

September 29, 2020

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



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-12043-01
Westphalia Town Center (Special Purpose)

Dear Applicant:

This is to advise you that, on **September 24, 2020**, 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, Acting Clerk of the County Council, at 301-952-3600.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: 
Reviewer

Attachment: PGCPB Resolution No. **2020-136**

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

RESOLUTION

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 September 17, 2020, regarding Detailed Site Plan DSP-12043-01 for Westphalia Town Center (Special Purpose), the Planning Board finds:

1. **Request:** This amendment to a detailed site plan (DSP) requests the modification of the condition regarding the timing for the community center in Open Space 2 and a condition to modify the timing for the dedication of the school site, known as Parcel 25.
2. **Development Data Summary**

	EXISTING	APPROVED
Zone(s)	M-X-T/M-I-O	M-X-T/M-I-O
Use	Commercial, Retail, Office, Hotel and Residential Uses	Commercial, Retail, Office, Hotel and Residential Uses
Total Gross Acreage	478.48	478.48*

Note: *Westphalia Town Center is a multi-phase development project. This special purpose DSP covers the entire town center development.

Additional Development Data

(As approved in Conceptual Site Plan CSP-07004-01 (PGCPB Resolution No. 10-59(c)))

- a. Total dwelling units: 4,000–5,000, of which:
 - 150–200 single-family detached houses
 - 1,650–2,500 single-family attached dwelling units
 - 1,800–3,100 multifamily dwelling units
- b. 500–600 hotel rooms
- c. 900,000–1,400,000 square feet of retail
- d. 2,200,000–4,500,000 square feet of office

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 property is zoned Mixed Use-Transportation Oriented (M-X-T) within the Military Installation Overlay (M-I-O) Zone.
4. **Surrounding Uses:** The 478.48-acre parcel of land in the M-X-T Zone is in the middle of the southern end of the 2007 *Approved Westphalia Sector Plan and Subject Map Amendment* area, adjacent to the right-of-way of MD 4. To the north of the site, is the Parkside residential development in the Residential Medium Development Zone; to the east of the site are existing single-family houses and open spaces in the Reserved Open Space, Residential-Agricultural (R-A), and Residential Suburban Development Zones; to the west of the site are properties in the M-X-T Zone.
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 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.

A DSP for Infrastructure (DSP-12017), Special Purpose DSP (DSP-12043), and an Umbrella Architecture DSP (DSP-13001) have been previously approved for the subject site.

6. **Design Features:** The special purpose DSP covers the entire Westphalia Town Center development, which has a total land area of 478.48 acres. As stated in Condition 15 attached to the approval of CSP-07004-01, the special purpose DSP focuses specifically on establishing regulating standards for signage, identifying transit stop locations, providing preliminary designs for public open spaces, and establishing a timing plan for the public space improvements and public trail system. A similar special purpose DSP-09015 was approved specifically for the Moore Property by the Planning Board in 2011.

The original special purpose DSP was presented in a booklet format consisting of 37 sheets. The booklet covered previous conditions, public open space, phasing, trails, signage, and transit stop locations.

The subject amendment to a DSP requests the modification of the condition regarding the timing for the community center in Open Space 2, and a condition to modify the timing for the dedication of the school site, known as Parcel 25. These are discussed further in Findings 9 and 11 below.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject amendment to a DSP has been reviewed for conformance to the requirements of the M-X-T and M-I-O Zones of the Zoning Ordinance, as follows:
- a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs permitted uses in all mixed-use zones. This amendment to the special purpose DSP does not propose any changes to the previously-approved use mix, and is therefore in conformance with Section 27-547.
 - b. This amendment to the special purpose DSP also does not propose any changes to the previously approved general site layout, including lotting, street patterns, and environmental features, and the site layout is consistent with previously approved Conceptual Site Plan CSP 07004-01.
 - c. This amendment to the special purpose DSP is limited in its scope to the above-mentioned issues. The project's conformance to 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 approval, is still valid.
 - d. Section 27-546(d), Site Plans, of the Zoning Ordinance, includes additional findings for approval of a DSP in the M-X-T Zone, as follows:
 - (1) **The proposed development is in conformance with the purposes and other provisions of this Division;**

