

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on September 30, 3021, regarding Specific Design Plan SDP-1901 for Preserve at Westphalia, the Planning Board finds:

- Request:** This application requests approval of a specific design plan (SDP) for development of a residential community of 189 single-family attached and 103 single-family detached dwelling units.
- Development Data Summary:**

| | EXISTING | APPROVED |
|-----------------------------|-----------------|-------------------------------------|
| Zones | L-A-C/R-M | L-A-C/R-M |
| Use | Vacant | Single-family Detached and Attached |
| Gross Total Acreage | 63.66 | 63.66 |
| R-M Zone | 44.21 | 44.21 |
| L-A-C Zone | 19.45 | 19.45 |
| Total Dwelling Units | 0 | 292 |
| Single-Family Detached | 0 | 103 |
| Single-Family Attached | 0 | 189 |

PARKING

| | REQUIRED | APPROVED |
|--|-----------------|-----------------|
| 103 Single-family detached units @ 2.0/unit | 206 | 412 |
| 189 Single-family attached units @ 2.04/unit | 386 | 537 |
| Surface parking | - | 177* |
| Total | 592 | 1,266 |

Note: *Total surface parking includes two handicapped-accessible spaces, 45 standard perpendicular spaces, and 130 standard parallel spaces.

- Location:** The subject site is located in the northwest quadrant of the intersection of Westphalia Road and Ritchie Marlboro Road. The subject property is in Planning Area 78 and Council District 6.

4. **Surrounding Uses:** The subject site is bound to the north by existing residential development in the Residential Estate (R-E) and Residential Medium Development (R-M) Zones, to the west by largely undeveloped land in the R-M and Local Activity Center (L-A-C) Zones, to the south by the right-of-way of Westphalia Road, with agricultural and residential development in the R-E and R-M Zones beyond, and to the east by the right-of-way of Ritchie Marlboro Road, with residential development in the R-E Zone beyond.
5. **Previous Approvals:** The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA) rezoned the subject property from the Residential-Agricultural (R-A) Zone to the R-M and L-A-C Zones.

On July 26, 2018, the Prince George's County Planning Board approved Comprehensive Design Plan CDP-1701 (PGCPB Resolution No. 18-71) for development of the subject site with a range of 235–330 residential dwelling units and 12,500 square feet of commercial development. The Planning Board's decision was appealed on September 4, 2018, and the Prince George's County District Council affirmed the Board's decision on October 23, 2018, subject to seven conditions. The CDP approved a base density of development for the R-M-zoned property of 101 dwelling units; and 147 single-family attached dwelling units, 22 single-family detached dwellings units, and 12,500 square feet of commercial development for the L-A-C-zoned portion of the property.

On June 18, 2020, the Prince George's County Planning Board approved Preliminary Plan of Subdivision PPS 4-17034 (PGCPB Resolution No. 2020-94), subject to 30 conditions. This approval provided for 292 lots and 25 parcels for 184 single-family attached units (36 units in the R-M Zone and 148 units in the L-A-C Zone) and 108 single-family detached units (96 units in the R-M Zone and 12 units in the L-A-C Zone). A variance to Section 27-480(d) of the Prince George's County Zoning Ordinance was approved to allow 45 percent of the townhouse groupings to exceed 6 units and to allow three groupings of more than 9 units (not to exceed 10 units). A variance to Section 25-122(b)(1)(g) of the Woodland Conservation Ordinance was approved to allow for the removal of one specimen tree. A variation was approved from Section 24-128(b)(7)(A) of the Prince George's County Subdivision Regulations to allow 137 townhouse lots to be served by alleys without frontage on a public street.

6. **Design Features:** The subject SDP is for the residential development of a 63.66 site that is dual zoned, with 44.21 acres in the R-M Zone and 19.45 acres in the L-A-C Zone. The existing site includes a single-family dwelling and farm structures in its southeastern quadrant and an historic structure, the Talburt Tobacco Barn (PG 78-9) in its southwestern quadrant. The southern two-thirds of the existing site is in agricultural use and the northernmost section is wooded.

A total of 292 dwelling units are proposed, consisting of 189 single-family attached units and 103 single-family detached units. Within the L-A-C Zone, 160 units are proposed, with a residential density of 8.23 units per acre. Within the R-M Zone, 132 units are proposed, with a residential density of 2.99 units per acre. Most units in the L-A-C Zone will be single-family attached (townhouses), and most units in the R-M Zone will be single-family detached.

The Talburtt Tobacco Barn is shown as retained on a proposed parcel. Parcel 2, shown directly south of the barn and adjacent to Westphalia Road, is reserved for future commercial development, which will be the subject of a future SDP.

