification of SDP-1003, the pending application for the first phase of development. Conformance to the third part of this condition is triggered at the later time of issuance of grading permits and so will not be evaluated at this time. No separate TCPII accompanies the subject SDP, in conformance with the fourth subpart of this condition. A recommended condition below will ensure that the subject conceptual stream restoration plan shall be implemented in all ensuing SDPs for the various phases of development (the fifth subpart of the above condition), and that such SDPs shall include the detailed engineering for the stream restoration for that phase (the sixth subpart of the above condition).

The limited SDP for stream restoration shall:

a. Be coordinated with the Department of Parks and Recreation for land to be dedicated to DPR, other agencies who have jurisdiction over any other land to be dedicated to that agency and the review agency that has authority over stormwater management

Comment: The subject project was referred to both the Department of Parks and Recreation (DPR) and the Department of Public Works and Transportation (DPW&T) for comment and referral comments received have been incorporated into this technical staff report. Additionally, staff had multiple meetings with DPR and the applicant to discuss issues relating to the land to be dedicated to the DPR and stormwater management.

b. Consider the stormwater management facilities proposed;

Comment: In a memorandum dated November 23, 2011, DPW&T stated that the proposed site development is consistent with approved Stormwater Management Concept Plan 36059-2005-02, dated June 22, 2011. Through the review of the subject project, there has been much discussion regarding the design of a stormwater management pond on park land. Discussion of that pond, however, is more appropriate during the review of SDP-1003, Smith Home Farms, Sections 1a, 1b, 2, and 3, when the timing will be established for the design of the SDP for the central park and during the Planning Board's review of that SDP.

c. Include all land necessary to accommodate the proposed grading for stream restoration;

Comment: A condition below would require that the applicant include, at the time of approval of the SDP for the relevant phase of development, the proposed grading for stream restoration.

d. Address all of the stream systems on the site as shown on the submitted Stream Corridor Assessment and provide a detailed phasing schedule that is coordinated with the phases of development of the site;

Comment: In a memorandum dated January 11, 2012, the Environmental Planning Section stated that the subject limited SDP for stream restoration shows the main channel and tributaries of Cabin Branch, but noted that recommended stream restoration work did not in all cases fall within an identified phase. A condition below would require that, prior to certification, the applicant shall revise the overall phasing plan so that restoration for Stream Reaches 1-2, 3-4, and 7-2 are located within only one phase.

e. Be developed using engineering methods that ensure that the stream restoration measures anticipate future development of the site and the addition of large expanses of impervious surfaces;

Comment: A recommended condition below requires that each detailed stream restoration plan be developed using engineering methods that ensure that the stream restoration measures anticipate future development of the site and the addition of large expanses of impervious surfaces.

f. Identify what areas of stream restoration will be associated with future road crossings, stormwater management, and utility crossings; and identify areas of stream restoration that are not associated with future road crossings, stormwater management and utility crossings that have an installation cost of no less than $1,476,600 which reflects the density increment granted in the M-R-D portion of the project (see Finding No. 8, 15 of CDP-0504).

Comment: Per a recommended condition below, areas of stream restoration to be associated with future road crossings, stormwater management, and utility crossings shall be identified in the specific design plans to be approved for the lotting out of the various sections of Smith Home Farms; and revision of SDP-1002 will be required if the above-identified items significantly alter the concept plan for stream restoration established through the subject approval. A recommended condition below states that, should the required minimum of $1,476,600 in stream restoration not be met upon completion of all priority areas, other locations on the site shall be selected as necessary to meet the minimum, the plan shall be revised as necessary to show the additional site(s) as priority areas, and the stream restoration for those sites shall be implemented with all other conditions of approval of this request.

The other conditions of the preliminary plan of subdivision are more relevant to future Smith Home Farms specific design plan applications that involve the lotting out of the various sections of the development.

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

a. The subject SDP is limited to issues regarding how the development impacts streams on the subject site and restoration measures to be undertaken as part of the project, and is therefore consistent with Sections 27-274(a)(7), 27-507, 27-508, and 27-509 of the Zoning Ordinance governing development in the R-M Zone and with Sections 27-494, 27-495, and 27-496 of the Zoning Ordinance governing development in the L-A-C Zone.

