



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

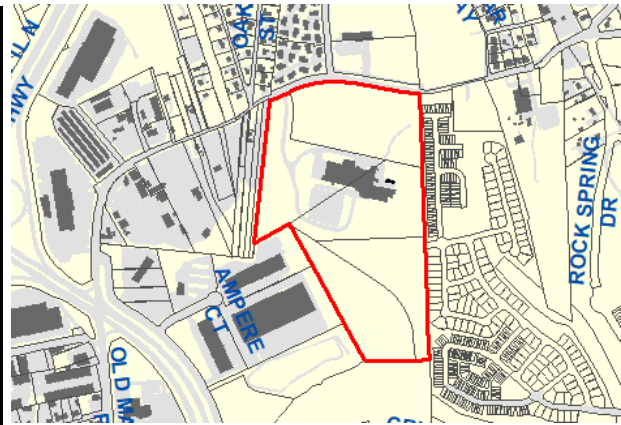
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Conceptual Site Plan Detailed Site Plan Cambridge at Westphalia

CSP-11003
DSP-18020

REQUEST	STAFF RECOMMENDATION
Redevelop Parcel 1 for approximately 38,400 square feet of office space and up to 324,480 square feet of warehouse space.	APPROVAL with conditions

Location: On the south side of Westphalia Road, approximately 2,700 feet east of MD 4 (Pennsylvania Avenue).	
Gross Acreage:	68.94
Zone:	M-X-T/M-I-O
Dwelling Units:	N/A
Gross Floor Area:	362,880 sq. ft.
Planning Area:	78
Council District:	06
Election District:	15
Municipality:	N/A
200-Scale Base Map:	205SE08
Applicant/Address: TC MidAtlantic Development 1055 Thomas Jefferson Street NW, Suite 600 Washington, DC 20007	
Staff Reviewer: Thomas Burke Phone Number: 301-952-4534 Email: Thomas.Burke@ppd.mncppc.org	



Planning Board Date:	05/07/2020
Planning Board Action Limit:	05/08/2020
Staff Report Date:	04/22/2020
Date Accepted:	02/28/2020
Informational Mailing:	10/25/2019
Acceptance Mailing:	02/27/2020
Sign Posting Deadline:	04/07/2020

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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

STAFF REPORT

SUBJECT: Conceptual Site Plan Amendment CSP-11003
Detailed Site Plan DSP-18020
Type 2 Tree Conservation Plan TCP2-002-2015-01
Cambridge at Westphalia

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

EVALUATION

This detailed site plan and the conceptual site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance in the Mixed-Use-Transportation Oriented (M-X-T) Zone, Military Installation Overlay (M-I-O) Zone and site design guidelines;
- b. The requirements of Conceptual Site Plan CSP-11003;
- c. The requirements of Preliminary Plan of Subdivision 4-19036;
- d. The requirements of the 2010 *Prince George's County Landscape Manual*;
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- f. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- g. Referral comments.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) to redevelop Parcel 1 for approximately 38,400 square feet of office space and up to 324,480 square feet of warehouse space in the M-X-T (Mixed Use-Transportation Oriented) Zone. This application also requests an amendment to Conceptual Site Plan CSP-11003, to eliminate the previously proposed 325-unit multifamily residential development.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	M-X-T/M-I-O	M-X-T/M-I-O
Use(s)	Vacant Industrial/Office Building	Warehouse/Office
Gross Acreage	68.94	68.94*
100-year Floodplain	4.25 acres	4.25 acres
Previously Dedicated Land	5.86 acres	5.86 acres
Net Tract Area	58.83 acres	58.83 acres
Parcel 1	15.42	43.33 acres
Parcel 2	52.27	4.50 acres
Parcel 3		6.57 acres
Parcel 4		4.25 acres
Gross Floor Area (sq. ft.)		
Industrial/Warehouse	142,500	324,480
Office	0	38,400
TOTAL		362,880 Sq. Ft.

Note: *The area tabulations on the DSP do not add to the total. A condition to correct this is included in the Recommendation section of this report.

Floor Area Ratio (FAR) in the M-X-T Zone*

Total FAR Permitted:	0.40 FAR
Total FAR Proposed:	0.14 FAR

Note: *A condition requiring a Floor Area Ratio Table to be added to the DSP is included in the Recommendation section of this report.

OTHER DEVELOPMENT DATA

Parking*	Spaces Provided
Warehouse/ Office 362,880 sq. ft.	
Standard Spaces	273
Handicapped Spaces	5
Van-Accessible Handicapped Spaces	2
Total Parking Spaces Provided	280

Loading*	Spaces Provided
Warehouse/ Office 362,880 sq. ft.	35

Note: *Per Sections 27-574 and 27-583 of the Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant has submitted an analysis dated March 26, 2020, by Lenhart Traffic Consulting, Inc., to be approved by the Planning Board. See Finding 7 for a discussion of the parking analysis.

3. **Location:** The subject property is located on the south side of Westphalia Road, approximately one-half mile east of its intersection with MD 4 (Pennsylvania Avenue), in Planning Area 78, Council District 6. This site is also within the Military Installation Overlay (M-I-O) Zone for noise and height.
4. **Surrounding Uses:** The site is bounded to the north by Westphalia Road with an M-NCPPC community center located in the Rural Residential (R-R) Zone, and residential development in the Multifamily Medium Density Residential (R-18) Zone beyond. West and south of the site is Light Industrial (I-1)-zoned development. The property is bounded to the east by single-family attached residential development, known as Parkside, in the Residential Medium Development (R-M) Zone.
5. **Previous Approvals:** On June 18, 1979, the Prince George’s County District Council approved Zoning Map Amendment A-9198 for I-1 zoning on approximately 139 acres of land, located on the south side of Westphalia Road, east of MD 4.

This property was originally Parcel C of the Penn-East Park subdivision. The site is developed with an existing 142,500-square-foot office and industrial building that was constructed in 1983, pursuant to Detailed Site Plan DSP-83045. This site was later rezoned from the I-1 Zone to the M-X-T Zone through the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA), which was approved by the District Council on February 6, 2007. The existing industrial building remains vacant today.

Conceptual Site Plan CSP-11003 was approved on October 24, 2013 (PGCPB Resolution No. 13-122) with 14 conditions. The CSP approved a square footage range for industrial/retail uses and up to 325 multifamily units. Preliminary Plan of Subdivision (PPS) 4-11012 was approved on June 5, 2014 (PGCPB Resolution No. 14-52) to subdivide existing Parcel C into two parcels, Parcels 1 and 2, with 23 conditions. Detailed Site Plan DSP-14021 was approved on July 30, 2015 (PGCPB Resolution No. 15-79) for development of 301 multifamily units on Parcel 1, with eight conditions.

Preliminary Plan of Subdivision 4-18005 was approved on November 15, 2018 (PGCPB Resolution No. 18-117) to subdivide the existing property for industrial use.

On February 19, 2020, an application was accepted for Preliminary Plan of Subdivision 4-19036 to create four parcels for 362,880 square feet of industrial use, which is scheduled to be heard by the Prince George’s County Planning Board on April 23, 2020.

6. **Design Features:** The applicant is proposing to redevelop Parcel 1 for a 362,880-square-foot building, which will include 38,400 square feet of office space and 324,480 square feet of warehouse space. This property currently fronts on Westphalia Road, which is designated as a master plan collector road (C-626) with an existing 80-foot right-of-way. The master plan also recommends creation of a new road designated as MC-634, with a 100-foot right-of-way. This planned road will run roughly north/south through the southern portion of the site. MC-634 is not proposed to be developed at this time; however, the applicant has agreed to dedicate the 100-foot right-of-way width for the entire segment within the property. The applicant is also proposing the extension of Deer Stream Drive to connect with the future MC-634, and is proffering a trail along the eastern boundary from the proposed Deer Stream Drive to Westphalia Road. This will provide an important non-vehicular connection from the Parkside community to destinations on Westphalia Road.