A system of public and private streets and private alleys is provided to serve the development. Three points of access (public rights-of-way) are proposed, one to Ritchie Marlboro Road to the east, a second at the site's southwestern corner, and a third near the southeastern corner to Westphalia Road. In the northern portion of the site, proposed streets end in a series of four culs-de-sac, due to the presence of environmental features. Along the western lot line, three future roadway connections are shown to the property to the west. Sidewalks are provided along both sides of all public and private streets and through open spaces. Parking for residents and visitors is provided in appropriate locations throughout the development and sufficient lighting is shown for all streets and alleys. Five recreational facilities are provided, with most spread in a north-south arrangement in the central portion of the site. These facilities include a clubhouse area with a playground, and outdoor dining and gathering spaces, a green gathering space with an orchard, a stormwater park, a gazebo overlook park, and a lookout area. Amenities include, but are not limited to, seating areas, picnic tables, decks, doggie clean-up stations, and open spaces. The value of recreational amenities proposed exceeds the minimum amount required for the fulfillment of mandatory parkland dedication through the provision of private, on-site recreational amenities. Monument signs are proposed at the three entrances to the site, with smaller tertiary entrance monuments shown streetside in limited locations within the development. A signage area table was not provided with the SDP and a condition is included herein for its inclusion to demonstrate conformance with Part 12 of the Zoning Ordinance.

Five single-family attached and twelve single-family detached Stanley Martin Homes models are proposed, as follows:

Single-family attached (townhouse) models

| Model | Width (feet) | Garage | Base Finished Area (sq. ft.) |
|---------|--------------|---------------------|------------------------------|
| Hugo | 16 | 1-car, rear-loaded | 1,643 |
| Jenkins | 20 | 2-car, rear-loaded | 1,943 |
| Delilah | 22 | 2-car, rear-loaded | 2,150 |
| Louisa | 22 | 2-car, front-loaded | 2,201 |
| Everett | 24 | 2-car, front-loaded | 2,412 |

Single-family detached models

| Model | Width (feet) | Garage | Base Finished Area (sq. ft.) |
|--------------|--------------|--------|------------------------------|
| Lexington | 44 | 2-car | 4,264 |
| Chatham | 50 | 2-car | 2,821 |
| Elizabeth | 40 | 2-car | 2,616 |
| Sawyer | 42 | 2-car | 2,461 |
| Breckenridge | 54 | 2-car | 3,384 |
| Pearson | 40 | 2-car | 3,184 |
| Sterling | 54 | 2-car | 4,023 |
| Finn | 42 | 2-car | 3,643 |
| Jocelyn | 42 | 2-car | 3,150 |
| Peyton | 54 | 2-car | 3,065 |
| Scarlett | 42 | 2-car | 3,087 |
| Sienna | 42 | 2-car | 3,312 |

Architectural elevations provided show a variety of colors, textures and materials, setbacks, and other treatments to enhance visual appeal incorporated into the façade designs of all proposed models. Enhanced treatments are provided for sidewalls of highly visible units and those identified as visible in gateway locations. Multiple options to customize home models are available and include decks, various small additions, and architectural enhancements. The 16- and 20-foot-wide townhouse units offer standard rear decks.

7. **Approved Zoning Change 9 of the Sectional Map Amendment/Sector Plan Development Concept 4: The Villages at Westphalia in the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment:** The larger basic plan property of approximately 223.5 acres, which consists of 183.5 acres in the R-M Zone and 40 acres in the L-A-C Zone, including the subject site, was rezoned to the L-A-C and R-M Zones from the R-A Zone by the Westphalia Sector Plan and SMA. Sector Plan Development Concept 4 (page 106) serves as the basic plan for the property. The specific land use types, development quantities, and densities for each zone are stated in Approved Zoning Change 9 of the SMA (page 91), as follows:

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

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

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

Residential—712 units

Age-Restricted Community—160 units

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

L-A-C (Neighborhood) Zone: Approximately 40 acres

Residential—Approximately 12 acres

Residential—320 units

Commercial/Retail (including live/work)—25,000 square feet GFA

Country Inn—40,000 square feet GFA

Comprehensive Design Plan Review Considerations:

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

The basic plan (Development Concept 4 in Appendix 1) calls for a mix of residential and commercial uses interspersed between a host of amenities along a major collector roadway, and a gateway entrance at the southeastern edge of the site. The subject SDP application proposes 292 single-family detached and single-family attached units, and approximately one acre of the L-A-C-zoned property as a potential location for future commercial/retail uses, in conformance with the above.

- 8. Prince George’s County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-M and L-A-C Zones of the Zoning Ordinance.
- a. The subject application is in conformance with the applicable requirements of Section 27-507, Purposes; Section 27-508, Uses; and Section 27-509, Regulations, of the Zoning Ordinance, governing development in the R-M Zone.
 - b. The subject application is in conformance with the applicable requirements of Section 27-494, Purposes; Section 27-495, Uses; and Section 27-496, Regulations, of the Zoning Ordinance, governing development in the L-A-C Zone.
 - c. Section 27-528 of the Zoning Ordinance sets forth the following criteria for approval of an SDP:
 - (a) Prior to approving a Specific Design Plan, the Planning Board shall find that:**

- (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

The subject plan conforms to the requirements of CDP-1701 discussed in Finding 9 below, and the 2010 *Prince George's County Landscape Manual* (Landscape Manual) requirements, as detailed in Finding 11.