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

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

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

Comment: As discussed previously, the subject SDP is limited to issues regarding how the subject development impacts streams on the subject site and restoration measures to be undertaken as part of the subject project. Only those regulations and standards that are applicable should be considered in the review of this SDP. The subject SDP proposes a stream restoration plan that is consistent with approved Comprehensive Design Plan CDP-0501. The 2010 *Prince George's County Landscape Manual* is not applicable in this SDP.

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

Comment: The subject SDP is limited to issues regarding how the subject development impacts streams on the subject site and restoration measures to be undertaken as part of the subject project. As no development will result from the subject SDP, this required finding is inapplicable to the subject SDP.

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

Comment: The Department of Public Works and Transportation (Abraham to Grover, November 23, 2011) has stated that the proposal is consistent with the approved stormwater management concept plan. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

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

Comment: Condition 56 of the approval of Preliminary Plan of Subdivision 4-05080 and Condition 2 of the approval of Specific Design Plan SDP-0502 state that there will not be a separate Type II tree conservation plan (TCPII) for the stream restoration work; it shall be addressed with each phase of development that contains that area of the plan. It also requires that each subsequent SDP and associated TCPII revision shall reflect the stream restoration work for that phase and that, as each SDP is designed, it shall include the detailed engineering for the stream restoration for that phase. Therefore, conformance with an approved tree conservation plan will be ensured in each stage of development of the Smith Home Farms project.

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

Comment: The very nature of the subject specific design plan for stream restoration efforts on the subject site ensures that streams, the regulated environmental feature in question, shall be preserved and/or restored in a natural state to the fullest extent possible. Preservation and/or restoration of other regulated environmental features on the site shall be ensured as subsequent specific design plans are approved for the various sections of the subject development.

11. **Woodland Conservation and Tree Preservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet; there are more than 10,000 square feet of existing woodland on-site; and there is a previously approved Tree Conservation Plan, TCPI/38/05.

    a. A Type I Tree Conservation Plan, TCPI/38/05, was approved with conditions with Comprehensive Design Plan CDP-0501 for the entire Smith Home Farms. Type I Tree Conservation Plan TCPI/38/05/01 was approved with Preliminary Plan of Subdivision 4-05080.

    b. A Type II Tree Conservation Plan, TCPII/57/06, was approved with conditions with SDP-0502 for infrastructure that covers a very limited part of the Smith Home Farms project around the two segments of two major roadways.

    A separate TCPII is not required to be approved together with the subject SDP, but will be required to be approved together with SDPs for the lotting out and development of the various individual sections of the development.

    Therefore, it may be said that the subject project conforms to the degree necessary to the Woodland Conservation and Tree Preservation Ordinance.

12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

    a. **The Community Planning South Division** (Carlson-Jameson to Grover, January 10, 2012) indicated that they had no comment on the subject project.

    b. **The Transportation Planning Section** (Burton to Grover, December 21, 2011) stated that they found the plan to be acceptable from a transportation perspective.

    c. **The Environmental Planning Section** (Shoulars/Vance to Grover, January 11, 2012) stated that they had reviewed the revised plans for SDP-1002, Smith Home Farms Stream Restoration, and recommend approval subject to conditions. As background, they offered the following:

    The Environmental Planning Section previously reviewed the subject property for a Water and Sewer System Area Change Request, 04/W-10, as an application for rezoning from the R-A Zone to the R-M and L-A-C Zones, Zoning Map Amendments A-9965 and A-9966, Natural Resources Inventory NRI/006/05, Comprehensive Design Plan CDP-0501, Preliminary Plan of Subdivision 4-05080, and Specific Design Plan

SDP-0506. The current application is for the approval of a stream restoration plan as required by Condition 56 of PGCPB Resolution No. 06-64(A) for the approval of 4-05080.

The Environmental Planning Section offered the following description of the site:

The site is located south of Westphalia Road (C-626) on the east and west sides of Melwood Road. The property is subject to the Woodland Conservation Ordinance because it is more than 40,000 square feet in total area and contains more than 10,000 square feet of woodland. A Type I Tree Conservation Plan (TCPI/38/05) was previously approved for the site. According to the *Prince George's County Soil Survey,* the principal soils on this site are in the Adelphia, Bibb, Collington, Mixed Alluvial, Sandy land steep, Sassafras, and Westphalia soil series. According to available information, Marlboro clay occurs on this property in and around the floodplain for Cabin Branch, a tributary of Western Branch. Streams, wetlands, and floodplain associated with the Cabin Branch and Western Branch watersheds of the Patuxent River basin occur on the property. Although there are no nearby traffic-generated noise sources, most of this property is located within the 65 dBA Ldn noise contour associated with aircraft flying into and out of Andrews Air Force Base. Melwood Road is a designated scenic and historic road that bisects this property. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program.