Architecture

This warehouse is roughly rectangular, measuring 625.5 feet long by 582.6 feet wide, with a height of approximately 42 feet. The building will be primarily constructed of two-tone grey concrete panels on three sides, and four tones of grey concrete panels with a mosaic pattern on the west side and partially on the north side, which are visible as patrons enter the site. The building contains a significant number of windows, particularly on the north side. The main entrance is distinguished with blue, illuminated, two-story metal trim, which wraps around the northwest corner of the building. This area is further characterized by full floor-height glass panels and an I-beam awning with the building address in large white illuminated numbers mounted on top, over the first floor. The architectural elevations provided with this application do not identify the building materials to be used. A condition to provide these details is included in the Recommendation section of this report.

Signage

One building-mounted sign and one monument sign is proposed with this application. The building-mounted sign will be located on the northwest corner of the building facing Westphalia Road. The sign will cover an area of approximately 242 square feet and be located on the top portion of the building above the entrance. The sign provides the company name "Capital Electric" in black, with the green and blue company logo placed to the left and set on the grey building face as the background. The building address will also be in the upper corner, above the company name.

The monument sign will be approximately 8 feet tall, and 20 feet long. The sign will be set with a light grey base, with blue metal trim along the top and side. The sign block will carry the same blue and green company logo, with the company name "Capital Electric, a Sonepar Company" set on a black background with white lettering. This monument sign will be located at the entrance to the site and be set back at least 10 feet from the Westphalia Road right-of-way. The sign is currently shown on the DSP outside of the property line. Therefore, a condition has been included in the Recommendation section of this report to move this onto the property.

The architectural elevations provided with this application do not show the sign details for either sign described above. A condition has been included in the Recommendation section of this report requiring the applicant to provide sign details with all materials and method(s) of illumination.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** This DSP has been reviewed for compliance with the requirements of the M-X-T and M-I-O Zones and the site design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-547, Uses Permitted, of the Zoning Ordinance. Pursuant to Section 27-547(b), the proposed industrial warehouse and office uses are permitted uses, subject to Footnote 10 under the following use description:

Where not otherwise specifically permitted, any use allowed in the I-1 Zone (excluding those permitted by Special Exception)

Footnote 10 contains two provisions:

- (A) **The property was rezoned from the I-1 Zone to the M-X-T Zone through a Sectional Map Amendment approved after January 1, 2007; and**
- (B) **All or part of the property is located within an airport noise zone subject to noise measuring a minimum of 70 dBA pursuant to an approved M-I-O (Military Installation Overlay) Zone.**

This property was rezoned to M-X-T from I-1 with the Westphalia Sector Plan, which was approved in February 2007, and the property is located within the M-I-O Zone, subject to noise measuring between 60 and 74 dBA and 75+ dBA.

Section 27-547(d) and (e) provides standards for the required mix of uses, as follows:

- (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone.... The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purpose of the zone:**
- (1) **Retail business;**
(2) **Office, research, or industrial uses;**
(3) **Dwellings, hotel, or motel.**
- (e) **For property placed in the M-X-T Zone by a Sectional Map Amendment approved after October 1, 2006, and recommended for mixed-use development in the General Plan, and a Master Plan, or Sector Plan for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, a Conceptual Site Plan submitted for**

any property located in the M-X-T Zone may include only one (1) of the above categories, provided that it conforms to the visions, goals, policies, and recommendations of the plan for that specific portion of the M-X-T Zone.

This application amends the CSP to remove the residential use and develop the site with a single industrial use. The M-X-T Zone generally requires a mix of uses on the CSP. However, Section 27-547(e) applies to the subject site, as the site was placed in the M-X-T Zone pursuant to the Westphalia Sector Plan, for which a comprehensive land use planning study was conducted by technical staff prior to the plan's initiation. The approved CSP, as proposed to be amended, indicates one of the above use categories (industrial and office), as allowed. The sector plan recommends a variety of residential, commercial, and employment land uses on the subject property. However, the adoption of Footnote 10 changed the land use recommendation for this specific property.

- b. The subject application has also been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve 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:

This site is in the vicinity of the Westphalia Road and MD 4 major interchange, and is located along one of the primary routes into the Westphalia community. Development on this property will provide an expanding source of employment opportunities for the area. This plan contributes to the walkability of the surrounding communities by providing trail improvements along the eastern boundary to connect the adjacent Parkside development to Westphalia Road. In addition, trail and crosswalk improvements on Westphalia Road will provide connectivity with surrounding communities.

(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;

This property was placed in the M-X-T Zone by the Westphalia Sector Plan. The proposed light industrial warehouse is defined as a permitted use, pursuant to Prince George's County Council Bill CB-10-2019, effective on August 5, 2019, which permits any use allowed in the I-1 Zone, excluding those permitted by special exception, to also be permitted in the M-X-T Zone under specific circumstances.

- (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 site layout has been designed to have an outward orientation that fronts Westphalia Road. The proposed building is well designed with high-quality materials and context-sensitive architecture to complement the surrounding community. Further, the proposal is appropriately buffered from the roadway and adjacent incompatible uses.

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

The subject site is bordered to the west by an existing industrial use (recycling facility), to the south by a vacant industrial building that is approved for office/retail, and to the east by residential uses. The subject site incorporates bufferyards that will further create a transition from industrial uses to residential uses to the east and north.

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

This proposal provides a single use and will be developed pursuant to the requirements of the I-1 Zone.

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

This project will not be phased.

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

The DSP provides safe pedestrian connections throughout the site and to neighboring communities. A trail is proposed from the subject property that will connect to sidewalks on the Parkside property, that will ultimately connect to the 150-acre central park for the Westphalia 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 proposed development is designed to be physically integrated with both existing and future adjacent development in the area. The DSP and landscape plan take full advantage of the environmental features of the property, in conjunction with integration of the site development within the confines of its combined Westphalia Road and the future planned MC-634 right-of-way streetscape setting.

- (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, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development, The findings 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.**

A traffic impact analysis (TIA), dated October 10, 2019, demonstrates adequacy of public roadways. The memorandum documents that a detailed scoping agreement was reached with M-NCPPC Transportation Planning Section staff, fully in accordance with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals,” and demonstrate that this project will satisfy the adequate public facility requirements of Prince George’s County.

- (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.**

PPS 4-19036 is recommended for Planning Board approval on April 23, 2020, at which time a finding for adequacy will be determined.

- (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.**

This site contains approximately 68.94 gross acres and is therefore not subject to this requirement.

- c. The subject property is located within the M-I-O Zone, specifically in Height Surface D, which has a height limit of 150 feet. The maximum height of the proposed building is approximately 42 feet. The site is also within the 60 to 74 dBA noise contours. A condition requiring this information to be provided on the DSP is included in the Recommendation section of this report.
- d. Section 27-274(a)(6) of the Zoning Ordinance establishes the required design guidelines for site and streetscape amenities for CSPs and DSPs. The proposed plan generally meets all of the site design guidelines by providing safe, efficient, and convenient vehicular and pedestrian circulation, adequate lighting, and landscaping to enhance the enjoyment of the site.
- e. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b).

In a memorandum dated March 26, 2020, Lenhart Traffic Consulting, Inc. provided the required parking analysis for this development and concluded that, with a base shared parking requirement of 207 spaces and a parking supply of 280 spaces, there are projected to be a surplus of parking spaces using the parking calculation procedures, as outlined in Section 27-574. Lenhart Traffic Consulting further concluded that, based upon this information, the site will be adequately parked, as proposed. Staff is in agreement with the conclusion of the parking analysis.

- 8. **Conceptual Site Plan CSP-11003:** Conceptual Site Plan CSP-11003, for 325 multifamily dwelling units, 175,200 square feet of industrial uses, and 68,221 square feet of commercial uses, was approved and the resolution adopted by the Planning Board on November 14, 2013 (PGCPB Resolution No. 13-122), with 14 conditions. The applicant is requesting to amend CSP-11003, via this DSP, as allowed by Section 27-282(g) of the Zoning Ordinance. In this instance, amendments are requested to modify the CSP to increase the square footage of industrial uses and remove the 325-unit multifamily residential development, and all site improvements related to it. Therefore, any CSP conditions of approval relating to said multifamily development are proposed for removal including Conditions: 1a, b, and d; 2a and e; 5b; 6a-c and f-j; 7; 8; 12; 13; and 14c and part of d.