Section 27-274(a)(1)(B) of the Zoning Ordinance requires an applicant to provide justification for reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings, but the subject application complies with all of the applicable design guidelines for townhouses in Section 27-274(a), as follows:

- (A) **Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.**

Townhouse development is proposed within an existing cleared agricultural field. There are no small groups of mature trees to retain. In addition, a variance for the removal of one specimen tree from the site was approved with PPS 4-17034. As most townhouses in the proposed development have rear-loaded garages, buildings containing townhouses are generally separated by alleys.

- (B) **Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban**

environment, consideration should be given to fronting the units on roadways.

Townhouse groupings are not arranged in long, linear strips. The SDP site layout shows townhouse groupings arranged at appropriate angles to one another and separated by alleys and open spaces. Multiple groups of townhouses are arranged to front on open space areas.

- (C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.**

Recreational facilities are separated from dwelling units by roadways and landscape buffering, or the fronts of units face the facilities.

- (D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.**

Townhouse units include a variety of architectural elements and features to convey the individuality of each unit. A variety of materials, colors and textures, window and door treatments, varied roofline, and projections are incorporated into the design of the units.

- (E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.**

The rears of all townhouse units in this SDP face private streets and alleys or the rear of other residential units. There are no townhouse units with rears facing a public right-of-way or parking lot. The SDP conforms with this requirement.

(F) Attention should be given to the aesthetic appearance of the offsets of buildings.

The submitted plan shows a two-foot offset between units in all buildings, in conformance with this requirement.

The applicable regulations for townhouses set forth in Section 27-433(d) of the Zoning Ordinance are as follows:

(1) All dwellings shall be located on record lots shown on a record plat.

The proposed townhouses are shown on lots that are required to be recorded on a plat, prior to issuance of permits.

(2) There shall be not more than six (6) nor less than three (3) dwelling units (four (4) dwelling units for one-family attached metropolitan dwellings) in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.

The Planning Board approved a variance to Section 27-480(d) with the PPS to allow 45 percent of the townhouse groupings to exceed 6 units and to allow three groupings of more than 9 units (not to exceed 10 units).

(3) The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet for townhouses, and twenty-two (22) feet for one-family attached metropolitan dwellings. Attached groups containing units all

the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.

Five different townhouse units are proposed with widths of 16, 20, 22, and 24 feet, in conformance with the design standards approved with the CDP and PPS. Approximately 16 percent of the units are proposed to be 16 feet wide, 42 percent 20 feet wide, 35 percent 22 feet wide, and 6 percent 24 feet wide. In general, groupings of townhouse units include a mix of wider end units and slimmer interior units. The Planning Board finds the widths of townhouse units and their arrangement within groups to be acceptable.

- (4) The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet for townhouses, and two thousand two hundred (2,200) square feet for one-family attached metropolitan dwellings.**

The minimum gross living space proposed for the townhouses is 1,643 square feet, in conformance with this requirement. There are no one-family attached metropolitan dwellings proposed with this SDP.

- (5) Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwalls treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.**

All townhouse models include architectural features on side, and rear walls with end walls including at least two architectural features. Additional treatments, including the use of brick or stone, are provided for highly visible end walls, as required.

- (6) Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco.**

Exposed foundation walls of unclad or unfinished concrete are prohibited.

Exposed foundation walls of unclad or unfinished concrete are not visible on architectural plans for the townhouse units. In general, the lower portions of the townhouse units are clad with finish materials that are the same or complimentary to materials utilized on the primary façade, including brick, stone, or siding.

- (7) **A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one “front.”**

The submitted SDP amendment includes notes and a tracking chart regarding the requirement for 60 percent of the townhouse units to have a full-front façade of brick, stone, or stucco.

- (8) **One-family attached metropolitan dwellings shall be designed with a single architecturally integrated “Front Wall.” A minimum of one hundred percent (100%) of the “Front Wall”, excluding garage door areas, windows, or doorways shall be constructed of high-quality materials such as brick or stone and contain other distinctive architectural features.**

The proposed units are not one-family attached metropolitan dwellings.

- (1.1) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

The SDP does not contain property designated as a regional urban community.

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided as part of the private development or, where authorized pursuant to Section 24 124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

The Planning Board's approvals of CDP-1701 in 2018 and PPS 4-17034 in 2020 included appropriate conditions addressing transportation adequacy.

The proposed development was reviewed at the time of PPS approval for adequacy of police services, in accordance with Section 24-122.01(c) of the Subdivision Regulations. The subject property is in Police District 2, Bowie. The response standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The test is applied on the date the application is accepted or within the following three monthly cycles, pursuant to Section 24-122.01(e)(2). The times are based on a rolling average for the preceding 12 months. The application was accepted by the Prince George's County Planning Department on June 21, 2021.

The response time standards of 10 minutes for priority calls and 25 minutes for nonpriority calls were met in the first monthly cycle following acceptance. Pursuant to Prince George's County Council Resolution CR-69-2006, the County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The police chief has reported that the department has adequate equipment to meet the standards stated in Prince George's County Council Bill CB-56-2005.

