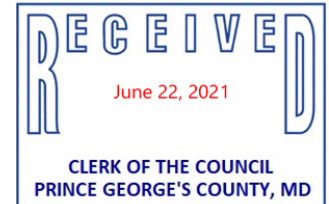


June 22, 2021

Westphalia Development
448 Viking Drive, Suite 220
Virginia Beach, VA 23452



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-19009-01
Westphalia East

Dear Applicant:

This is to advise you that, on **June 17, 2021**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

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

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

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

Sincerely,
James R. Hunt, Chief
Development Review Division

By: N. Andrew Bishop
Reviewer

Attachment: PGCPB Resolution No. **2021-67**

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

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 20, 2021, regarding Detailed Site Plan DSP-19009-01 for Westphalia East, Community Building, the Planning Board finds:

1. **Request:** The subject amendment to a detailed site plan (DSP) is for construction of a 5,000-square-foot community building with a pool, hot tub, splash park, recreational amenities, and an adjustment of eight lot lines.
2. **Development Data Summary**

	PREVIOUSLY APPROVED	APPROVED
Zone(s)	M-X-T/M-I-O	M-X-T/M-I-O
Use	One-family detached, one-family and two-family attached	One-family detached, one-family and two-family attached, and community building
Total Gross Acreage	58.06	58.06
Floodplain	0.00	0.00
Right-of-way Dedication	0.00	0.00
Total Net Acreage	58.06	58.06
Lots	491	491
Parcels	75	76
Dwelling Units	655	655
Single-Family Detached	75	75
Single-Family Attached	416	416
Two-Family Attached	164	164

Parking Requirements*

	PROVIDED
Total Parking Spaces	1,426*
Single-family: 75 units @ 2 garage spaces per unit	150
Townhouses: 416 units @ 2 garage spaces per unit	832
Two-family attached: 164 units @ 1 garage space per unit	164
On-street Parking	169
Off-street Parking	82
Community Building	6
Pool	23

Note: *The number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Prince George’s County Planning Board approval at the time of DSP. As discussed in Finding 7, the Planning Board requires that the provided parking is sufficient for the proposed development.

3. **Location:** The overall Westphalia Town Center is located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road, in Planning Area 78, Council District 6. The subject application is zoned Mixed Use-Transportation Oriented (M-X-T) within the Military Installation Overlay (M-I-O) Zone. The specific area of this amendment is in the center of the overall Westphalia East development and includes construction of a community building on Parcel B24, and minor adjustments to the lot lines of Lots 79, 91, 119, 131, 162, 174, 215, and 227.
4. **Surrounding Uses:** The overall property is located to the east of the core of the Westphalia Town Center development and is surrounded by properties in the M-X-T, Residential-Agricultural (R-A), and M-I-O Zones. The DSP is bounded to the east by the public right-of-way of Melwood Road and beyond by existing one-family attached dwelling units, to the north by existing one-family detached dwelling units, and to the west by Manor Park Drive and existing one-family attached dwellings in the Westphalia Town Center development beyond. The property will front on the future Presidential Parkway (C-636) to the south, with a planned school site and multifamily development within the Westphalia Town Center beyond. Parcel B24 is bound by the proposed Addington Lane on the east, the proposed Greenpoint Lane on the west, and proposed two-family attached homes on the north and south. The lots containing the lot line adjustments are located in the center of the Westphalia East site, directly to the east of the proposed community building.
5. **Previous Approvals:** The subject property was rezoned to the M-X-T Zone from the Light Industrial, Planned Industrial/Employment Park and R-A Zones by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). The property is also the subject of Conceptual Site Plan CSP-07004, which was approved with conditions by the Prince George’s County Planning Board on December 18, 2008

(PGCPB Resolution No. 08-189). It was approved with conditions by the Prince George's County District Council on May 19, 2009, with a first revised Order of Approval issued on June 8, 2009, and a second revised Order of Approval issued on September 21, 2009.

CSP-07004-01 was originally approved with conditions by the Planning Board on May 20, 2010 (PGCPB Resolution No. 10-59), reconsidered by the Planning Board on October 24, 2013 (PGCPB Resolution No. 10-59(A)(C)), and finally approved with conditions by the District Council on February 24, 2014. CSP-07004-02 was approved by the Planning Board on June 27, 2019 (PGCPB Resolution No. 19-83), but was subsequently withdrawn.

The subject property has a valid Preliminary Plan of Subdivision (PPS) 4-08002 (Westphalia Center). The resolution of approval (PGCPB Resolution No. 09-93) was adopted by the Planning Board on June 25, 2009.