Conformance with the remaining applicable CSP-11003 conditions and a discussion of the disposition of others are as follows:

- 6. **At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:**
 - d. **The applicant shall propose and provide a written description of the proposed green development techniques for evaluation by staff and the Planning Board.**

The statement of justification provided by the applicant indicates that the applicant will utilize green building techniques and the use of environmentally sensitive building materials, to the extent practicable.

- e. **The final landscape treatments for the frontage of Westphalia Road shall be determined. The landscape treatment shall provide an equivalent or better streetscape appearance than would be achieved under the strict application of Section 4.6, Buffering Development from Special Roadways.**

The plantings and preserved woodlands provided meet the requirements of Section 4.6-2, Buffering Developments from Special Roadways, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

- 9. **Prior to the issuance of any building permits within the subject property the evidence of the following certifications shall be provided:**
 - a. **The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.**
 - b. **A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in CB-3-2012.**

This DSP does not propose residential development, and the proposed building only reaches a maximum of 42 feet, which does not exceed the 150-foot height limit for Imaginary Surface D.

- 10. **Total development within the subject property shall be limited to uses which generate no more than 279 (129 in; 150 out) AM peak hour trips and 303 (142 in; 161 out) PM peak hour trips. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.**

The site is to be improved with 38,400 square feet of office space and up to 324,480 square feet of warehouse use, and will be accessed from Westphalia Road. A TIA, dated October 10, 2019, demonstrates that the trip generation for the site will be 207 AM and 201 PM trips, in conformance with this condition.

- 11. **Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
 - a. **Westphalia Road @ D'Arcy Road Intersection**
Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

b. Westphalia Road @ West site access intersection

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

c. Westphalia Road @ East site access Intersection

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

Based on the TIA submitted with this DSP, Conditions 11a and b are no longer relevant. These factors and considerations are incorporated within the submitted TIA. A requirement for a traffic signal warrant study, at the intersection of Westphalia Road and the site access, is conditioned with PPS 4-19036. Therefore, this entire condition can be removed from the CSP.

14. A comprehensive and safe pedestrian network shall be provided. A pedestrian and bikeway facilities plan shall be provided with the preliminary plan or detailed site plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:

- (a) Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.**
- (b) Additional consideration shall be paid to providing safe pedestrian route across Westphalia Road.**
- (d) Pedestrian connectivity from the existing industrial building to Westphalia Road and the proposed multifamily development.**
- (e) Connections to transit facilities including but not limited to bus stops.**

The items evaluated within the connectivity plan are subject to modification by staff for final review by the Planning Board.

The applicant is proposing a pedestrian network that supports this CSP condition. The submitted pedestrian and bikeway facilities plan shows connections to recreation facilities on adjacent sites, Westphalia Road and across it, and to transit facilities such as bus stops. However, staff recommends that sidewalks be built on both sides of Deer Stream Drive and that the applicant provide an exhibit showing the proposed cross sections for both MC-634 and Deer Stream Drive, with a condition included in the Recommendation section of this report.

9. Preliminary Plan of Subdivision 4-19036: At the time of publication of this staff report, the Planning Board is scheduled to review PPS 4-19036 at a public hearing on April 23, 2020. The staff report published for this PPS includes recommended conditions applicable to the review of this DSP, as follows:

3. **Total development within the subject property shall be limited to uses which generate no more than 207 AM peak-hour trips and 201 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.**

Staff can confirm that the square footage of the building in the subject DSP is identical to the building proposed in the PPS. This confirms that the pending trip cap in the PPS will not be exceeded.

10. **The applicant and the applicant's heirs, successors, and/or assignees shall provide the following pedestrian and bicycle facilities, and shall provide an exhibit depicting these improvements at the time of detailed site plan:**
 - a. **A minimum 8-foot-wide concrete or asphalt sidepath, along the subject site frontage of Westphalia Road, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement with written correspondence.**

An eight-foot-wide concrete side path is shown along the frontage of Westphalia Road on the DSP.
 - b. **A minimum 8-foot-wide concrete or asphalt sidepath, along one side of master plan road MC-634, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement with written correspondence.**

An eight-foot-wide hard surface side path is shown along one side of MC-634 on the Pedestrian Network Exhibit provided with the DSP application. This road will not be constructed at this time.
 - c. **A standard sidewalk along one side of master plan road MC-634, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement with written correspondence.**
 - d. **Standard sidewalks along both sides of Deer Stream Drive, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**

Sidewalks are not shown on MC-634 and both sides of Deer Stream Drive. A condition requiring that the sidewalks be shown on the Pedestrian Network Exhibit is included in the Recommendation section of this report.
 - e. **A minimum of three inverted-u shaped bicycle racks placed at a location convenient to the entrance of the proposed building.**
 - f. **A continental style crosswalk crossing Westphalia Road that connects the sidewalk on the north side of Westphalia Road and the trail along the eastern side of the subject site, unless modified by the Prince**

George's County Department of Permitting, Inspections and Enforcement with written correspondence.

The bicycle racks and continental-style crosswalk are shown on the DSP. A condition has been included in the Recommendation section of this report requiring the applicant to provide a detail for the bike racks.

- 11. Prior to approval of detailed site plan, provide an exhibit that illustrates the location, limits, and details of the trail and easement, which runs adjacent to the eastern edge of the subject property.**

The DSP shows the location, limits, and details of the trail running adjacent to the eastern edge of the property. However, the location of the easement is not provided, and sections of the trail are too confined between the proposed fence, retaining wall, and the landscape buffer. In addition, a 10-foot limit of disturbance must be provided between the preserved woodlands and the proposed retaining wall, to account for damage to the root zone of the existing trees. Conditions to revise the plan to address these issues are included in the Recommendation section of this report.

- 10. 2010 Prince George's County Landscape Manual:** This site is subject to Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Special Roadways; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The correct schedules are provided on the landscape and lighting plan, demonstrating conformance to these sections with sufficient widths and plantings, with the exception of Section 4.6 along Westphalia Road, a designated historic road. A Section 4.2 landscape strip was shown, instead of the applicable Section 4.6 buffer; however, the requirements are similar. In addition, the plantings shown on the west side of the entrance will be in conflict with the proposed monument sign. Therefore, conditions requiring the applicant to show the monument sign on the landscape plan and provide a Section 4.6 buffer are included in the Recommendation section of this report.

- 11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan, TCP2-002-2015-01, was submitted with the DSP.

The TCP2 submitted with this application comprises Parcels 1, 2, 3, and 4 (a master plan right-of-way). The gross tract area is 68.94 acres, with 4.25 acres of 100-year floodplain, resulting in a net tract area of 64.69 acres. The total site contains 45.03 acres of woodland in the net tract, with 3.63 acres of wooded floodplain. The woodland conservation threshold for M-X-T zoning is 9.70 acres (15 percent). The woodland conservation worksheet proposes the removal of 17.21 acres of woodland on the net tract area, resulting in a woodland conservation requirement of 14.01 acres. The requirement is proposed to be met fully with on-site woodland preservation.

The TCP2 shows 4.16 acres of “woodland retained not credited” attributed to the area identified as a master plan right-of-way (MC-634). Section 25-122(b)(1)(N)(v) of the WCO requires that “land dedicated or to be dedicated shall not be counted toward meeting the requirements,” and that “land areas dedicated or to be dedicated for future road construction shall be counted as cleared if the associated development is required to construct the road.” The applicant is proposing to dedicate the road with this application, but is not required to construct it at this time. Prior to approval of a grading permit for the development of MC-634, an approved TCP2, or revision to an existing TCP2, will be required and shall show the right-of-way as cleared.

Corrections and technical revisions are required to the TCP2 prior to approval, which are provided in the Recommendation section of this report.

12. Prince George’s County Tree Canopy Coverage Ordinance: Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires that a minimum percentage of the site be covered by tree canopy for any development projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The gross tract area of the site is 68.94 acres, resulting in a tree canopy coverage requirement of 6.89 acres. The schedule provided shows that this area is being met in full through the provision of proposed plantings and existing woodlands on-site.