The SDP was also reviewed for adequacy of fire and rescue services, in accordance with Section 24-122.01(d). The response time standard established by Section 24-122.01(e) is a maximum of 7-minutes travel time from the first due station. The Prince George's County Fire and EMS Department indicated that the site is within the 7-minute travel time standard from Fire EMS Station 837 Ritchie.

(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;

Technical stormwater management (SWM) design is subject to approval by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). A SWM Concept Approval Letter and Plan, 43456-2017-01, was approved on August 10, 2021, and is valid through August 10, 2024. 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 Type 2 Tree Conservation Plan; and

The Environmental Planning Section determined that the proposed development is in conformance with Type 2 Tree Conservation Plan TCP2-019-2021, submitted with the current application, subject to several technical corrections, as conditioned herein.

(5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

The regulated environmental features on the subject property have been preserved to the fullest extent possible, based on the limits of disturbance shown on the plans for proposed impacts A, B, C, E, and F. Impact D was approved with PPS 4-17034.

9. Comprehensive Design Plan CDP-1701: On July 26, 2018, the Planning Board approved CDP-1701 (PGCPB Resolution No. 18-71) for development of the subject site with a range of 235–330 residential dwelling units and 12,500 square feet of commercial development. The Planning Board’s decision was appealed on September 4, 2018, and the District Council affirmed the Board’s decision on October 23, 2018, subject to seven conditions. Those conditions relevant to the review of this SDP are discussed, as follows:

1. Prior to certification, the applicant shall revise the comprehensive design plan (CDP) or provide information as follows:

b. Recreation facilities shall be further evaluated during review of the Specific Design Plan.

Recreation facilities were evaluated during the review of this SDP and found to be acceptable, as is further discussed in Finding 6.

4. The applicant, and the applicant heirs, successors, and/or assignees shall provide the following:

a. A shared-use side path (or wide sidewalk) along the subject site’s entire frontage of Ritchie Marlboro Road, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement.

b. Standard sidewalks along both sides of all internal roads (excluding alleys) unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement.

The SDP includes an eight-foot-wide side path along the property frontage of Ritchie Marlboro Road and five-foot-wide sidewalks along both sides of all internal roads, excluding alleys, as required.

5. **Total development within the subject property shall be limited to uses, which generate no more than 224 AM peak-hour trips and 256 PM peak-hour trips, unless modified by the APF test for transportation at the time of Preliminary Plan of Subdivision.**

This condition was revised at the time of PPS, as discussed in Finding 10.

7. **The residential dwelling units are subject to the development standards, as follows:**

Single-Family Detached (SFD) Units

STANDARDS**

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

Single-Family Attached (SFA-Townhouse) Units

STANDARDS**

| | |
|---|--------------------------|
| Minimum Net Lot area | |
| 16' Wide | 1,200 square feet |
| 20' Wide | 1,400 square feet |
| 22' Wide | 1,600 square feet |
| 24' Wide | 1,800 square feet |
| Minimum Front Yard setback: | 6 feet |
| Minimum Lot Width at Street Line | 16 feet*** |
| Minimum Lot Width at Front BRL | 16 feet*** |
| Minimum Distance Between Buildings | 15 feet |

| | |
|-----------------------------------|--------------------------|
| Minimum Gross Living Space | 1,250 square feet |
| Maximum Height | 45 feet |

Other Design Standards:

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

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

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

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

****Variation to the standards can be granted by the Prince George’s County Planning Board and/or the District Council on a case-by-case basis, with the approval of a Specific Design Plan.**

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

The SDP includes development standards for single-family detached and single-family attached units that are in general conformance with those of the CDP, with several exceptions that require correction or clarification on the plans, including identifying decks to be standard features on all alley-loaded townhouse units.

10. Preliminary Plan of Subdivision 4-17034: On June 18, 2020, the Planning Board approved PPS 4-17034 (PGCPB Resolution No. 2020-94), which provided for 292 lots and 25 parcels for development of 184 single-family attached units and 108 single-family detached units, subject to 30 conditions. Those conditions relevant to the review of this SDP are as follows:

4. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence:

- a. Standard sidewalk along all internal roadways, excluding alleys.**
- b. Shared roadway markings, sharrows, along proposed Roads A, D, and E.**

- c. **Continental style crosswalks crossing Road A at its intersection with Ritchie Marlboro Road, crossing Road B at its intersection with Westphalia Road, and crossing Road E at its intersection with Westphalia Road.**
- d. **Standard crosswalks at all legs of the intersection of Roads A and C; crossing all legs of the intersection of Roads D and F; crossing the southern leg of Road B at its intersection with Road A; at the southern leg of Road D at its intersection with Road A; and crossing the southern and eastern legs of the intersection of Roads D and E.**
- e. **Standard bicycle lanes along the subject site frontage of Ritchie Marlboro Road and Westphalia Road.**

The submitted site plans include all the above-noted features, except the standard bicycle lanes along Ritchie Marlboro and Westphalia Roads. The applicant has stated the standard bicycle lanes are not included on the SDP, as the site's associated SWM concept plan was approved by DPIE without showing the bicycle lanes. However, no written correspondence received from DPIE indicated that the bicycle lanes were not required. As such, a condition is included herein for notes and labels to be added to the SDP to show standard bicycle lanes along the subject site's frontage of Ritchie Marlboro Road and Westphalia Road, unless modified by DPIE, with written correspondence.