The subject special purpose DSP amendment is the next step towards implementation of the land use and development patterns envisioned in the previously approved CSP 07004-01. This DSP does not change any uses or development density. Therefore, this amendment to the special purpose DSP conforms to the purposes and other provisions of the M-X-T Zone with respect to guiding and helping to promote the orderly development of land, and to create dynamic functional relationships among individual uses with a distinctive visual character and identity. The applicant is requesting a change in the timing of the construction of the Community Center in Westphalia East and the dedication of the school site, in order to respond to the current market and economic forces.

- (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. The special purpose DSP was limited in scope and found to be in general conformance with the design guidelines or standards intended to implement the previously approved development concept recommended by the sector plan. The subject application for the revision of two conditions does not change this finding.

- (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 regulating standards established in this DSP will guide and help to create a cohesive development, which is both physically and visually united and will greatly improve the image of the immediate community, which is currently developing.

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

The special purpose DSP established the standards for the entire development, as previously approved in CSP-07004-01, and found to be compatible with the proposed development in the vicinity. The subject application for the revision of two conditions does not change this finding.

- (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 special purpose DSP established additional standards to implement the development as approved in CSP-07004-01, and helped to create a unique and cohesive independent town center for the Westphalia area. The subject application for the revision of two conditions does not change this finding.

- (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 Westphalia Town Center project is a multi-stage development for a mixed-use, master-planned, regional urban community consisting of up to 5,000 single-family detached, single-family attached, and multifamily dwelling units; approximately 5,900,000 square feet of commercial retail and office space; and three hotels with up to 600 rooms. According to the previously approved CSP-07004-01, the Westphalia Town Center will be developed in five phases and each phase is designed to allow for effective integration of subsequent phases as a self-sufficient entity. The subject application for the revision of two conditions does not change this finding.

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

An extensive pedestrian system consisting of master plan trails, bikeways, and sidewalks on all internal streets has been planned for the Westphalia Town Center, as well as the adjacent areas. The system is connected to all major destinations within the development and is convenient and comprehensively designed. A comprehensive network of sidewalks will ensure that non-motorized access is possible throughout Westphalia Town Center and surrounding developments. Approved CSP-07004-01 and PPS 4-08002 included detailed road cross sections that incorporate facilities for pedestrians and bicyclists. The subject DSP will not affect the implementation of the pedestrian system, as previously approved.

(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 original special purpose DSP provides specific information on the design of the pedestrian activity centers or gathering places. However, the specific design and amenities in each public open space within the Westphalia Town Center will be decided at the time of DSP for the specific area. The subject application for the revision of two conditions does not change this finding.

(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.**

This application is not proposing any new development and an adequacy finding is not required. The most recent adequacy finding for the overall M-X-T site was made in 2009 with PPS 4-08002, and the other current approvals for the town center fall 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 Town Center project contains approximately 530 acres of land and was previously approved in CSP 07004-01 as a mixed-use regional urban community.

- e. The subject property was approved as part of a regional urban community and is subject 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 approved CSP, including the townhouse standards.

(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:**

The previous approvals demonstrate conformance with these regulations and the subject amendment to two conditions does not change these findings.

- f. **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. All proposed architecture will need to demonstrate conformance with this height restriction. This application does not propose any architecture or changes to already approved architecture.
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, none are applicable to this DSP.
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:

17. The applicant and the applicant's heirs, successors and/or assignees shall dedicate Parcel 25 to the Board of Education at the time of dedication of any public rights-of-way abutting Parcel 25, or as determined at the time of approval of the special-purpose site plan.