Multiple DSP applications have been approved for the subject site. A DSP for Infrastructure (DSP-12017), Special Purpose DSP (DSP-12043), an Umbrella Architecture DSP (DSP-13001), and most recently DSP-19009 for construction of 75 single-family detached homes, 416 single-family attached (townhouses), and 164 two-family attached (two-over-two) dwelling units on the subject site.

6. **Design Features:** The subject site is approximately 58 acres and forms the eastern portion of the residential section of the overall Westphalia Town Center project, which has a total land area of 478.48 acres. The subject DSP amendment proposes to construct a two-story, 5,000-square-foot community building and recreational facility and proposes lot line adjustments to eight lots, approved with DSP-19009. The community building is served by a series of primary and secondary roadways and a sidewalk network that form a grid-like circulation pattern. The community building is located on Parcel B24, in the center of the development, and is the focal point of an open space network that forms a green spine through the development. The community building is served by 29 on-street parking spaces proposed on Greenpoint Lane and Addington Lane, which is adequate. The proposed recreational facility will feature a pool, hot tub, and splash park, an entry plaza, walking trails, pergolas, an open lawn area, a multi-age playground, and benches for the residents of the entire Westphalia Town Center. The details of the playground and recreational facilities are included with this DSP, and the Planning Board finds them acceptable. The timing of the construction established with the prior DSP-12043, as amended, will not change with this application.

Architecture: The community building is rectangular and includes a multitiered roofline, with the front of the facility facing Greenpoint Lane. The proposed building is 29 feet tall and includes two stories. The building has been designed to incorporate a variety of materials, including hardie plank siding, glass panels, stone veneer, metal accents, and fenestration. The overall design of the building creates a clean and contemporary design, which will complement the surrounding townhomes.

Lighting and Signage: The applicant has provided street lighting throughout the development that is consistent with the lighting approved with DSP-19009. Additional lighting is proposed at

the community building and includes bollard, recessed, pole-mounted, and string-mounted lighting. The submitted photometric plan demonstrates that there is adequate lighting for pedestrians and vehicles at the community building and within the right-of-way, with minimum spillover at property lines. Details of the proposed lighting have been provided and are sufficient.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for conformance to the requirements of the M-X-T and M-I-O Zones of the Prince George's County Zoning Ordinance, as follows:
- a. The subject application has been reviewed for conformance with the requirements of Section 27-547, Uses permitted, of the Zoning Ordinance. The proposed community building is permitted in the M-X-T Zone.
 - b. This DSP is in conformance with the applicable site design guidelines, as referenced in Section 27-283 of the Zoning Ordinance, and contained in Section 27-274 of the Zoning Ordinance, as previously established at the time of CSP-07004-01. The approval of the recreational amenities contributes to an attractive, coordinated development that is designed to be safe, efficient, and convenient for both pedestrians and drivers. Adequate parking, circulation, lighting, and amenities are provided on site, as conditioned.
 - c. Section 27-546, Site Plans, of the Zoning Ordinance, includes requirements for approval of a DSP in the M-X-T Zone, as follows:
 - (d) **In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:**
 - (1) **The proposed development is in conformance with the purposes and other provisions of this Division;**

The subject DSP is consistent with the land use and development patterns envisioned in the previous CSP and DSP approvals. This minor DSP amendment to construct the community center and recreational facilities does not change any uses, development density, or conformance with Section 27-542 of the Zoning Ordinance, as found with the prior CSP and DSP approvals.
 - (2) **For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept**

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

The subject Westphalia Town Center property was placed in the M-X-T Zone through the Westphalia Sector Plan and SMA. This DSP only covers approximately 58 acres of the entire Westphalia Town Center property. The proposed recreational amenities are in conformance with the design guidelines and standards intended to implement the previously approved development concept recommended by the sector plan.

- (3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The subject DSP provides for recreational amenities that are part of the overall amenities package set forth in Special Purpose DSP-12043 and DSP-12043-01. While these amenities are located in Westphalia East, the amenities will be accessible to all residents in the community and help to develop relationships and integrate all of the Westphalia Town Center community.

- (4) The proposed development is compatible with existing and proposed development in the vicinity;**

The subject DSP provides for recreational amenities that are part of the overall amenities package in the Westphalia Town Center community, in line with previous approvals.

- (5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The subject DSP provides for development of recreational amenities, as approved under Special Purpose DSP-12043, the purpose of which was to create a comprehensive approach to residential and nonresidential development within the Westphalia Town Center. The amenities in the subject application will service both the Westphalia East residents and residents of the overall Westphalia Town Center, creating a cohesive development of continuing quality.