- 5. **Prior to acceptance of a specific design plan for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall provide an updated roadway cross section for A-A, Private Road G, which includes standard sidewalks on both sides of the road.**

The SDP includes cross sections for all public and private roadways, which show standard sidewalks provided on both sides of all roadways, as required.

- 6. **Prior to approval of a specific design plan, the applicant shall:**
 - a. **Submit a Change in Environmental Setting application to the Historic Preservation Commission for its review.**
 - b. **Submit a plan, subject to the review and approval of the Historic Preservation Commission, for the Talburtt Tobacco Barn Historic Site (78-009), that provides for:**
 - i. **the preservation and the long-term maintenance in its current location; or**
 - ii. **the preservation and the long-term maintenance in a new location.**

- c. **Provide a plan for any interpretive signage to be erected and public outreach measures for the Talburtt Tobacco Barn Historic Site (78-009) located on proposed Parcel 1. The location and wording of the signage and the public outreach measures shall be subject to approval by the Maryland-National Capital Park and Planning Commission staff archeologist. The plan shall include the timing for the installation of the signage and the implementation of public outreach measures.**

The Historic Preservation Commission reviewed the subject SDP at its July 20, 2021 meeting and voted 5-0-1 to recommend approval of the plan, subject to the provision of a long-term preservation and maintenance covenant, provision of interpretive signage, and pedestrian access to the historic site. SDP revisions provided after the Commission’s vote included interpretive signage and a landscaped pathway from adjacent sidewalks to the historic site. A condition has been included herein to address the need for a long-term preservation and maintenance mechanism.

- 8. **Total development within the subject property shall be limited to uses which generate no more than 289 AM peak-hour trips and 302 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The SDP proposes 292 residences, including 103 single-family detached residences and 189 attached residences (townhouses). As shown in the table below, this application will generate 209 AM peak-hour trips and 244 PM peak-hour trips, which is within the limits of the trip cap established by the PPS.

| Trip Generation Summary: SDP-1901: Preserve at Westphalia | | | | | | | | |
|--|---------------------|---------------|---------------------|------------|------------|---------------------|------------|------------|
| Land Use | Use Quantity | Metric | AM Peak Hour | | | PM Peak Hour | | |
| | | | In | Out | Tot | In | Out | Tot |
| Current Proposal | | | | | | | | |
| Single-family Detached Residences | 103 | Units | 15 | 62 | 77 | 61 | 32 | 93 |
| Townhouse Residences | 189 | units | 26 | 106 | 132 | 98 | 53 | 151 |
| Total: Current Proposal | | | 41 | 168 | 209 | 159 | 85 | 244 |
| Trip Cap: Per PPS 4-17034 | | | | | 289 | | | 302 |

- 11. **The applicant and the applicant’s heirs, successors, and/or assignees shall provide adequate and developable areas for private on-site recreational facilities, in accordance with the standards outlined in the Prince George’s County Parks and Recreation Facilities Guidelines. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George’s County Planning Department for adequacy, proper siting, and**

establishment of triggers for construction with the submittal of the specific design plan.

The SDP provides private on-site recreational facilities including a clubhouse and playground, green spaces with lawn areas, benches, picnic tables, a gazebo, an overlook, and walkways. The Urban Design Section has reviewed these recreational facilities and found them to be properly sited and adequate to serve the proposed development. Triggers for construction of each recreational facility are provided and are appropriate, with the first facility being completed prior to the 100th building permit, and the main clubhouse and playground prior to the 125th.

- 16. Development of this site shall be in conformance with an approved stormwater management (SWM) concept plan and any subsequent revisions. The approved SWM concept number and approval date shall be noted on the final plat.**

An approved SWM concept plan, 43456-2017-00 has been included with the application. The SDP is in general conformance with this SWM concept plan.

- 21. The applicant shall show the location of the mitigated safety factor line and the 25-foot building restriction line from the 1.5 safety factor line on the Type 2 tree conservation plan and the specific design plan, prior to approval, if applicable.**

The 1.5 safety factor line and 25-foot set back are present on the SDP and TCP2; however, the geotechnical report that established the safety factor line requires revisions prior to certification of the SDP and TCP2. The report was found to require revisions to be in conformance with DPIE Techno-Gram 005-2018, regarding shear-strength testing, soil boring depths, and slope analysis. However, after a review of the applicant's point-by-point response submitted September 10, 2021, and further discussion with DPIE, it is concluded that the report was consistent with the Techno-Gram, with the exception of Section IV, Laboratory Testing and Analysis.

The Techno-Gram requires a three-point drained shear test on over-consolidated clay and specifies that estimated soil parameters are not acceptable. The report indicates that a shear strength test was not performed on the over-consolidated clays and that an estimated friction angle of 12 degrees was used in the analysis. The range typically found is from 10 to 14 degrees. While the results are not expected to lead to a substantial change to the 1.5 safety factor line, the Planning Board finds that the test should be performed based on actual parameters and not estimated parameters. The report must be revised to indicate the use of the three-point drained shear test. For any results of the test lower than a friction angle of 12, the slope stability analysis must be run again with the new friction angle. The geotechnical report is subject to further review by DPIE, at time of permit review.