See Finding 8 for a discussion of environmentally-related Condition 1 of the CDP. See Finding 9 for a discussion of environmentally-related Condition 56 of the approval of Preliminary Plan of Subdivision 4-05080.

The Environmental Planning Section concluded that the priority areas for stream restoration are Stream Reaches C-1, 1-2, 3-4, 6-2, 7-2, and 7-5, as identified in the stream restoration plan prepared for the subject project.

The Environmental Planning Section then recommended the inclusion of six conditions in the approval of the subject case. Those conditions may be found in the Recommendation section of this report.

d. **Trails** (Shaffer to Grover, December 5, 2011) indicated they had reviewed the subject specific design plan for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements. The subject property consists of approximately 757 acres of land in the R-M and L-A-C Zones. The property is located within the Westphalia Town Center and is bounded by the core of the town center to the south and properties approved for residential development to the north. The applicant has recently had approved by Planning Board a variety of conditions from previously approved CDP-0501-01, which is in the District Council call up/appeal period and so has not yet been certified. Several other concurrent applications are also in the development review process. Specific Design Plan SDP-0506-02 is a revision to the alignment of two roadways on the site and SDP-1003 proposes 1,080 units of single-family attached and detached units and attendant recreational facilities.

The trails coordinator offered the following review comments regarding master plan compliance and prior approvals:

Both approved SDP-0506 (PGCPB Resolution No. 06-192) and approved 4-05080 (PGCPB Resolution No. 06-64(A)) contained conditions of approval requiring the stream restoration study. Condition 2 of the SDP and Condition 56 of the preliminary plan included specific requirements for the study. See Finding 9 for the wording of this condition.

The conditions of approval requiring the stream restoration study do not specifically mention or reference the planned stream valley trail along Cabin Branch. However, the prior approvals require the construction of a stream valley trail. These conditions from the approved CDP and preliminary plan are copied below.

The site is subject to previously approved CDP-0501 (PGCPB Resolution No. 06-56), which included several conditions related to bicycle and pedestrian facilities. These conditions of approval are reiterated below:

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

f. 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 shall be provided from the stream valley trail to adjacent residential development as shown on the CDP.

g. A trailhead facility for the Cabin Branch Trail.

Subsequently, approved 4-05080 (PGCPB Resolution No. 06-64) further refined these recommendations to include the following connections on the subject site.

13. The applicant, his heirs, successors and/or assignees shall 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. Timing for the construction shall be determined with the appropriate SDP. Connector trails should be provided from the stream valley trail to adjacent residential development as shown on the approved CDP-0501.

15. The applicant, his heirs, successors and/or assignees shall provide:

a. The Cabin Branch Trail from P-615 to the proposed trail east of Road RR. This connection will allow for a continuous stream valley trail through the site and extend the Cabin Branch Trail Road W. If feasible, the stream crossing should correspond with the construction required for Stormwater Management Pond Number 4 (access road and outfall) in order to minimize impacts to the PMA.

d. Provide a six-foot wide asphalt trail connector from Road FF to the Cabin Branch Trail. This trail may utilize a portion of the access road for SWM Pond number 19.

e. Provide a six-foot wide trail connector from Road YY to the Cabin Branch Trail. This connection shall, unless another location is determined appropriate, be located between Lots 33 and 34, Block H within a 30-foot wide HOA access strip.

20. A trailhead facility for the Cabin Branch Trail shall be considered at the time of review of the appropriate SDP. A trailhead could be appropriate either in the central park or along Cabin Branch in the vicinity of the site access point from Presidential Parkway. Additional dedication may be required to ensure that the master plan trail is located on public lands and not on private homeowners open space. If unavoidable, that portion of the master plan trail located on HOA land shall be placed in a public use trail easement, and reflected on the final plat. All trails shall be located on an approved SDP prior to final plat.

36. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR for trails on M-NCPPC parkland.