- (6) **If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

The subject DSP amendment is not proposed to be staged.

- (7) **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

As previously approved, walking trails in the subject DSP are part of a comprehensive pedestrian network of master plan trails, bikeways, and sidewalks that have been planned for Westphalia Town Center, and connect Westphalia East to Westphalia Town Center and the surrounding development.

- (8) **On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

The subject DSP is consistent with the approved Special Purpose DSP-12043 with adequate attention given to the design and human scale of the facilities. High-quality urban design is achieved through the use of materials and textures, in combination with landscaping, screening, street furniture, and lighting to create a unique sense of place.

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

This does not apply, as the subject application is a DSP.

- (10) **On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.**

The construction of the community building will not generate any additional trips beyond the prior approval. The most recent adequacy finding for the overall M-X-T site was made in 2009 with PPS 4-08002, and the proposed DSP falls within the allowed trip cap.

- (11) **On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

The larger Westphalia Center project contains approximately 530 acres of land and is envisioned as a mixed-use regional urban community, as was approved in CSP-07004-01.

- d. The subject property was approved as part of a regional urban community and is subject to the regulations found in Sections 27-544(c) and (f) of the Zoning Ordinance, as follows:

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

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

- (2) **The limitations on the maximum percentages of townhouses contained in Section 27-547(b)(7), footnote 7 and the lot size and lot**

width requirements in Section 27-548(h) shall not apply. However, the Planning Board or District Council may impose similar restrictions where appropriate, only to implement the recommendations of the Master Plan or Sector Plan.

The property was placed in the M-X-T Zone through a sectional map amendment approved after October 1, 2006, for which a comprehensive land use planning study was conducted, prior to initiation. The proposed development is consistent with the CSP and DSP approvals for the subject site.

(f) Regional Urban Community Regulations.

(2) In addition to the definition, regulations, and other requirements set forth in Sections 27-107.01, 27-276, and 27-508 of this Code, the following regulations shall apply to a Regional Urban Community in the M-X-T Zone:

(A) The maximum number and type of dwelling units shall be determined at the time of the Conceptual Site Plan approval.

The number and type of dwelling units is consistent with the approved CSP and DSP. The subject application for construction of the community building and the revision to eight lot lines does not change this finding.

(B) For Regional Urban Community developments in the M-X-T Zone, the woodland conservation and afforestation thresholds shall be fifteen percent (15%) with no requirement for on-site mitigation. A fee-in-lieu of \$0.30 per square foot shall be required.

The Type II tree conservation plan (TCPII) is in conformance with this requirement, as modified by previous conditions of approval.

(C) Innovative stormwater management techniques may be used upon a finding that the techniques meet the purpose of the M-X-T Zone as set forth in Section 27-541(a)(2), including but not limited to the utilization of stream channel and floodplain enhancement and restoration. Stream restoration may be utilized to meet channel protection and water quality volumes.

The DSP has an approved stormwater management (SWM) concept plan.

- (D) No setback shall be required from the 100-year floodplain to the lot line. There shall be a twenty-five (25) foot setback from the building to the 100-year floodplain for residences as a building restriction line as set forth in Section 24-129.**

The proposed community building and revised lotting pattern meet these setbacks, as there is no floodplain within this DSP area.

- (E) The maximum number of townhouse dwelling units per building group shall be ten (10). No more than thirty percent (30%) of the building groups shall contain nine (9) to ten (10) dwelling units. All other townhouse building groups shall contain no more than eight (8) dwelling units.**

The proposed DSP conforms to this requirement, and the proposed layout is consistent with the prior approval. No townhouse building group contains more than eight dwelling units.

- (F) The number of parking spaces required in the core area of the Regional Urban Community are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. The applicant shall submit the methodology, assumptions, and data used in performing the calculations with the Detailed Site Plan. The number of parking spaces within the core area of the Regional Urban Community shall be calculated based on the procedures described in Sections 27-574(b) and (c).**

The proposed 1,426 parking spaces exceed the normal parking requirement for the residential and community building uses, which is 1,363 spaces. The Planning Board concludes that overall parking needs created by this proposed development will be adequately met with the proposed parking spaces.

- (G) End units on townhouse building groups shall be a minimum of twenty (20) feet in width and the minimum building width of a contiguous attached townhouse building group shall be sixteen (16) feet per unit. A variety of townhouse sizes shall be provided, with a minimum gross living space of a townhouse unit shall be 1,500 square feet except that ten percent (10%) of the townhouse units may be reduced to 1,200 square feet.**

The DSP demonstrates conformance with this requirement, as all townhouses are proposed to have a minimum width of 20 feet.