- 29. Prior to acceptance of a specific design plan, a Phase II noise analysis that demonstrates that any outdoor activity areas are located outside of the mitigated 65 dBA Ldn and that the building structures proposed mitigate interior noise levels to 45 dBA Ldn or less shall be provided.**

A Phase II noise analysis included with the SDP identifies specific outdoor activity areas, the rear yards of certain single-family detached dwellings along Ritchie Marlboro Road, that require mitigation to be below the 65 dBA Ldn noise level. The SDP provides a 6-foot-high noise mitigation fence along these rear yards; however, plans appear to mislabel the unmitigated and future 65 dBA Ldn lines on Sheets 5 and 6. The SDP does not illustrate the 65 dBA Ldn associated with Westphalia Road and must be revised to do so as appropriate. The Phase II noise study also identifies a number of specific single-family detached, and single-family attached unit types and locations (along Ritchie Marlboro Road and Westphalia Road) where enhanced façade treatments are identified as necessary to mitigate interior noise levels to 45 dBA Ldn or less. Conditions for the SDP to be adjusted to ensure plans demonstrate full conformance with this requirement are included herein.

- 11. 2010 Prince George's County Landscape Manual:** This SDP is subject to the following requirements of the Landscape Manual: Section 4.1-1, Residential Requirements for One-Family Detached Lots; Section 4.1-2, Residential Requirements for Townhouses; Section 4.6-1, Buffering Development from Streets; Section 4.6-2, Buffering Development from Special Roadways; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets. Landscape plans provided for the subject area of development demonstrate conformance with these requirements.
- 12. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because it has a previously approved TCP1. TCP2-019-2021 has been submitted in conjunction with this SDP. A total of 19.97 acres of existing woodlands are on the net tract and 2.26 acres of woodlands are within the existing floodplain. The site has a woodland conservation threshold of 11.31 acres, or 18.42 percent of the net tract, as tabulated. The plan shows 0.10 acre of off-site clearing. The TCP2 shows a total woodland conservation requirement of 17.64 acres based on the proposed clearing shown. The TCP2 shows this requirement will be met by providing 7.20 acres of on-site woodland preservation, 2.48 acres of on-site afforestation/reforestation, and 7.96 acres of off-site woodland conservation credits. To fulfill the reforestation requirement on the areas of steep slopes, the plans shall be revised to propose the planting of seedlings or seedling equivalents. The visible and vulnerable edges are to be planted on the edges with a double row of larger caliper plant material instead of tree protection fencing. The TCP2 requires additional technical revisions that are conditioned herein.
- 13. Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage (TCC) on projects that require a building or grading permit for 5,000 square feet or greater of gross floor area or disturbance. Properties that are zoned L-A-C and R-M are required to provide a minimum

of 10 and 15 percent, respectively, of the gross tract area in tree canopy. A blended TCC rate of 13.5 percent was utilized to calculate the requirement for 8.58 acres of TCC for the site. The SDP provides 9.56 acres in TCC, using only woodland conservation, satisfying the requirement.

- 14. Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and are incorporated herein by reference:
- a. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated August 26, 2021 (Gravitz to Bossi), which notes that the Westphalia Sector Plan and SMA rezoned the subject property from R-A to the R-M and L-A-C Zones. Pursuant to Part 8, Division 4, Subdivision 2, of the Zoning Ordinance, master plan conformance is not required for this application.
 - b. **Transportation Planning**—The Planning Board adopts, herein by reference, a memorandum dated September 3, 2021 (Masog to Bossi), which provides analysis of previous conditions of approval that has been incorporated into findings above. The most recent adequacy determination for this site occurred in 2020, and as appropriate conditions addressing transportation adequacy were made with the CDP and the PPS, it is therefore determined that the development will be adequately served within a reasonable period with existing or programmed public facilities, or facilities otherwise provided as part of the development. The overall circulation system conforms in large part to the underlying PPS. All internal streets are adequately sized. From the standpoint of transportation, is determined that this plan is acceptable.
 - c. **Subdivision**—The Planning Board adopts, herein by reference, a memorandum dated August 30, 2021 (Heath to Bossi), which provides an analysis of previous conditions of approval that has been incorporated into findings above, with relative conditions included herein addressing issues, as required.
 - d. **Pedestrian and Bicycle Transportation**—The Planning Board adopts, herein by reference, a memorandum dated September 1, 2021 (Smith to Bossi), which provides a discussion of previous conditions of approval and recommendations of relevant master plans. The subject SDP is in general conformance with conditions of prior approvals and relevant master plan recommendations for pedestrian and bicycle infrastructure. The plan includes 5-foot-wide sidewalks along all the internal roadways and 8-foot-wide side paths along the property frontage of Ritchie Marlboro Road and a portion of Westphalia Road. Continental style crosswalks are also provided throughout the site for a continuous pedestrian connection. Shared roadway pavement markings and signage, to create an internal bicycle network that connects to the adjacent master plan facilities, is shown. A total of eight designated spaces for bicycle parking have also been provided at the proposed clubhouse and at the southern portion of the site. The proposed pedestrian and bicycle facilities are adequate and convenient to serve both pedestrians and cyclists.