Condition 17 of PPS 4-08002 provides for the dedication of a parcel, known as Parcel 25, to the Board of Education for use as a school site. This condition also allows for the timing of the dedication to be modified with the approval of the special purpose DSP. Since these original approvals, the developer of the Westphalia Town Center has engaged in multiple discussions with the Board of Education concerning its long-range plans for new school sites. However, the Board has indicated that they do not wish to accept the conveyance of the property at this time. Therefore, in order to be able to continue development of the town center, the applicant proposes a new condition with this amendment, as follows:

“The applicant and the applicant's heirs, successor and/or assigns shall convey Parcel 25 to the Board of Education at such time as the Board of Education provides written notice to the applicant of its desire to accept the conveyance of Parcel 25, in its sole discretion, based upon its determination that the long-range pupil growth forecast indicates the need for an additional school site in the approved Educational Facilities Master Plan in the vicinity of Parcel 25. The applicant and the Board of Education shall be entitled to provide for the conveyance of an alternative parcel within the Westphalia Town Center, upon mutual agreement, provided any such alternative site shall equal or exceed the size of Parcel 25. Any revisions required to implement the dedication of an alternative site shall be subject to approval of the Prince George's County Planning Director. Board of Education acceptance of the conveyance of the land does not suggest or imply that a new school will be constructed on the land except as subsequently communicated to the public through the Board's CIP and Facilities Master Plan process.”

The Planning Board agrees with the revision to the language requiring the dedication of Parcel 25, at such time as the Board of Education provides notice of its desire to accept the conveyance from the property owner. However, other parts of the suggested condition language are not acceptable, as they mandate what the Board should use to make its determination, and allow for any necessary plan revisions for an alternative site to be approved by the Planning Director. The Planning Board does not agree that these are appropriate and, as such, approved the alternative language, as conditioned herein:

The developer of the Westphalia Town Center (applicant) and the applicant's heirs, successors, and/or assignees shall dedicate Parcel 25, or an alternative parcel, which is acceptable to the Prince George's County Board of Education and the applicant, as approved by a conceptual site plan or PPS applicable to Westphalia Town Center, to the Board of Education, at such time as the Board

provides written notice to the applicant of its desire to accept conveyance of the parcel.

This was forwarded to Prince George's County Public School's staff to ensure agreement with the proposed revised condition language; and they are in agreement as indicated in an e-mail received September 14, 2020. Again, the Planning Board agrees that the Board of Education may use the suggested metrics and master plans in making their determination for timing of dedication, and may choose how to use the dedicated property.

In addition, the Planning Board agrees it is appropriate to include language in the condition to allow an alternative, acceptable parcel to Parcel 25 be provided for dedication to the Board of Education, upon approval of required applications. Parcel 25 is shown on the current applicable CSP and PPS as a school site, and cannot be developed with anything else until amendment applications are submitted, reviewed, and approved, in accordance with the Zoning Ordinance.

10. Infrastructure Detailed Site Plan DSP-12017: The Planning Board approved DSP-12017 for infrastructure on October 18, 2012 with three conditions, none of which are relevant to the review of this DSP.

11. Special Purpose Detailed Site Plan DSP-12043: The Planning Board approved special purpose DSP-12043 on May 2, 2013 with seven conditions. The applicant requests an amendment to only Condition 4 at this time, which reads as follows:

4. Prior to issuance of the 400th building permit for single-family dwelling units, the community building in Community Open Space 2 (located in the eastern residential area) and associated recreational facilities shall have approved building permits and be fully bonded.

Prior to issuance of the 500th building permit for single-family dwelling units, the aforementioned community building shall begin construction.

Prior to issuance of the 600th building permit for single-family dwelling units, the aforementioned community building shall be open for the residents.

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.