- (H) The minimum front setback from any public or private right-of-way may be reduced to seven (7) feet. In the core area, the public maintenance shall be one foot from back-of-curb to one foot to back-of-curb.**

The DSP demonstrates conformance with this minimum setback requirement.

- e. **Military Installation Overlay (M-I-O) Zone:** The subject property is located within Conical Surface (20:1) – Right Runway of the M-I-O Zone. The maximum height for structures in this area is 499 feet above the runway surface. The proposed community building is in conformance with this height restriction.
- 8. Conceptual Site Plan CSP-07004-01:** The Planning Board approved CSP-07004 for a mixed-use town center known as Westphalia Center project, consisting of up to 5,000 dwelling units; 800,000-1,400,000 square feet of retail space; and 4,000,000-4,500,000 square feet of office space, as well as up to 600 hotel rooms, on December 18, 2008. The District Council approved the CSP on September 21, 2009. CSP-07004-01, which fully replaced and modified the conditions of CSP-07004, was approved with conditions by the District Council on February 24, 2014. Of the 41 conditions attached to the approval of CSP-07004-01, the following are applicable to the review of this DSP:
- 15. Prior to approval of a detailed site plan (DSP) for specific buildings for either Moore Property or the balance of Westphalia Center, excluding Moore Property, the applicants of Moore Property and the balance of Westphalia Center, separately, shall obtain approval of a special-purpose DSP to establish regulating standards for signage and to identify appropriate locations for transit stops, in consultation with the Prince George’s County Department of Public Works and Transportation and the Washington Metropolitan Area Transit Authority. The special-purpose DSP shall also show the site plan details of the public open spaces and establish a timing plan for improvement of these public spaces and the public trail system. This condition requires approval of two special-purpose DSPs: one encompassing the entire Westphalia Town Center site, excluding Moore Property, and another for Moore Property. This condition shall be construed such that Moore Property may proceed prior to the entire Westphalia Center. However, standards established in the first special-purpose DSP shall be evaluated with respect to the feasibility of their inclusion in the subsequent special-purpose DSP for the balance of the Westphalia Center site, and the subsequent plan shall be evaluated in its review with respect to the standards and requirements established in the Moore Property special-purpose DSP. Regulating standards established by a previous**

special-purpose DSP for any portion of the Westphalia Center project shall provide guidance for similar standards to be established in a subsequent special-purpose DSP for the balance of Westphalia Center.

Special Purpose DSP-12043, and its amendment, were approved for the balance of Westphalia Center, currently known as Westphalia Town Center, which covers the subject site of this DSP.

- 17. Prior to acceptance of each detailed site plan, the package shall include a description of the use of green building techniques and alternative energy sources for the development throughout the site. At least three green building techniques shall be used in each development area of the site as identified on the CSP.**

The proposed community building, which is the subject of this DSP, incorporates numerous green building features. The building is designed to meet or exceed current energy codes by using R-49 insulation in the roof and R-20 insulation in the walls. All windows installed are to be double glazed and all appliances within the clubhouse will be Energy Star rated. The plumbing fixtures were selected to conserve water. In addition, the building will contain several windows, which increase natural light in the building and reduce dependency on lighting and electricity. Furthermore, the applicant has indicated that the roof of the community building could be equipped with solar panels to supply solar energy to the facility, but this green building technique is not proposed as part of this application. The Planning Board requires that the applicant provide a general note on the DSP or architectural plan to indicate what green building techniques will be used on the building, as conditioned herein.

- 18. Each detailed site plan shall demonstrate conformance to landscaping standards. In general, development on the site shall be subject to the standards of Section 4.8 of the Landscape Manual, in addition to the following standards:**

- a. Single-family detached lots larger than 9,500 square feet shall provide at least one shade tree and one ornamental or evergreen tree on the lot.**
- b. Required landscaping for attached dwelling units shall be provided on the individual lots or common open space directly associated with the attached dwellings. Plantings within public or private open spaces shall only be counted towards the requirements where those spaces are located adjacent to the attached dwellings and are easily accessible to residents.**
- c. Surface parking lots larger than five parking spaces shall be subject to the landscaping standards of Section 4.3 of the Landscape Manual.**
- d. In general, uses within the town center shall not be buffered from each other. However, buffering of highly incompatible adjacent uses may be deemed necessary at the time of detailed site plan review.**

The DSP shows the required landscaping on the property and provides tables on the landscape plans, as discussed in Finding 12 of this report.