- e. **Permits**—The Planning Board adopts, herein by reference, a memorandum dated September 3, 2021 (Linkins to Bossi), notes a comment to ensure all development criteria is shown on the cover sheet.
- f. **Environmental Planning**—The Planning Board adopts, herein by reference, a memorandum dated September 13, 2021 (Kirchhof to Bossi), a review of the site’s environmental features and prior conditions of approvals was presented. The site has an approved Natural Resources Inventory Plan (NRI-152-2017), which shows the existing conditions of the property. There are 13 specimen trees on-site and one specimen tree off-site. The Planning Board previously approved a variance for the removal of one specimen tree with 4-17034. There are regulated environmental features on-site, which include wetlands and 100-year floodplain. Steep and severe slopes on highly erodible soils are located on the property. Marlboro clays are associated with the site. Six on-site impacts to primary management area totaling 70,550 square feet are shown with the SDP and are sufficiently justified to warrant support. The regulated environmental features on the subject property have been preserved to the fullest extent possible based on the limits of disturbance shown on the plans for proposed impacts A, B, C, E, and F. Impact D was approved with PPS 4-17034. The TCP2 requires minor modifications and additional soil analysis associated with Marlboro Clay is necessary, with conditions included herein for such.
- g. **Special Projects**—The Planning Board adopts, herein by reference, a memorandum dated July 2, 2021 (Thompson to Bossi), an analysis of the required adequacy findings relative to police facilities, fire and rescue, schools, and water and sewer. Adequate public facilities were determined to be present for all functions.
- h. **Historic**—The Planning Board adopts, herein by reference, memorandums dated July 22, 2021 and August 31, 2021 (Smith and Stabler to Bossi), which notes that the Historic Preservation Commission reviewed the SDP at its July 20, 2021 meeting and voted 5-0-1 in support approval of the project with conditions relative to access, interpretation, and preservation of the historic Talburtt Tobacco Barn. Revised plans received since the Historic Preservation Commission’s vote show access and interpretive signage provided, but a requirement remains outstanding, regarding long term maintenance of the historic structure, for which a condition is included herein.
- i. **Department of Permitting, Inspections and Enforcement**—The Planning Board adopts, herein by reference, a memorandum dated July 21, 2021 (Giles to Bossi), which notes that roadway improvements and right-of-way dedication for Westphalia Road and Ritchie Marlboro Road are required. Several road and pedestrian improvement standards and requirements were noted. The SDP addresses some of DPIE’s comments and they found the SDP to be consistent with the approved SWM concept plan. The remainder shall be addressed through DPIE at time of permitting.
- j. **Prince George’s County Police Department**—The Police Department did not comment on the subject SDP.

- k. **Prince George's County Health Department**— The Planning Board adopts, herein by reference, a memorandum dated June 24, 2021 (Adepoju to Bossi), which provides seven comments regarding the proposed project. These focused on nearby food options and the provision of community gardens, public transportation, water conservation, pet amenities, and dust and noise controls.
- l. **Prince George's County Department of Parks and Recreation**—The Planning Board adopts, herein by reference, a memorandum dated September 9, 2021 (Burke to Bossi), which notes that at the time of PPS review, the applicant opted to provide private on-site recreational facilities and has designated areas to serve the recreational needs of the proposed community. The SDP shows the fulfillment of on-site recreation with a clubhouse and playground, green space with lawn areas, benches, picnic tables, a gazebo, an overlook, and walkways. This property is located approximately 0.33 mile east of the easternmost extension of the proposed Westphalia Central Park, a premier park currently being developed. A future sidepath along Westphalia Road, to which this project contributes, will ultimately provide a safe route to the park for bicyclists and pedestrians. The applicant shall make a monetary contribution into a park club, as recommended by the Westphalia Sector Plan and SMA and conditioned with the PPS.
- m. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not comment on the subject SDP.
- n. **Washington Suburban Sanitary Commission**—The Planning Board adopts, herein by reference, a memorandum and plan notes dated July 8, 2021, which provide standard comments regarding water and sewer service for the proposed development. Their comments are provided for informational purposes and will be enforced by WSSC, at time of permit issuance.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-019-2021, and further APPROVED Specific Design Plan SDP-1901 for the above-described land, subject to the following conditions:

- 1. Prior to certification of the specific design plan (SDP), the applicant shall provide the following information and/or revise the site plan to provide the following:
 - a. Add a note to the plan and labels to appropriate plan sheets indicating that standard bike lanes are to be provided along Westphalia Road and Ritchie Marlboro Road, in accordance with the requirements of Condition 4.e. of Preliminary Plan of Subdivision 4-17034, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.