Comment: The conditions of approval requiring the stream restoration plan do not specifically mention the stream valley trail. However, the provision of this master plan facility should be considered and incorporated into the restoration plan. The master plan trail and appropriate connector trails should be reflected on the limited SDP and the restoration efforts will have to work around this master plan trail. Also, Condition 36 requires that the trail have dry passage through the use of boardwalk and bridges, where appropriate. Boardwalk or bridge construction that is incorporated into the trail should be designed to minimize environmental impacts and support the restoration measures.

Conclusion
In conformance with the *Approved Westphalia Sector Plan and Sectional Map Amendment, Approved Countywide Master Plan of Transportation,* and previously approved CDP-0501 and 4-05080, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

The limited SDP for stream restoration should be revised to reflect the location of the master plan trail and all associated connector trails. Boardwalk or bridge construction that is incorporated into the trail should be designed to minimize environmental impacts and support the restoration measures.

Comment: The condition suggested by the trails coordinator has been included in the Recommendation section of this report.

e. **The Permit Review Section** (Linkins to Grover), in a memorandum dated January 10, 2012, stated that no zoning issues are apparent in this limited specific design plan for stream restoration.

f. **The Department of Parks and Recreation** (DPR) (Asan to Grover, December 22, 2011and January 9, 2012) offered the following findings regarding the subject SDP:

Specific Design Plan SDP-1002 identifies areas proposed for stream restoration and proposes methods for stream restoration within designated areas. DPR staff reviewed the submitted plans and determined that the majority of the stream restoration areas (approximately 90 percent) are shown on land to be dedicated for the central park site. This proposal is in conflict with the previously approved central park concept plan which was approved as part of CDP-0501 plans in 2007.

The Westphalia Sector Plan (CR-2-2007) (the sector plan) designates the Westphalia central park as a regional draw and icon for Westphalia. The sector plan envisions a lake or other water element as its central feature of the park. The sector plan proposes that the park include active and passive recreational facilities such as a tennis center, an amphitheater, a water activity center, a restaurant with a patio, a multi-station playground, a skate park, a splash park, sport fields and courts, a dog park, pedestrian, bicycle and equestrian trails, and other similar features.

The sector plan provides a strategy for the development of a comprehensive public facilities plan that includes detailed recommendations for financing mechanisms, phasing, construction, and maintenance of the proposed park facilities. The sector plan recommends that a park fee of $3,500 per new dwelling unit (in 2006 dollars) be assessed to pay for the construction of the public park facilities. In addition, the sector plan provides for the formation of a multi-agency public/private work group to implement the vision for the Westphalia central park on an expedited basis.

The central park recreational facilities were described on a concept plan for development of same was financed by the developers of the Smith Home Farms and Woodside Village projects (GB Development and Toll Brothers) in 2006 and approved as part of CDP-0501. The concept plan was prepared by Alex Garvin and Associates, Inc., a renowned firm specializing in urban park design. The plan depicted a 179-acre central park containing a 36-acre in-stream lake surrounded by recreational facilities. The proposed recreational facilities included:

A waterfront activities center;
Overlook/picnic areas;
A restaurant;
An adventure playground;
A tennis center;
An amphitheater;
A recreation center;
A skate park;
Picnic areas; and
An extensive trail network.

The central park also includes an environmental setting for the Blythewood historic site. In 2007, in order to determine the feasibility of constructing the 36-acre in-stream lake as depicted in the central park concept plan, DPR hired Bray Hill LLC and Versar, Inc. to conduct a lake feasibility study. This study concluded that a lake in the Cabin Branch stream valley, which runs through the Smith Home Farms property, is viable. However,

due to the complex and long process involved in obtaining the necessary state and federal approvals for an in-stream lake, DPR hired the URS Corporation in 2009 to provide design and engineering services related to the proposed lake and to obtain construction permits from the Army Corps of Engineers and the Maryland Department of the Environment (MDE). The consultant is in the process of preparing plans for submission to MDE and the Army Corps of Engineers for review and approval. The primary goals of the project are to restore the Cabin Branch stream habitat, enhance the natural features of the stream valley, and provide a recreational amenity for the park. The projected scope of work will include any stream restoration required by MDE and the Army Corps of Engineers associated with the in-stream lake construction in the park.

DPR then offered the following commentary on the indicated prior conditions of approval:

> Condition 1(m) of the approval of CDP-0501: "Prior to certificate approval of the CDP and prior to submission of any SDP, the applicant shall submit a concept plan for the central park and a list of proposed recreational facilities to be reviewed and approved by the Planning Board, or its designee. Final park design will be finalized with the approval of a special purpose SDP for the central park.