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

a. **Community Planning**—In a memorandum dated April 3, 2020 (McCray to Burke), incorporated herein by reference, the Community Planning Division provided findings regarding the *Approved Plan Prince George’s 2035 General Plan*, the Westphalia Sector Plan, and the M-I-O Zone indicating that this site is in the Established Communities area, with a vision of context-sensitive, low- to medium-density development. In accordance with the sector plan, mixed commercial and residential land uses are recommended for this site.

b. **Environmental Planning Section**—In a memorandum dated April 6, 2020 (Finch to Burke), incorporated herein by reference, the Environmental Planning Section provided the following summarized comments:

Specimen Trees

The site contains 34 specimen trees. The applicant originally submitted a Subtitle 25 variance for removal of four specimen trees with this application. Subsequently, realignment of a necessary sewer connection was proposed and shown on the revised TCP2, which allows for retention of the four specimen trees. The Subtitle 25 variance request was subsequently withdrawn by the applicant on March 27, 2020.

Preservation of Regulated Environmental Features/Primary Management Area

The site contains regulated environmental features. With the review of PPS 4-19036 and TCP1-011-12-03, one impact to an isolated wetland and wetland buffer totaling 1,400 square feet was proposed for redevelopment of the site. Staff recommended approval of the impact.

Impacts totaling 40,558 square feet were previously approved with CSP-11003, to allow 37,790 square feet of isolated wetland and the associated buffer for development, 1,652 square feet of wetland and wetland buffer for the installation of a stormwater outfall, and 1,116 square feet for a stormwater outfall to be placed within the primary management area and stream buffer.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include the Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Urban land complex, Marr-Dodon complex, Potomac-Issue complex, Sassafras-Urban land complex, and Udorthents reclaimed clay and gravel pits. Marlboro and Christiana clays are not mapped on this property.

Stormwater Management

Stormwater Management Concept Letter 32693-2019-00 and associated plan was approved on October 25, 2019.

Scenic and Historic Roads

Westphalia Road is designated a historic road in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and has the functional classification of collector. The MPOT includes a section on Special Roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway, including to conserve and enhance the viewsheds along designated roadways. Any improvements within the right-of-way of an historic road are subject to approval by the County under the *Design Guidelines and Standards for Scenic and Historic Roads*.

- c. **Transportation Planning Section**—In a memorandum dated April 4, 2020 (Burton to Burke), incorporated herein by reference, the Transportation Planning Section provided an evaluation of the dedication of the future master-plan roadway, MC-634, and the extension of Deer Stream Drive to connect to MC-634, as well as the evaluation of the trip cap. Staff also finds the on-site circulation and parking to be acceptable.
- d. **Trails**—In a memorandum dated April 11, 2020 (Ryan to Burke), incorporated herein by reference, the trails planner provided findings of conformance with the previous conditions of approval, as well as the following summarized findings:

The MPOT and the Westphalia Sector Plan identify two master plan trails issues in the vicinity of the subject property. Sidepaths are recommended along Westphalia Road and MC-634. There is no existing bicycle infrastructure along Westphalia Road, in the vicinity of the subject property.

The applicant's submission features an 8-foot-wide trail adjacent to the eastern edge of the property, and an eight-foot-wide sidepath along the Westphalia Road frontage. The submission also displays MC-634, which features an MPOT-designated planned sidepath. The future extension of Deer Stream Drive will connect to MC-634, that provides an additional opportunity for bicycle-friendly roadways to be

planned with new road construction. Staff recommends that the applicant provide cross sections for both MC-634 and Deer Stream Drive, prior to certification, to reflect the recommended pedestrian and bicycle facilities, and a condition has been included in the Recommendation section of this report.

- e. **Historic Preservation Section**—In a memorandum dated March 2, 2020 (Stabler to Burke), incorporated herein by reference, the Historic Preservation Section found that the subject application will have no effect on identified historic sites, resources, or districts. A Phase I archeology survey was conducted on the subject property in January 2013. Based on the results of the Phase I survey, no cultural material was identified and no archeological sites were delineated.
- f. **Permits**—In a memorandum dated March 16, 2020 (Bartlett to Burke), incorporated herein by reference, the Permit Review Section indicated that, in the M-X-T Zone, all regulations, signage, and parking is determined by the DSP.
- g. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 27, 2020 (Giles to Burke), incorporated herein by reference, DPIE provided detailed comments on relocating the site entrance to the east and providing acceleration and deceleration lanes on Westphalia Road, in addition to standard comments on issues such as sidewalks, soils, street trees and lighting, and utilities, to ensure compliance with DPIE requirements.
- h. **Prince George’s County Health Department**—In a memorandum dated March 10, 2020 (Adepoju to Burke), incorporated herein by reference, the Health Department offered no comments for this project.
- i. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not provide any comments on the subject application.
- j. **Prince George’s County Police Department**—In a memorandum dated March 17, 2020 (Contic to Burke), incorporated herein by reference, the Police Department offered no comments for this project.
- k. **Potomac Electric Power Company (PEPCO)**—At the time of the writing of this technical staff report, PEPCO did not provide any comments on the subject application.
- l. **Verizon**—At the time of the writing of this technical staff report, Verizon did not provide any comments on the subject application.
- m. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this technical staff report, WSSC did not provide any comments on the subject application.

- n. **Westphalia Sector Development Review Council (WSDRC)**—Plan information was referred to the WSDRC for review and comment. As of the time of the writing of this report, the Westphalia Advisory Committee has not provided comment on this DSP.
- 14. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
- 15. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

The site contains an isolated wetland along the northern property line, adjacent to Westphalia Road; and another area in the southwest corner of the site, adjacent to a stormwater management outfall. Impacts to regulated environmental features were evaluated and approved as part of the previous CSP. Based on the level of design information currently available and the limits of disturbance shown on the TCP2, the regulated environmental features on the subject property have been preserved and/or restored, to the fullest extent possible.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

- A. APPROVE Conceptual Site Plan CSP-11003, with revisions as provided, subject to the following conditions:

Note: Based on the previously approved conditions for Conceptual Site Plan CSP-11003, the proposed new language below is underlined and the language to be deleted is shown as a ~~strike through~~. The numbering of other conditions and relative findings will be revised accordingly.

- 1. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made to the plans, or information shall be provided:

- [a. A note shall be added that the appropriate location of the access to the multifamily portion of the development shall be made at the time of preliminary plan of subdivision. Consideration shall be given to aligning the access with Chester Grove Road.]

- [b. The allowable FAR of 1.4 shall be indicated on the CSP.]

- [d. ~~Label the location of additional public spaces for use by the residents, with the location and number to be further developed at time of detailed site plan.~~]
2. Prior to certification of the conceptual site plan (CSP), Type 1 Tree Conservation Plan TCP1-011-12 shall be revised, as follows:
- [a. ~~Revise the limits of disturbance (LOD) to reflect the disturbance necessary for the multifamily development only.~~]
 - [e. ~~Show all proposed stormwater management and stormdrain structures necessary for the multifamily development only.~~]
5. At the time of the preliminary plan of subdivision the applicant shall:
- [b. ~~Evaluate the feasibility of providing an access point into the multifamily portion of the development that is aligned with the existing intersection of Chester Grove Road and Westphalia Road.~~]
6. At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:
- [a. ~~The multifamily development shall demonstrate adequate screening of all surface parking lots that are adjacent to Westphalia Road.~~]
 - [b. ~~The multifamily development shall include public spaces for the benefit of future residents that include sitting areas and objectively attractive site and landscape features. These public spaces shall incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An objectively attractive mix of public spaces that include focal points, seating areas, specialty landscaping, and specialty paving materials shall be provided.~~]
 - [c. ~~Adequate visitor parking spaces to serve the proposed multifamily development shall be provided.~~]
 - [f. ~~The applicant shall allocate appropriate and developable areas for the private recreational facilities.~~]
 - [g. ~~The applicant shall demonstrate to the Planning Board in writing that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate means and that such instrument is legally binding upon the subdivider and his heirs, successors, and assigns.~~]
 - [h. ~~Access to existing or future bus routes shall be evaluated at time of detailed site plan, and facilities for a bus stop shall be shown if deemed appropriate by the Department of Public Works and Transportation (DPW&T).~~]