- b. Correct the parking tabulation table to show the total number of required parking spaces is 592.
- c. Provide a signage area table and associated calculations to demonstrate the provided signage is in conformance with Part 12 of the Zoning Ordinance.
- d. Add a general note to Sheet 20 of the LSP to read “All roadway lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.”
- e. Correct Note 3 on the Continued Development Standards Table on SDP cover sheet to replace “DSP” with “SDP.”
- f. Add to SDP development standards on the SDP cover sheet, for single-family detached units, a revised chart as follows:

| Standards | Single-Family Detached Dwelling |
|---|---------------------------------|
| Minimum Lot Area | 6,000 square feet |
| Minimum Front Yard Setback | 20 feet |
| Minimum Rear Yard Setback | 20 feet |
| Minimum Side Yard Setback (one side/combined) | 5 feet / 10 feet |
| Minimum Lot Width at Street Line | 50 feet |
| Minimum Lot Width at Street Line for Lots on a Concave Street | 46 feet |
| Minimum Lot Width at Front BRL | 47 feet |
| Minimum Lot Width at Street Line (Cul-de-sac) | 28 feet |
| Minimum Distance Between Buildings | N/A |
| Minimum Gross Living Space | N/A |
| Maximum Height | 40 feet |
| Maximum Lot Coverage | 50 percent |
| | |
| | |

For single-family attached units, add to the SDP development standards to show a 6-foot Minimum Front Yard setback, a permissible Maximum Height of the buildings of 45 feet.

- g. Revise the SDP and architectural plans to identify that decks, a minimum of four feet in depth, are to be standard features on all alley-loaded townhouse units.
- h. Add a label to the SDP and update the tracking sheet to add highly visible endwall treatments to townhouse Lots 11 and 12, Block F, adjacent to stormwater micro-bioretenion cell 10.

- i. Submit a plan to the Historic Preservation Commission for the preservation and long-term maintenance of the Talburtt Tobacco Barn Historic Site (78- 009) in the form of an homeowners association maintenance covenant.
 - j. Correct the unmitigated and future 65 dBA Ldn sound contour lines shown along Ritchie Marlboro Road and show noise contours on Sheets 9 and 10 for Westphalia Road, as applicable.
 - k. Identify all residential units on the SDP requiring enhanced noise mitigation treatment to be below 45 dBA Ldn interior noise levels, provide tracking mechanism on the SDP to show units requiring noise abatement, and identify the necessary upgrades for appropriate sound dampening for each unit.
2. Prior to certification of the specific design plan (SDP), the Type 2 tree conservation plan (TCP2) shall be revised, as follows:
- a. Revise the net tract area in the Site Statistics table from 64.39 acres to 61.40 acres for conformity with the TCP1, or provide justification for why the net tract area has changed.
 - b. Add the standard Subtitle 25 variance note under the Specimen Tree Table or Woodland Conservation Worksheet identifying with specificity the variance decision consistent with the decision of the Prince George’s County Planning Board:

“NOTE: This plan is in accordance with the following variance(s) from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE) for the removal of the following specified specimen trees (Section 25-122(b)(1)(G): (Identify the specific trees to be removed).”
 - c. The layout shown on the TCP2 shall match the layout shown on the SDP plans.
 - d. Add north arrows to all sheets.
 - e. To fulfill the reforestation requirement shown on areas of steep slopes, the plans shall be revised to propose the planting of seedlings or seedling equivalents with the visible and vulnerable edges are to be planted on the edges with a double row of larger caliper plant material instead of tree protection fencing.
3. Prior to the issuance of the rough grading permit, the “Report of Subsurface Exploration, Laboratory Testing and Geotechnical Engineering Analyses” dated April 2, 2021 and prepared by ECS Mid-Atlantic, LLC shall be revised to address the laboratory testing to be based on two (2) three-point and one (1) two-point drained shear test on over-consolidated clay and not based on estimated soil parameters, as outlined in the Prince George’s County Department of Permitting, Inspections and Enforcement Techno-Gram 005-2018. If any results of the shear test are lower than a friction angle of 12, the slope stability analysis shall be run again with the new friction

angle and the location of the 1.5 safety factor line shall be revised, as necessary. If the location of the 1.5 safety factor line is revised and is deemed to impact the layout of the SDP, the SDP shall be amended pursuant to Section 27-530(b).

Consideration: With respect to the open space feature on Parcel H, the applicant proffers to consider adding additional shrubs or other attractive feature, such as decorative fencing, along the northern and eastern sides of Parcel H, to serve as a visual and physical barrier to improve safety and reduce potential conflicts between pedestrians and vehicles utilizing Pinnacle Green Road and/or Blue Skies Lane.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, September 30, 2021, in Upper Marlboro, Maryland.

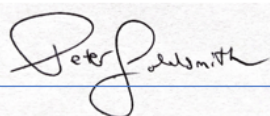
Adopted by the Prince George's County Planning Board this 21st day of October 2021.

Elizabeth M. Hewlett
Chairman

Jessica Jones
By Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY



A handwritten signature in blue ink, appearing to read "Peter J. Smith", is written over a horizontal blue line.

M-NCPPC Legal Department
Date: October 15, 2021