The concept plan for the central park has been approved by DPR and the Planning Board as part of the certification of CDP-0501.

Comment: See Finding 9 for the exact wording of Condition 56 of the approval of 4-05080.

DPR staff has reviewed the submitted SDP-1002 plans and finds that approximately 90 percent (36 acres) of the stream restoration is proposed on the dedicated land for the central park and located in the area of the proposed 36-acre in-stream lake. This proposal is in conflict with approved CDP-0501 plans. The applicant is not taking into consideration the previously approved plans for the central park and the vision of the Westphalia Sector Plan for a lake or other water element as its focal feature of the park. DPR is committed to the vision of the Westphalia Sector Plan and the approved central park concept plan. DPR recognizes the challenges associated with the in-stream lake permits, but remains committed to the in-stream lake design and will submit the necessary plans to MDE and the Army Corps of Engineers for permitting. We believe that the MDE and Army Corps of Engineers will recognize the regional significance of the lake in this project and support its construction in this location in Prince George's County.

DPR is also committed to the stream restoration on dedicated parkland as part of the lake design and construction. The plan for stream restoration outside of the lake will be developed as part of the lake design project and submitted to MDE and the Army Corps of Engineers for their approval. In our (DPR's) opinion, the applicant should recognize the vision of the Westphalia Sector Plan and take appropriate steps in designating other areas within the project eligible for the stream restoration.

DPR has invested considerable time and effort and made substantial financial investment in the lake design. In our (DPR's) opinion, it would be inappropriate to propose stream restoration in the area designated for the lake prior to completion of the lake design and the subsequent review by MDE and the Army Corps of Engineers.

The 36-acre in-stream lake is a core element of the currently approved concept plan for the central park. If MDE and the Army Corps of Engineers are reluctant to grant a permit for construction of the in-stream lake in the central park, the park concept plan will require a major redesign. If an alternative plan for the central park is developed without an in-stream lake, then DPR will work with the applicant and consider the stream restoration work on the park property.

Comment: DPR recommended a single condition of approval that, prior to signature approval, the applicant shall revise the plans to remove all proposed stream restoration areas from the land to be dedicated for the central park. Revised plans received since the date of DPR's above-mentioned comments still show stream restoration efforts moved on parkland. Therefore, staff has included DPR's recommended condition in the Recommendation section of this technical staff report.

DPR offered a second memorandum on the subject project dated January 9, 2012, including issues relating to the design and construction of the central park to be located on a portion of land to be dedicated by the applicant. It has been determined that the details of the design and construction of the central park should more appropriately be dealt with in SDP-1003, Smith Home Farms, Sections 1a, 1b, 2, and 3, as this application is not limited to a singular purpose and was accepted prior to SDP-1002. Specific Design Plan SDP-1003 is scheduled for a February 16, 2012 Planning Board public hearing.

g. **The Public Facilities Planning Section** (Osei to Grover, January 12, 2012) verbally indicated that, as the SDP did not involve the creation of any residential units or commercial or industrial square footage, the evaluation of availability of public facilities was not germane to the analysis of the project.

Comment: Urban Design is in agreement with this determination.

h. **The Department of Public Works and Transportation** (DPW&T) (Abraham to Grover, November 23, 2011) indicated that:

The SDP is consistent with approved Stormwater Management Concept Plan 36059-2005-02 dated June 22, 2011;

That all proposed development is required to provide flood control measures to mitigate any flooding problem;

That stormdrain and stormwater technical approval is required prior to permit issuance;

That site, stream buffer, culvert design, and site improvements within the floodplain should be designed in accordance with DPW&T requirements; and

That all stormwater management facilities/drainage systems, including recreational features, visual amenities, and facilities are to be constructed in accordance with DPW&T specifications and standards.

Comment: DPW&T's comments are more germane to the review of SDP-1003 for Sections 1a, 1b, 2, and 3 of the Smith Home Farms project and will be considered in its analysis in preparation for a February 16, 2012 Planning Board hearing.

i. **The State Highway Administration (SHA)** (Katzenberger to Grover, December 12, 2011) indicated that they would not be commenting on the stream restoration SDP for Smith Home Farms.

j. **The Washington Suburban Sanitary Commission (WSSC)** (Mejias to Grover, December 28, 2011), in a combined memorandum for SDP-1003 and the subject SDP, offered numerous comments regarding provision of water and sewer service to the property.