- 19. The applicant shall allocate appropriate and developable areas for the private recreational facilities on HOA open space land. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division (M-NCPPC) for adequacy and proper siting prior to approval of the detailed site plan by the Planning Board.**

The open space dedicated for the community center is approximately 1.7 acres and is the subject of this DSP. The community building includes a multipurpose room and kitchen for private events, a children's activity space, a fitness room, and bathrooms with showers and a changing area. The open space surrounding the building includes walking trails, a multi-aged playground, pergolas, tables, benches, and an open lawn area, and is sufficient for this development.

- 20. At the time of detailed site plan approval, the applicant shall demonstrate to the Planning Board that on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement (RFA), or other appropriate means and that such instrument is legally binding upon the subdivider and his heirs, successors, and/or assignees.**

In accordance with Special Purpose DSP-12043, as amended, and the recreational facilities agreement for the subject development, the applicant will fully bond the community building, prior to the 150th building permit for dwelling units in Westphalia East, approved pursuant to DSP-19009. Construction will begin, prior to issuance of the 250th building permit for dwelling units in Westphalia East. The community building will be open to residents, prior to issuance of the 400th building permit for dwelling units in Westphalia East.

- 21. Pedestrian safety features, traffic calming, and pedestrian amenities shall be evaluated at the time of each detailed site plan.**

The subject property is centrally located within the Westphalia East development. A sidewalk network has been provided on all frontages of the subject property. On-street parking and road bump-outs will support traffic calming, in addition to the crosswalks, which are shown on the site plan. The applicant provided a sidewalks and trails exhibit that details the pedestrian safety features, traffic calming, and pedestrian amenities, and meets the intent of the condition above.

- 25. As part of the private recreational facilities package, the applicant and the applicant's heirs, successors, and/or assignees shall construct three community buildings. The size, timing, and location of the community buildings shall be determined with the review of the applicable special-purpose detailed site plan.**

The size, timing, and location of the community building was approved through Special Purpose DSP-12043 and its amendment. The subject DSP includes the development of recreational amenities, in accordance with those approvals.

33. **In areas of landscaping and street furniture, a clear horizontal sidewalk space of eight feet shall be maintained to accommodate the heavier pedestrian traffic anticipated in the town center Core area. The optional zone may be reduced to 28 feet in order to accommodate this change.**

The plans have been designed, in accordance with this requirement.

9. **Preliminary Plan of Subdivision 4-08002:** The site is the subject of PPS 4-08002, approved by the Planning Board on June 25, 2009, for the creation of 1,352 lots and 209 parcels for 1,400,000 square feet of retail, 4,500,000 square feet of office, 172 single-family detached, 1,287 townhouse, 424 detached, and 2,473 multifamily dwelling units, subject to 54 conditions. Of the 54 conditions (PGCPB Resolution No. 09-93) the following are applicable to this DSP:

2. **A Type II tree conservation plan shall be approved at the time of approval of each detailed site plan, except the special purpose detailed site plan. The special purpose DSP shall be reviewed for conformance with the signed TCPI. No Permits will be issued using the special purpose DSP. The first TCPII shall provide a cover sheet that clearly depicts the phasing and requirements for the entire site.**

A revised TCPII has been submitted with the current application for Section 4 of Westphalia Town Center. The woodland conservation worksheet shown on the TCPII is phased and shows how the requirement will be met for the entire site and for individual sections. The TCPII is discussed in detail in Finding 13.

3. **Development of this site shall be in conformance with Stormwater Management Concept Plan 44782-2007-00 and any subsequent revisions.**

An approved SWM Concept Letter (44782-2007-03), approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on June 28, 2020, and expires on June 28, 2023, was submitted with the current application, for the overall Westphalia Town Center property.

SWM for the site is provided by on-site ponds, underground storage, a regional lake, stream restoration, or a combination of the above. Stormwater ponds shall be designed as amenities to the community to the fullest extent possible and include the use of low-impact development SWM techniques to the fullest extent possible, as required by Condition 8 of the CSP.

10. **The applicant shall allocate appropriate and developable areas for the private recreational facilities on homeowners association (HOA) open space land.**

The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division (M-NCPPC) for adequacy and property siting prior to approval of the detailed site plan by the Planning Board. Or as modified by any subsequent revisions to CSP-07004.

This amendment proposes details for the recreational facilities on Parcel B24. The on-site recreational facilities included are appropriate and are consistent with those approved with Special Purpose DSP-12043-01 to serve the proposed residents.