- [i. ~~The multifamily development shall utilize an appropriate balance of finish materials such as brick, stone, and cementitious siding. The cumulative area of all of the building elevations of all of the multifamily buildings should be no less than 40 percent brick or stone. A chart indicating the composition of the building materials shall be provided with the architectural elevations.~~]
- [j. ~~A variety in building styles and architecture shall be demonstrated. Flat façades shall be avoided by using bays, balconies, and other projecting elements.~~]
- [7. ~~The applicant shall submit three (3) original executed private Recreational Facilities Agreements (RFA) for the private recreational facilities on-site to the M-NCPPC Development Review Division for their approval three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George’s County, Maryland.~~]
- [8. ~~The applicant shall submit to the M-NCPPC Development Review Division a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.~~]
- [11. ~~Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency’s access permit process; and (c) have an agreed upon timetable for construction with the appropriate operating agency:~~]
- [a. ~~Westphalia Road @ D’Arcy Road Intersection~~
~~[Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.]~~]
- [b. ~~Westphalia Road @ West site access intersection~~
~~[Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.]~~]
- [c. ~~Westphalia Road @ East site access Intersection~~
~~[Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.]~~]
- [12. a. ~~The applicant shall make a monetary contribution to the “park club”, which is to be established and administered by the M-NCPPC Department of Parks and Recreation. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for construction, operation and maintenance of the recreational facilities in the central park~~]

~~and/or the other public parks that will serve the Westphalia Study Area. The park club shall be established and administered by the DPR.]~~

- ~~[b. Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into an account administered by the M-NCPPC. If not previously determined, the agreement shall also establish a schedule of payments and/or a schedule for park construction. The payment shall include a formula for any needed adjustments to account for inflation. The agreement shall be recorded among the Prince George's County Land Records by the applicant prior to final plat approval.]~~

- ~~[13. The applicant, his successors, and/or assigns, shall provide on-site private, recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.]~~

- 14. A comprehensive and safe pedestrian network shall be provided. A pedestrian and bikeway facilities plan shall be provided with the preliminary plan or detailed site plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:

- ~~[(c) Linkage of private recreational facilities to trails via a ten-foot wide asphalt master planned trail along the Cabin Branch and eight-foot wide trail connectors to the neighborhoods.]~~

- ~~(d) Pedestrian connectivity from the [existing] industrial building to Westphalia Road [and the proposed multifamily development].~~

B. APPROVE Detailed Site Plan DSP-18020 and Type 2 Tree Conservation Plan TCP2-002-2015-01 for Cambridge at Westphalia, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
 - a. Obtain signature approval of Preliminary Plan of Subdivision 4-19036 and revise the DSP, as necessary.
 - b. Correct the tabulations on the DSP to be consistent with the area tabulations for the Type 2 tree conservation plan, ensuring that the tabulations add to the gross lot area.
 - c. Remove the Phase 2 nomenclature from the architectural elevations and the diagonal hatching from the DSP. This DSP is not evaluating possible future expansion of the facility.
 - d. Label the building materials on the architectural elevations.
 - e. Provide a Floor Area Ratio table on the DSP.

- f. Show and label the monument sign on the DSP and the landscape plan, demonstrate with measurements that the sign is located at least 10 feet behind the right-of-way line and is clear of any proposed landscape plantings.
 - g. Provide sign details for the freestanding and building-mounted signs. The details must include size, profile, building materials, and method of illumination for each sign.
 - h. Provide the Military Installation Overlay (M-I-O) Zone details and restrictions in the general notes of the DSP, including height restrictions and noise levels, demonstrating that this proposal meets those restrictions.
 - i. Provide a detail for the inverted U-shaped bike racks and all proposed fence types, which are to be pedestrian-friendly where adjacent to the proposed trail.
 - j. Show a sidewalk along the north side of MC-634 and on both sides of Deer Stream Drive on the Pedestrian Network Exhibit, and provide conceptual cross-sections of both roads showing these pedestrian improvements.
 - k. Move the retaining wall along the eastern edge of the site to be a minimum of 10 feet away from the required 40-foot-wide Section 4.7 landscape buffer, which is to be preserved woodlands where existing. The limits of disturbance shall run along the edge of the landscape buffer.
 - l. Show the proposed minimum 12-foot-wide easement centered on the 8-foot-wide trail running parallel to the eastern boundary line. Any fencing or retaining walls should be outside of this easement.
 - m. Move the site entrance on Westphalia Road to the east, in conformance with the Prince George's County Department of Permitting, Inspections and Enforcement comments.
 - n. Revise the landscape plan to provide a Section 4.6 buffer along Westphalia Road.
2. Prior to certificate approval of the detailed site plan (DSP), the Type 2 tree conservation plan (TCP2) shall be revised, as follows:
- a. The correct TCP number for this application is TCP2-002-2015-01, which should be referenced consistently on the plan and in the approval block.
 - b. Revise the TCP approval block to add the prior approval of TCP2-002-2015, add associated information in standard font, and add information related to the -01 revision.
 - c. Remove woodland preservation from public utility easements (PUEs). All existing woodland in PUEs should be identified as "Woodland Retained – Assumed Cleared."

- d. Any retaining walls shall be set back 10 feet from the primary management area (PMA), to allow for construction and maintenance without disturbance to the PMA.
- e. Woodland conservation areas shall be set back 10 feet from any retaining wall, to allow for construction and maintenance without disturbance to the woodland.
- f. Add a label to Westphalia Road indicating that it is a designated historic road and show the location of the Section 4.6 (Buffering Development from Special Roadways) landscape buffer on the plan, outside of the public utility easement.
- g. Remove the “proposed tree line” from the plan.
- h. Provide a key sheet on the plan identifying the location of individual plan sheets.
- i. Revise the TCP2, as applicable, to be consistent with any other revisions required to the DSP.
- j. Revise all notes, worksheets, and tables to correctly reflect revisions to the Type 1 tree conservation plan, and be consistent with the preliminary plan of subdivision. The correct amount of previously dedicated right-of-way is 0.00 acres.
- k. Make any technical revisions required for consistency with the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance and the Environmental Technical Manual.
- l. Revise Note 2 provided on all plan sheets to read:

“Temporary Tree protection devices and signs to be installed prior to the start of construction. Permanent tree protection signage shall be installed prior to issuance of use and occupancy permit(s).”
- m. The Liber and folio of the recorded Woodland and Wildlife Habitat Conservation Easement for Parcel 1 shall be added to the standard TCP2 notes on the plan, as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber ____ Folio____. Revisions to this TCP2 may require a revision to the recorded easement.”
- n. Prior to signature approval of the TCP2, have the property owner sign the Owner’s Awareness Certificate.

- o. Have the revised plan signed and dated by the qualified professional preparing the plan.
- 3. Prior to issuance of any permits which impact wetlands, wetland buffers, streams, or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