Comment: None of the offered comments, however, is relevant to the subject SDP and with therefore be utilized in the analysis of SDP-1003, currently scheduled for a Planning Board hearing on February 16, 2012.

k. **Verizon** (Thompson to Grover, January 11, 2012) stated that they do not believe that stream restoration efforts will have any effect on Verizon's facilities.

l. **The Potomac Electric Power Company (PEPCO)** (Zellmer to Grover, January 11, 2012) stated that they require a ten-foot easement along all ingress and egress accesses.

Comment: The subject SDP is for stream restoration purposes only and does not include the placement or design of any rights-of-way.

m. **The Westphalia Sector Development Review Council—**At the time of this writing, staff has not received comment on the subject project from the Westphalia Sector Development Review Council.

n. **The Prince George's County Health Department** (Hoban to Grover, January 11, 2012) indicated that they had no comments on the subject project.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Specific Design Plan SDP-1002 for Smith Home Farms Stream Restoration, subject to the following conditions:

1. Prior to certificate approval of this SDP, the applicant shall revise the plans for the project as follows:

   a. Show Stream Reaches 1-2, 3-4, and 7-2 as priority areas for restoration. Identify the approximate land area necessary for the associated grading.

   b. Revise all charts and information as necessary.

   c. Remove Stream Reaches 7-6, C-6, and C-7 as priority areas.

d. Provide two additional columns in the stream restoration chart that include:

(1) a column for the estimated cost for the restoration of each stream segment, with the cost typed in; and

(2) a column for the actual cost (to be typed in upon completion of each restoration project).

e. The applicant shall revise the plans to remove all proposed stream restoration areas from the land to be dedicated for the central park.

f. The applicant shall ensure that the subject plan conforms in all respects to the final approving Prince George's County Planning Board resolution or District Council order and the certified plans for Comprehensive Design Plan CDP-0501-01, Smith Home Farms.

g. The phasing plan for the overall site shall be revised such that the areas of restoration for Stream Reaches 1-2, 3-4, and 7-2 are within only one phase.

h. The limited specific design plan for stream restoration shall be revised to reflect the location of the master plan trail and all associated connector trails. Boardwalk or bridge construction that is incorporated into the trail shall be designed to minimize environmental impacts and support the restoration measures. Location of the master and connector trail and design of any boardwalks, bridges, or underpasses shall be approved by the trails coordinator and the Environmental Planning Section as designees of the Planning Board.

2. Prior to certification of the site development plan for the each phase containing priority areas of stream restoration, a detailed stream restoration plan for that area shall be certified. Each plan shall be developed using engineering methods that ensure that the stream restoration measures anticipate future development of the site and the addition of large expanses of impervious surfaces.

3. Prior to issuance of the first building permit for each individual phase/section of development containing Stream Reaches C-1, 1-2, 3-4, 6-2, 7-2, and 7-5, the stream restoration for all reaches located within that individual phase/section shall be completed. Evidence of completion including a summary of all work performed and photographs shall be submitted to and approved by the Environmental Planning Section, following a confirmatory site visit by an Environmental Planning Section staff member.

4. Should the required minimum $1,476,600 expenditure in stream restoration efforts not be met upon completion of work on the identified priority areas (C-1, 1-2, 3-4, 6-2, 7-2 and 7-5), the subject specific design plan (SDP) shall be revised and additional priority area(s) recommended as necessary so as to meet the minimum required expenditure. The applicant shall be required to undertake stream restoration efforts specified in the revision approval in accordance with all other requirements of the SDP approval, until such time as the required minimum expenditure is met.

5. Prior to issuance of any grading permits, all specific design plans (SDPs) for the Smith Home Farms project shall be revised to conform to the certified stream restoration SDP.

6. Prior to acceptance of all specific design plans (SDPs) for each section of development of Smith Home Farms, a separate Type II tree conservation plan for that area of the plan shall be submitted. Both shall conform to the certified stream restoration SDP and contain detailed engineering for the stream restoration for that phase.

7. Prior to approval of each individual specific design plan for the lotting out of the various sections of Smith Home Farms, areas of stream restoration to be associated with future road crossings, stormwater management, and utility crossings shall be identified. Should the above-identified items significantly alter the concept plan for stream restoration established though the subject application, as judged by the Environmental Planning Section as designee of the Planning Board, revision of SDP-1002 shall be required.