- 42. Total development within the subject property shall be limited to uses which generate no more than 6,816 AM peak-hour trips, and 8,526 PM peak-hour trips, in consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates. 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.**
- 43. A traffic phasing analysis will be submitted and reviewed during the processing of the detailed site plan for each phase. This traffic phasing analysis will define the improvements required for Phase 1A, 1B, 1C, 2A, 2B, 2C, 2D, 3A, 3B, and Phase 5. These above-mentioned traffic conditions will be modified to adjust the timing trigger and extent of these improvements for each phase. This phasing analysis will not exceed the 6,186 AM peak-hour trips, and 8,526 PM peak-hour trip cap, unless a new preliminary plan of subdivision is processed.**
- 47. Prior to the issuance of any building permits within the subject property for uses generating peak-hour trips in excess of 1,610 AM and 1,719 PM, the applicant and the applicant's heirs, successors and/or assignees shall pay a pro rata share of the road improvements at the intersection of MD 223 at Rosaryville Road. The pro rata share shall be payable to Prince George's County, with evidence of payment provided to the Planning Department with each building permit application. The pro rata share shall be $\$1,126.23$ per average peak-hour trip x (Engineering News Record Highway Construction Cost Index at the time of building permit application) / (Engineering News Record Highway Construction Cost Index for the second quarter 2008).**

Conditions 42, 43, and 47 all made references to two trip caps; an overall trip cap of 6,186 AM and 8,526 PM peak-hour trips, and a secondary trip cap of 1,610 AM and 1,719 PM peak-hour trips. The construction of the 5,000-square-foot community building will not generate any additional trips beyond the prior approval (DSP-19009), as the facility will be for residents, and the development is within the trip caps referenced in Conditions 42, 43, and 47.

- 54. At the time of each detailed site plan review, except the special purpose detailed site plan the applicant shall:**

- b. Provide a parking study for each block group of the site so as to ensure an adequate provision and distribution of parking (including handicapped-accessible parking) across the site.**

A parking analysis was submitted by the applicant and the provided parking was found to be adequate for the community building. Dedicated parking with signage for this facility was not provided. However, it is required to be shown, subject to the approval of DPIE, as conditioned herein, to clearly indicate the location of these parking spaces and reserve their use by residents or guests in the community.

- 10. Special Purpose Detailed Site Plan DSP-12043 and its amendment:** The Planning Board approved Special Purpose DSP-12043 on May 2, 2013 with seven conditions. This application was amended on September 24, 2020, by the Planning Board with DSP-12043-01 to modify the timing for construction of Community Open Space 2. Those conditions related to building permits will be enforced at that time. The conditions relevant to the review of this DSP, which warrant discussion, are as follows:

- 4. Prior to issuance of the 150th building permit for single-family dwelling units in Westphalia East, approved pursuant to DSP-19009, the community building in Community Open Space 2 (located in the eastern residential area) and associated recreational facilities shall be fully bonded.**

Prior to issuance of the 250th building permit for single-family dwelling units in Westphalia East, approved pursuant to DSP-19009, the aforementioned community building shall begin construction.

Prior to issuance of the 400th building permit for single-family dwelling units in Westphalia East, approved pursuant to DSP-19009, the aforementioned community building shall be open for the residents.

The applicant agrees with the timing for the bonding, construction, and opening of the community building in Community Open Space 2.

- 5. The associated recreational facilities contained in Community Open Space 2 shall include, at a minimum, the following elements:**

C2. Community Center (Located in the eastern residential area)

**Club House with resort-style pool;
Hot tub;
Kids pool;
Gazebo and trellis;
Open lawn space;
Walking trails;
Kids play area with facilities such as a multi-age playground (including ages 2-5 and 5-12);
Entry plaza area; and
Benches.**

The actual list of facilities is subject to modification and substitution at the time of detailed site plan review for the phase of development in which the open space parcel is located with the understanding that such modifications will be of equal or greater value and quality to those listed above.

This DSP has been filed, in accordance with this condition, and includes the required recreational amenities.

7. At the time of full-scale DSP, the applicant shall provide additional phasing information within each of the five phases of the development.

A phasing table was provided on the DSP.

- 11. Detailed Site Plan DSP-19009:** The DSP for residential development of Westphalia East was approved by the Planning Board on April 9, 2020 with two conditions, neither of which are relevant to the subject DSP, as they involved requirements prior to certification of DSP-19009, which was already completed.
- 12. Prince George's County Landscape Manual:** This DSP is subject to the requirements of Section 4.8, Landscape Requirements in a Regional Urban Community, of the 2010 *Prince George's County Landscape Manual*. According to Section 4.8, the landscape requirements for a regional urban community shall be determined at the time of CSP, pursuant to Section 27-544. The previous DSP-19009 was found to be in conformance with the applicable requirements and the subject amendment does not change those findings.
- 13. 1993 Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This property is subject to the provisions of the Woodland Conservation Ordinance adopted in 1993 and contained in the Woodland Conservation and Tree Preservation Policy Document for the purposes of this review. The revised TCPII associated with this DSP is TCPII-029-12-14. The last TCPII revisions for this site were TCPII-029-12-(-06, -07, and -08), identical plans which were approved on September 12, 2019, to allow for issuance of rough grading permits in Sections 2, 3, and 4.