The applicant requests that this condition be modified only to allow the timing to more specifically reflect the current phasing and development progress within the overall Westphalia Town Center Development. When DSP-12043 was originally approved seven years ago, it was anticipated that one developer would develop the entire Westphalia Town Center. However, to date, Walton has fully developed Phase I of the town center with 348 townhouses. The current Phase 2 of the development, which includes community center C2, DSP-19009, Westphalia East, was approved by the Planning Board on April 2, 2020, for a total of 665 dwelling units, by a second developer. In addition, DSP-19062, Westphalia Town Center North, has been accepted and is under review for an additional approximately 629 dwelling units by a third developer.

The applicant's justification for the change in timing of the community center is also in part that the process for obtaining permits for the construction of units in Westphalia Town Center, makes the current triggers set forth in Condition 4 impracticable and unrealistic. The current condition ties the different triggers for the community center to the overall development, as opposed to the specific phase of development, which is critical for construction practicalities.

Given the delays inherent in permit processing, and the potential for permitting under DSP-19062 to move forward simultaneously with permitting under DSP-19009, the applicant is requesting a modification of Condition 4. Under the revised condition, the applicant would be required to progress as their phase of the development progresses. The applicant requests the following revised language:

4. **Prior to the issuance of the ~~400th~~ 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 ~~have approved building permits and~~ be fully bonded.**

Prior to issuance of the ~~500th~~ 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 ~~600th~~ 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 above modifications translate to the applicant bonding the community center, prior to issuance of 25 percent of the permits in their phase, construction beginning prior to 40 percent, and opening the community center prior to issuance of approximately 60 percent of the residential permits in their phase.

These modifications will reduce confusion by separating which building permits affect the triggers and are in keeping with the general timing originally envisioned with the special purpose DSP. In addition, no changes are proposed to the required elements or facilities. The additional permits will allow for more infrastructure to be constructed to access the community center. Therefore, the Planning Board approves the applicant's requested modifications to Condition 4. The Planning Board moved to strike single-family from the condition language since the development contains two-family dwelling units.

- 12. Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions, which were limited due to the scope of this application. The referral comments are included in this report by reference, and major findings are summarized, as follows:
- a. **Community Planning**— The Planning Board reviewed a memorandum dated August 20, 2020 (McCray to Hurlbutt), incorporated herein by reference, which indicated that master plan conformance is not required for this application.
 - b. **Prince George's County Department of Parks and Recreation (DPR)**—DPR did not provide comments on the subject project.
 - c. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not provide comments on the subject project.
 - d. **Prince George's County Health Department**—The Health Department did not provide comments on the subject project.
 - e. **Prince George's County Police Department**— The Police Department did not provide comments on the subject project.
 - f. **Westphalia Sector Development Review Advisory Council (WSDRAC)**—WSDRAC did not offer comments on the subject application.
- 13.** 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.

14. 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 Type I Tree Conservation Plan TCPI-014-08; and PPS 4-08002 and TCPI-014-08-01.

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 Detailed Site Plan DSP-12043-01 for the above described land, subject to the following conditions:

1. All of the previously approved conditions of Detailed Site Plan DSP-12043 remain in full effect with the exception of Condition 4 which shall be replaced in its entirety as follows:

4. Prior to issuance of the 150th building permit for 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 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 dwelling units in Westphalia East, approved pursuant to DSP-19009, the aforementioned community building shall be open for the residents.

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.

2. Pursuant to Condition 17 of Preliminary Plan of Subdivision (PPS) 4-08002 (PGCPB Resolution No. 09-93), the developer of the Westphalia Town Center (applicant) and the applicant's heirs, successors, and/or assignees shall dedicate Parcel 25, or an alternative parcel, which is acceptable to the Prince George's County Board of Education and the applicant, as approved by a conceptual site plan or PPS applicable to Westphalia Town Center, to the Board of Education at such time as the Board provides written notice to the applicant of its desire to accept conveyance of the parcel.


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 and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, September 17, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of September 2020.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

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APPROVED AS TO LEGAL SUFFICIENCY
David S. Warner /s/
M-NCPPC Legal Department
Date: September 22, 2020