ITEM: 7

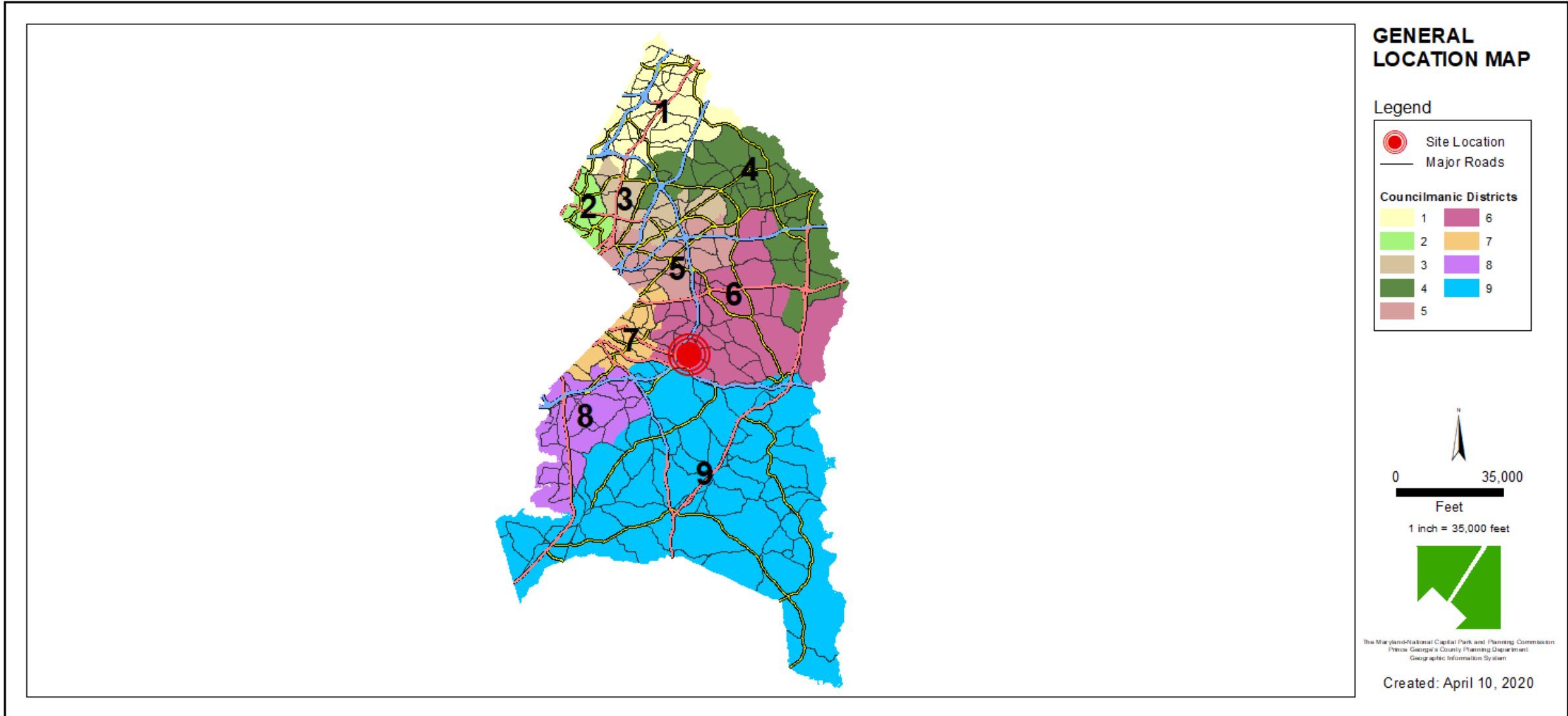
CASE: DSP-18020

CAMBRIDGE AT WESTPHALIA

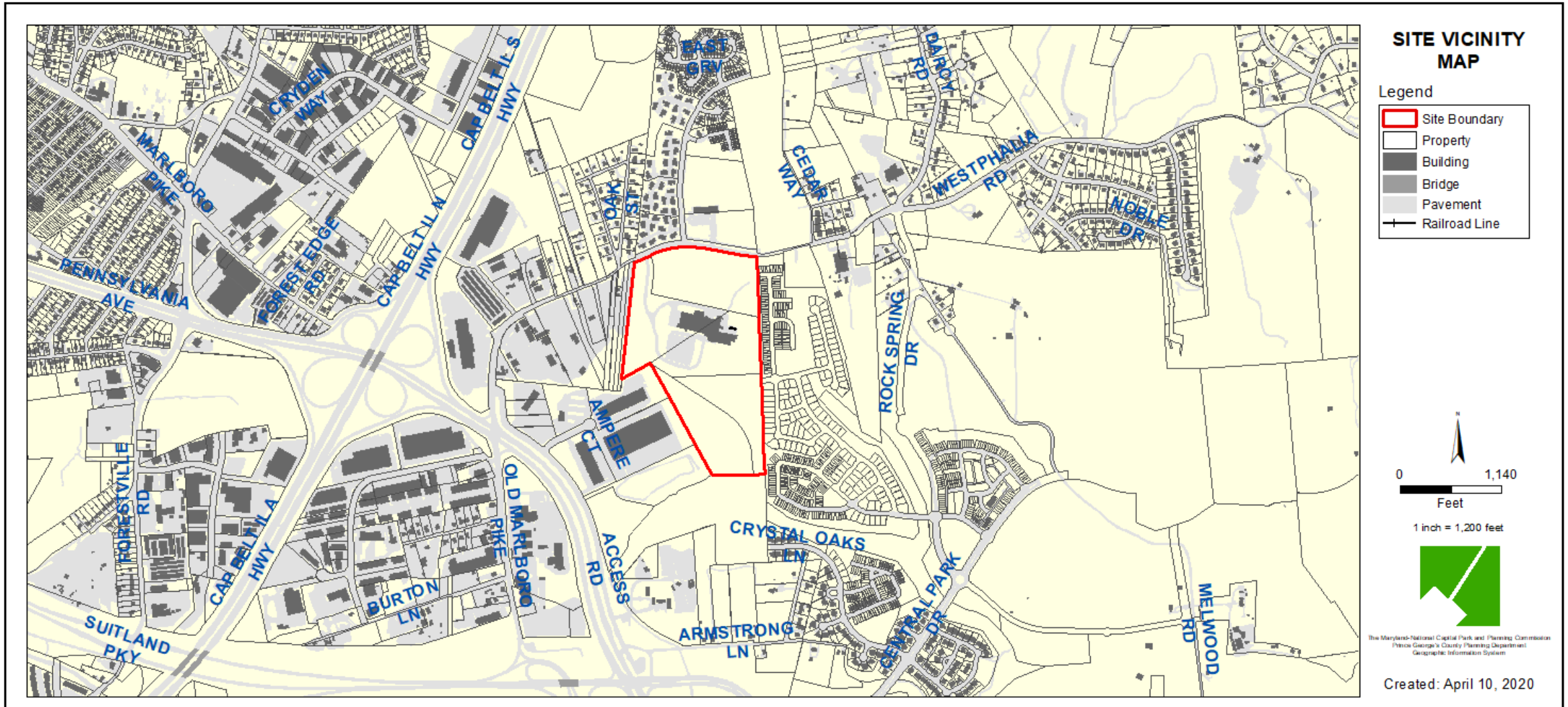
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