Subsequently, a rough grading permit (14230-2019-G-00) was issued for Section 4 on October 4, 2019 after bonding of 3.54 acres of afforestation/reforestation and the payment of a fee-in-lieu of \$253,519.20.

The overall worksheet on the current TCPII revision provides information for the sections of the overall application, and individual worksheets are provided for Sections 1 through 4. The overall and individual worksheets require revisions to correctly reflect prior approvals and reconcile with revisions proposed with the -14 and technical revisions are also needed, as conditioned herein.

The new State legislation (Natural Resources – State and Local Forest Conservation Funds (HB 272/SB 234)) did not impact the previous rough grading TCPII approval for Section 4 with fee-in-lieu, which was approved prior to the effective date of the bill. The fee was paid, and the rough grading permit was issued and implemented.

Revised TCPII-029-12-10 submitted with DSP-19009 for Section 4 proposed additional clearing, resulting in an increase in woodland conservation requirements, which could not be fulfilled with fee-in-lieu, but required 1.92 acres of off-site woodland conservation.

14. **Prince George’s County Tree Canopy Coverage Ordinance:** The site is subject to the requirements of the Tree Canopy Coverage Ordinance and must provide a minimum 10 percent of the site to be covered by tree canopy because the site is zoned M-X-T. As the site measures 58.06 acres, approximately 5.806 acres (252,909 square feet) of tree canopy must be provided. The site plan proposes 261,035 square feet in proposed landscape trees, meeting the requirement.
15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are included in this report by reference, and major findings are summarized, and incorporated herein by reference as follows:
 - a. **Historic Preservation and Archeological Review**—The Planning Boards adopts a memorandum dated April 22, 2021 (Stabler to Bishop), which noted that the property was previously surveyed for archeological resources in 2006 and 2007. No further work is required, and it was determined that this proposal will not affect any historic sites, resources, or significant archeological sites.
 - b. **Community Planning**—The Planning Boards adopts a memorandum dated April 14, 2021 (McCray to Bishop), which provided that pursuant to Section 27-548.24(c), this application conforms to the 2014 *Plan Prince George’s 2035 Approved General Plan* and to the Westphalia Sector Plan and SMA.
 - c. **Transportation Planning**—The Planning Boards adopts a memorandum dated April 19, 2021 (Saunders Hancock to Bishop), which offered an analysis of the prior approvals that is included in the findings above and noted that access and circulation are acceptable. The number and locations of points of access are consistent with those

reviewed and approved with prior applications. From the standpoint of transportation, and in consideration of the findings contained herein, it is determined that this plan is acceptable.

- d. **Pedestrian and Bicycle Facilities**—The Planning Boards adopts a memorandum provided on April 24, 2021 (Ryan to Bishop), which offered an analysis of the prior approvals that is included in the findings above and determined that the multimodal transportation site access and circulation of this plan is acceptable and consistent with the underlying conditions of approval. In addition, it was noted that the submitted plans show four bicycle racks directly south of the community building and two bicycle racks at the multi-use plaza. The subject application meets the site design guidelines pursuant to Sections 27-283 and 27-274(a)(2), and is acceptable.
- e. **Subdivision**—The Planning Boards adopts a memorandum dated April 19, 2021 (Diaz-Campbell to Bishop), which provided an analysis of the subject DSP’s conformance with the prior approvals, as included in Finding 9 above, and noted that the DSP is in substantial conformance with the approved PPS, and the DSP proposes no revision to the number of lots and parcels or the unit count, as approved under DSP-19009. Technical revisions to the general notes are required and have been conditioned herein.
- f. **Prince George’s County Department of Parks and Recreation (DPR)**—The Planning Boards adopts a memorandum dated April 19, 2021 (Burke to Bishop), in which DPR provided an overview of the application and prior approvals and recommended approval of DSP-19009-01.
- g. **Environmental**—The Planning Boards adopts a memorandum dated April 21, 2021 (Finch to Bishop), which included a detailed discussion of the history of the project and the relevant conditions of approval. These have been incorporated into findings above, and the Planning Board approves the DSP and TCPII, subject to conditions that have been included herein.