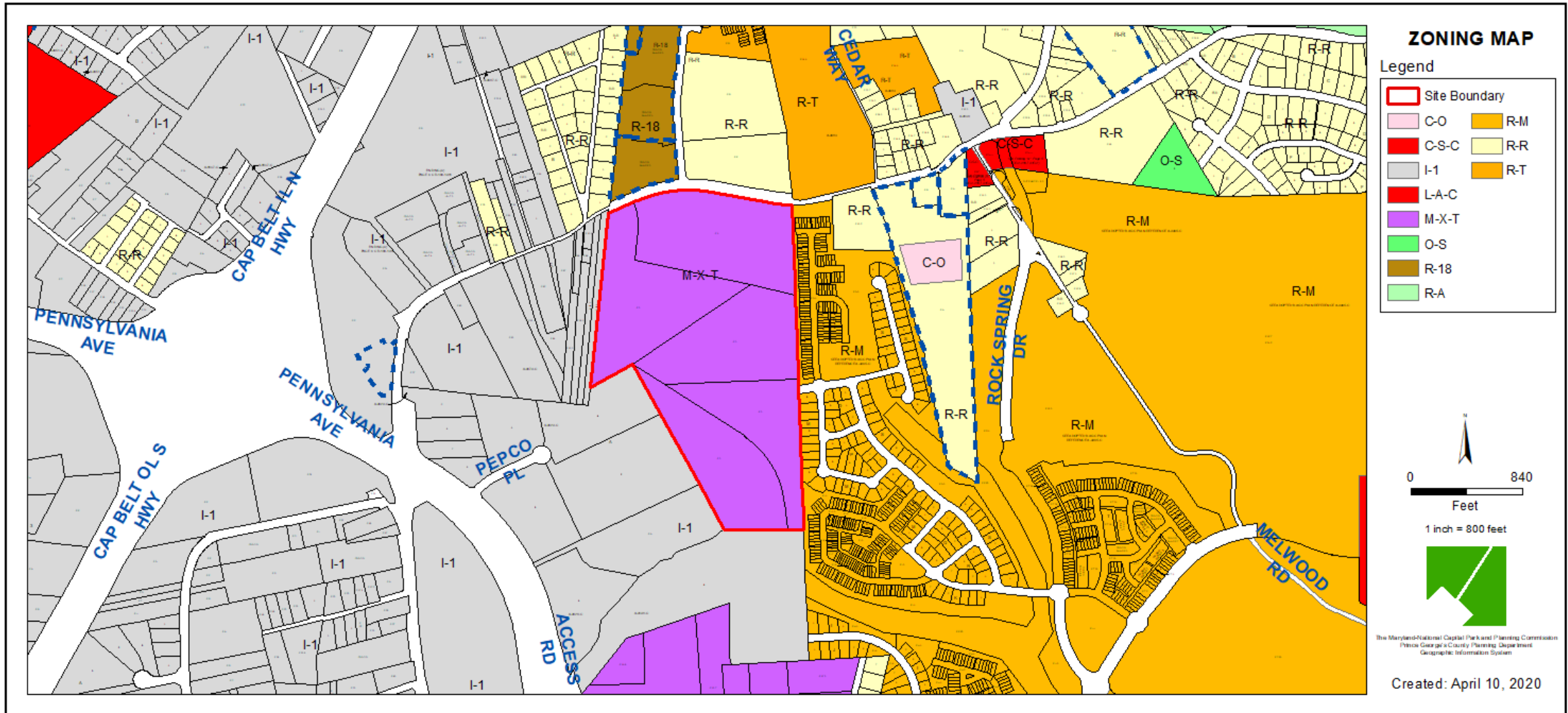
GENERAL LOCATION MAP



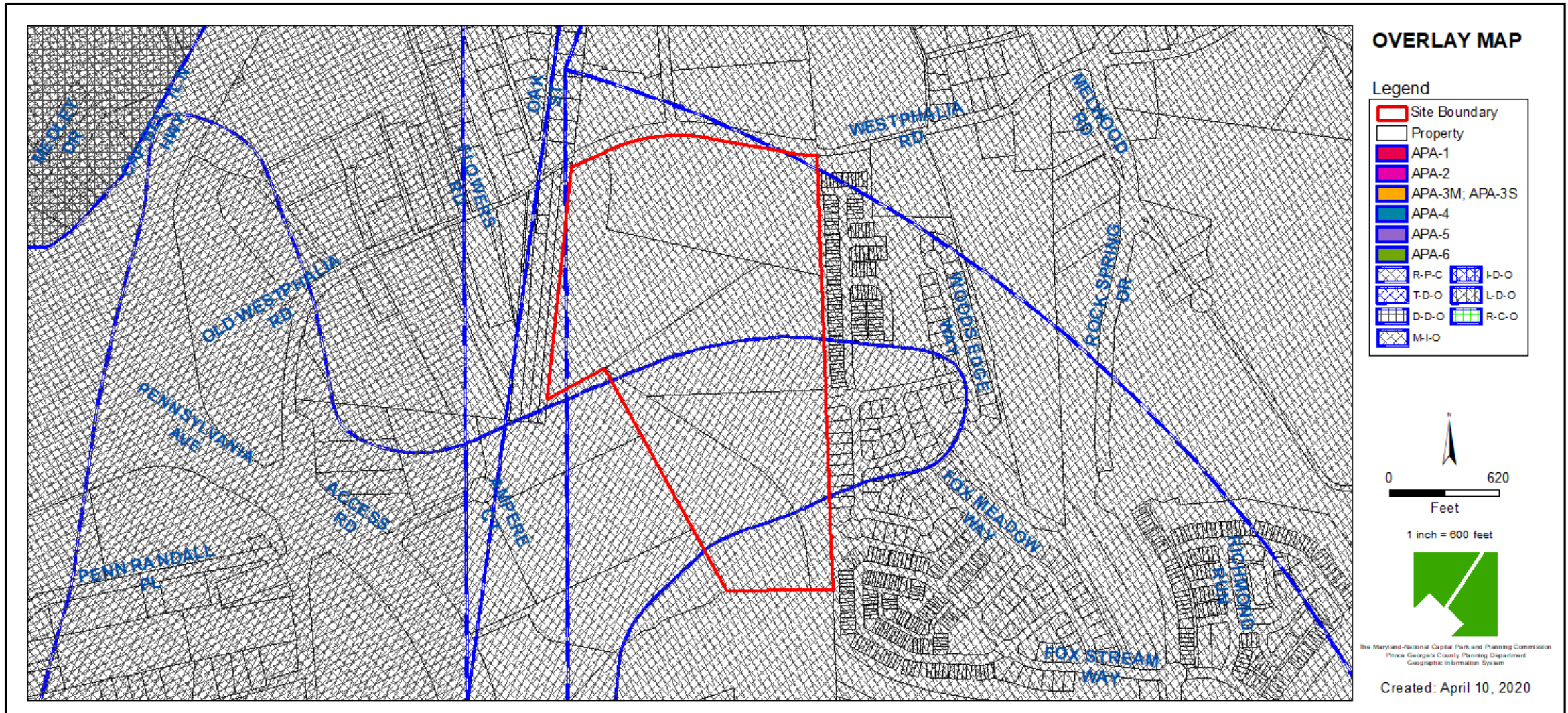
SITE VICINITY



ZONING MAP



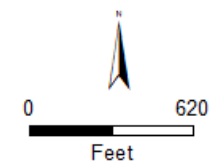
OVERLAY MAP



OVERLAY MAP

Legend

- Site Boundary
- Property
- APA-1
- APA-2
- APA-3M; APA-3S
- APA-4
- APA-5
- APA-6
- R-P-C
- I-D-O
- T-D-O
- L-D-O
- D-D-O
- R-C-O
- M-I-O