Natural Resources Inventory/Existing Conditions

A revised Natural Resources Inventory Plan (NRI-094-06-02) was approved by the Environmental Planning Section on July 11, 2019. A review of the approved NRI-094-06-02 indicates that streams, 100-year floodplain, wetlands, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the overall property. There were 151 specimen trees located on the overall site.

Preservation of Regulated Environmental Features/Primary Management Area

Impacts to the primary management area were approved with PPS 4-08002 for the Westphalia Town Center. The impacts are grandfathered for this project and the application, as submitted, shows impacts that are in general conformance with the previous approvals. No additional information regarding impacts to regulated environmental features is needed at this time.

Specimen Trees

This project is grandfathered from the current environmental regulations found in Subtitles 24, 25, and 27 that became effective in 2010. Because of this grandfathering, no variance for the removal of specimen trees is required. Within the limits of Section 4, Specimen Trees 28–30, 32, 34–40, 45–49, and 206 were previously approved for removal with DSP-19009.

- h. **Prince George’s County Fire/EMS Department**—The Fire/EMS Department did not offer comments on the subject application.
 - i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Boards adopts a memorandum dated April 14, 2021 (Giles to Bishop), in which DPIE indicated that the DSP is inconsistent with SWM Concept Plan 44782-2007-03 approved by DPIE on June 28, 2020. In subsequent correspondence from Mary Giles on April 23, 2021, she indicated that while the final site layout on the DSP is different than the previously approved site development concept plan, the layout does not in any way impact the requirements for SWM or drainage, and DPIE will not be requiring a revision to the site development concept plan. Additional comments regarding technical requirements of the plan were included and will be addressed through DPIE’s separate permitting process.
 - j. **Prince George’s County Health Department**—The Health Department did not provide comments on the subject project.
 - k. **Prince George’s County Police Department**—The Police Department did not offer comments on the subject application.
 - l. **Westphalia Sector Development Review Advisory Council (WSDRAC)**—WSDRAC did not offer comments on the subject application.
16. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
17. In accordance with Section 27-285(b)(4), the regulated environmental features on the subject property have been fully preserved and/or restored based on consistency with the limits of disturbance shown on the previously approved CSP-07004-01 and TCPI-014-08; and PPS 4-08002 and TCPI-014-08-01. No regulated environmental features are located within the limits of the current application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and

Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCPII-029-12-14, and further APPROVED Detailed Site Plan DSP-19009-01 for the above described land, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the applicant shall:
 - a. Update General Note 8 to include reference to Tax Map 90, Grid F-4; Tax Map 91, Grid A-4; and Tax Map 99 Grid F-1, in addition to Tax Map 100, Grid A-1.
 - b. Update General Note 9 to include up-to-date title information for the property, including plat books and page numbers for plats already recorded, as well as deed Liber/folios for areas not yet platted.
 - c. Provide parking signs adjacent to on-street parking spaces for the community building to clearly indicate these parking spaces are for the use of residents or guests, if approved by DPIE.
 - d. Provide a general note clearly indicating the three green building techniques that will be used on the community building.
2. Prior to certification of the detailed site plan (DSP), the Type II tree conservation plan (TCPII) shall be revised, as follows:
 - a. On all plan sheets:
 - (1) Correct the approval block to correctly identify Rev-13 as associated with DSP-19062 (Section 5), Rev-14 as associated with DSP-19009-01 (Section 4).
 - (2) Add woodland conservation sheet summary tables on individual plan sheets, which is consistent with the woodland conservation summary table on Sheet 1A for Section 4.
 - (3) Have the Owner's Awareness Block signed and dated after revisions are made.
 - (4) Have the qualified professional sign and date the plan after all technical revisions are complete.
 - b. On Sheet 1 of 61:
 - (1) Revise the TCPII number in the title to TCPII-029-12-14.
 - (2) In the Revision Table, correct line -13 and add lines for Revisions -14.
 - (3) In the General Information Table, add the Police District and the General Plan Generalized Future Use (2035).

- c. On Sheet 1A of 61:
 - (1) Revise the phased worksheet to correctly reflect the -14 revisions proposed to the TCP II and identify as associated with DSP-19009-01. The notation of “approved” should be revised to pending for approval and date.
- d. All TCPII plan sheets shall be submitted for signature, at time of certification.


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, May 20, 2021, in Upper Marlboro, Maryland.

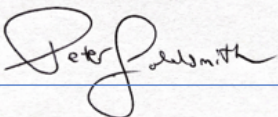
Adopted by the Prince George’s County Planning Board this 17th day of June 2021.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: May 25, 2021