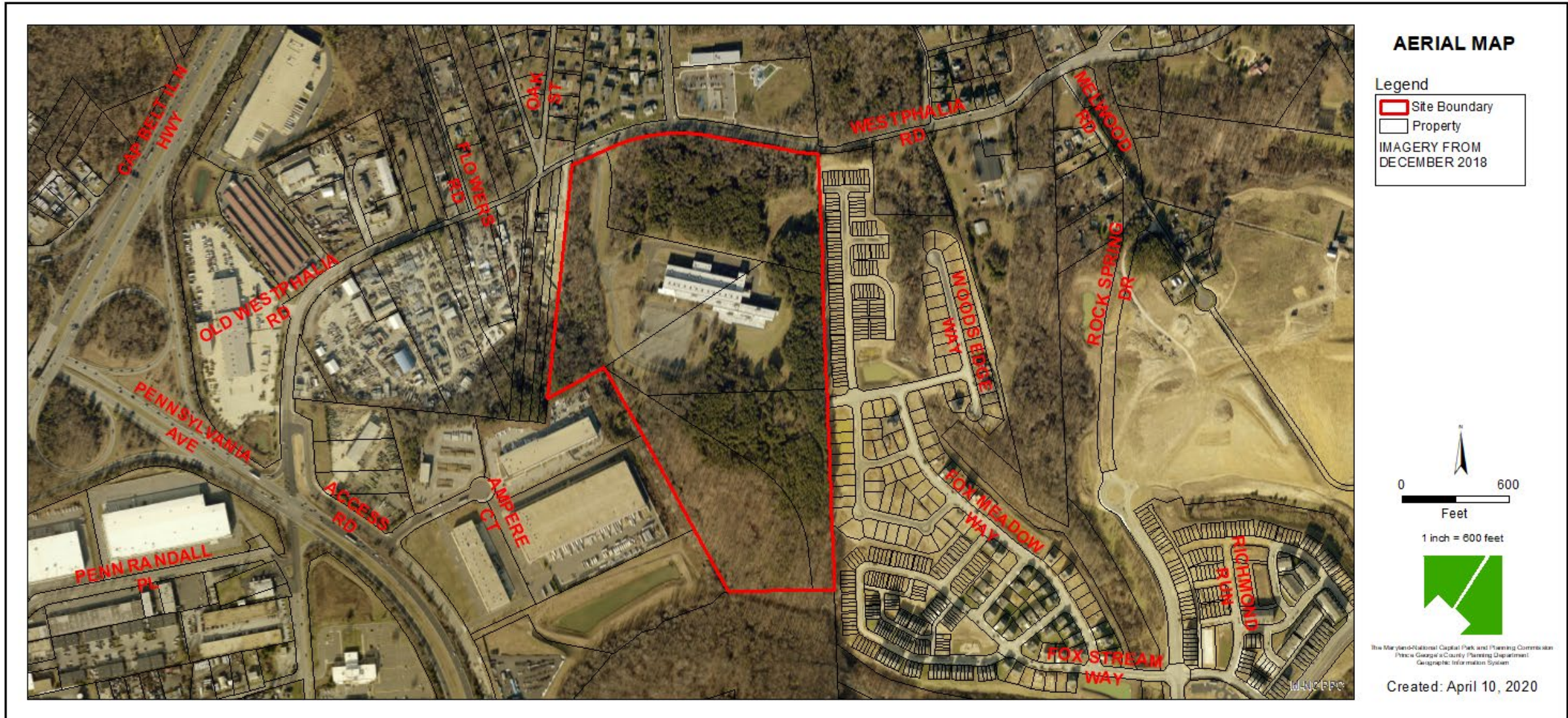
1 inch = 600 feet



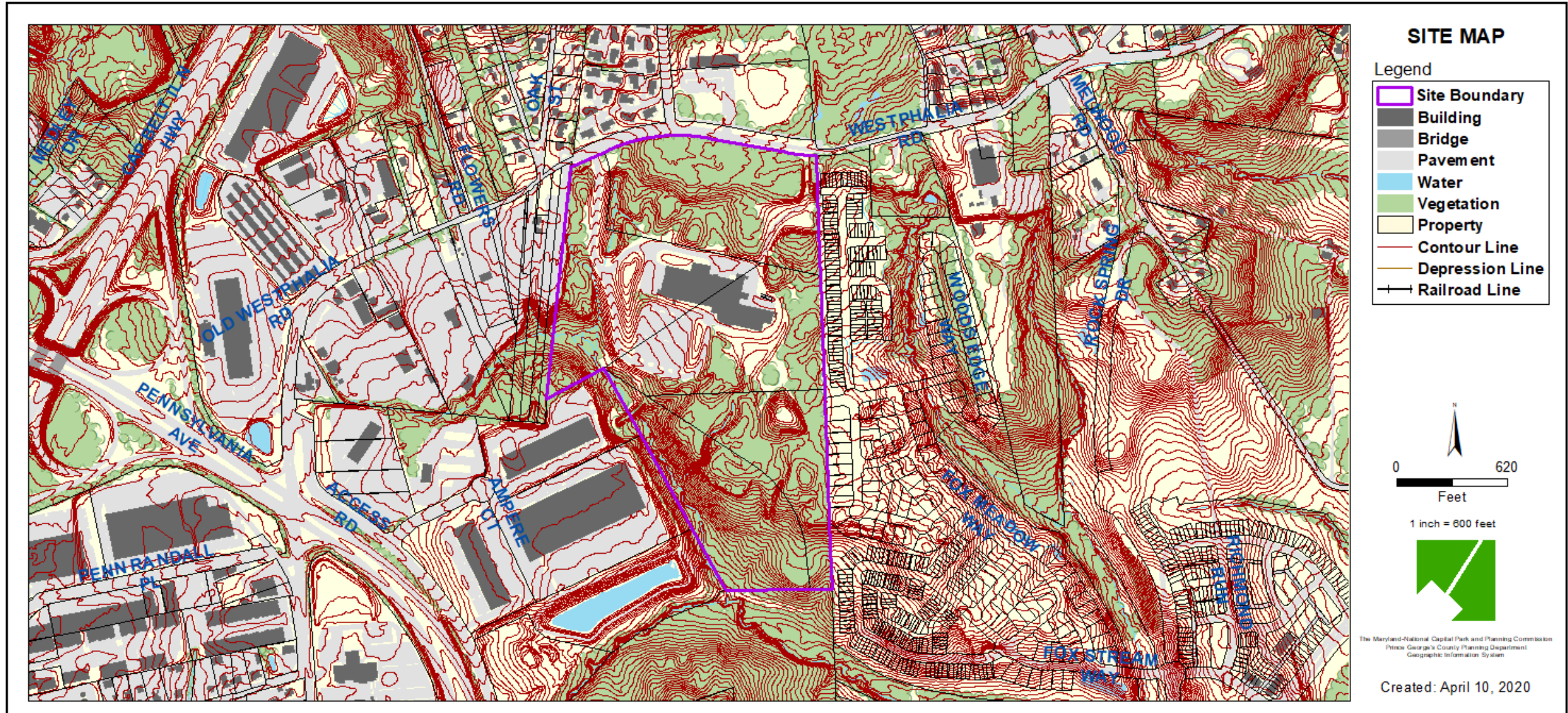
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System

Created: April 10, 2020

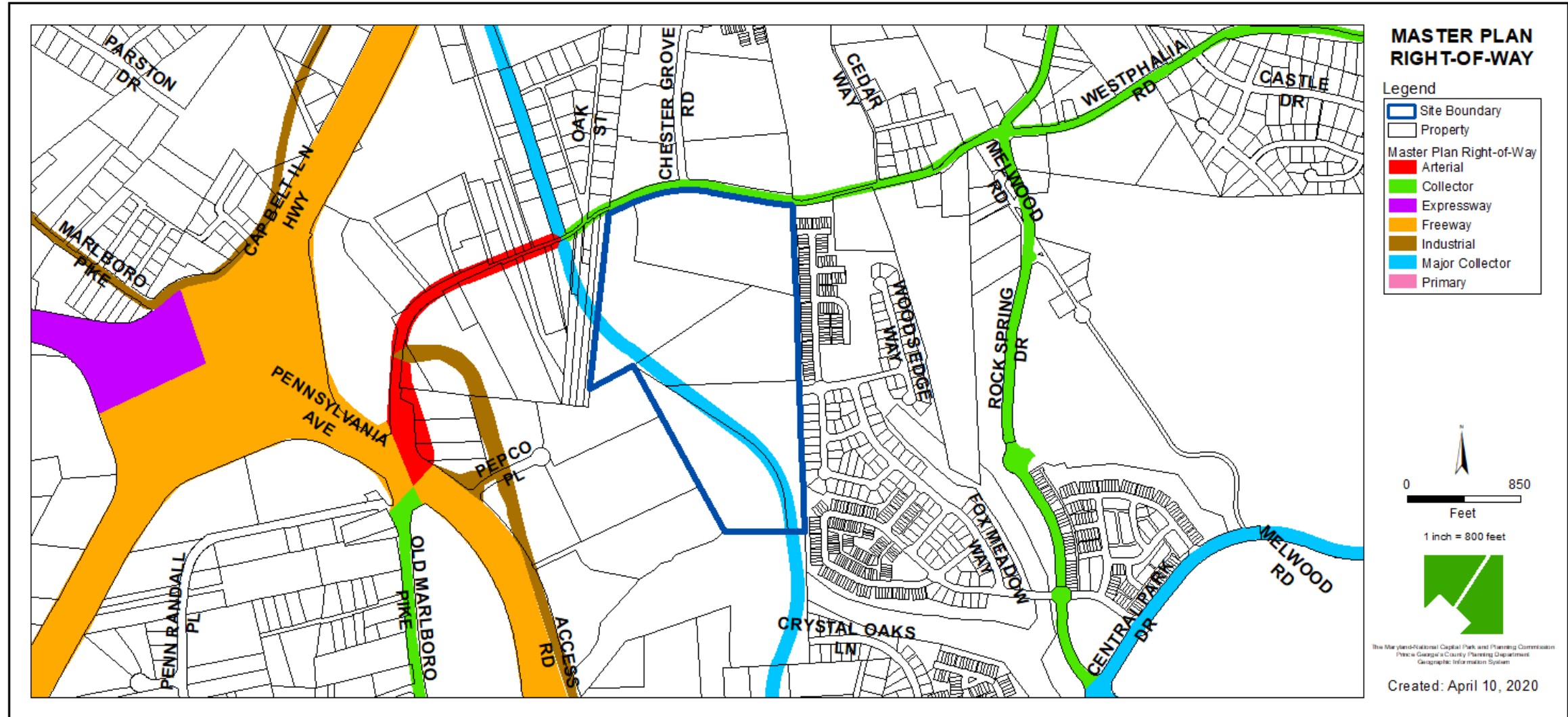
AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



COMPOSITE PLAN



SITE PLAN



DAY RENDERING



02.03.20 **MGMA**

Trammell Crow Company

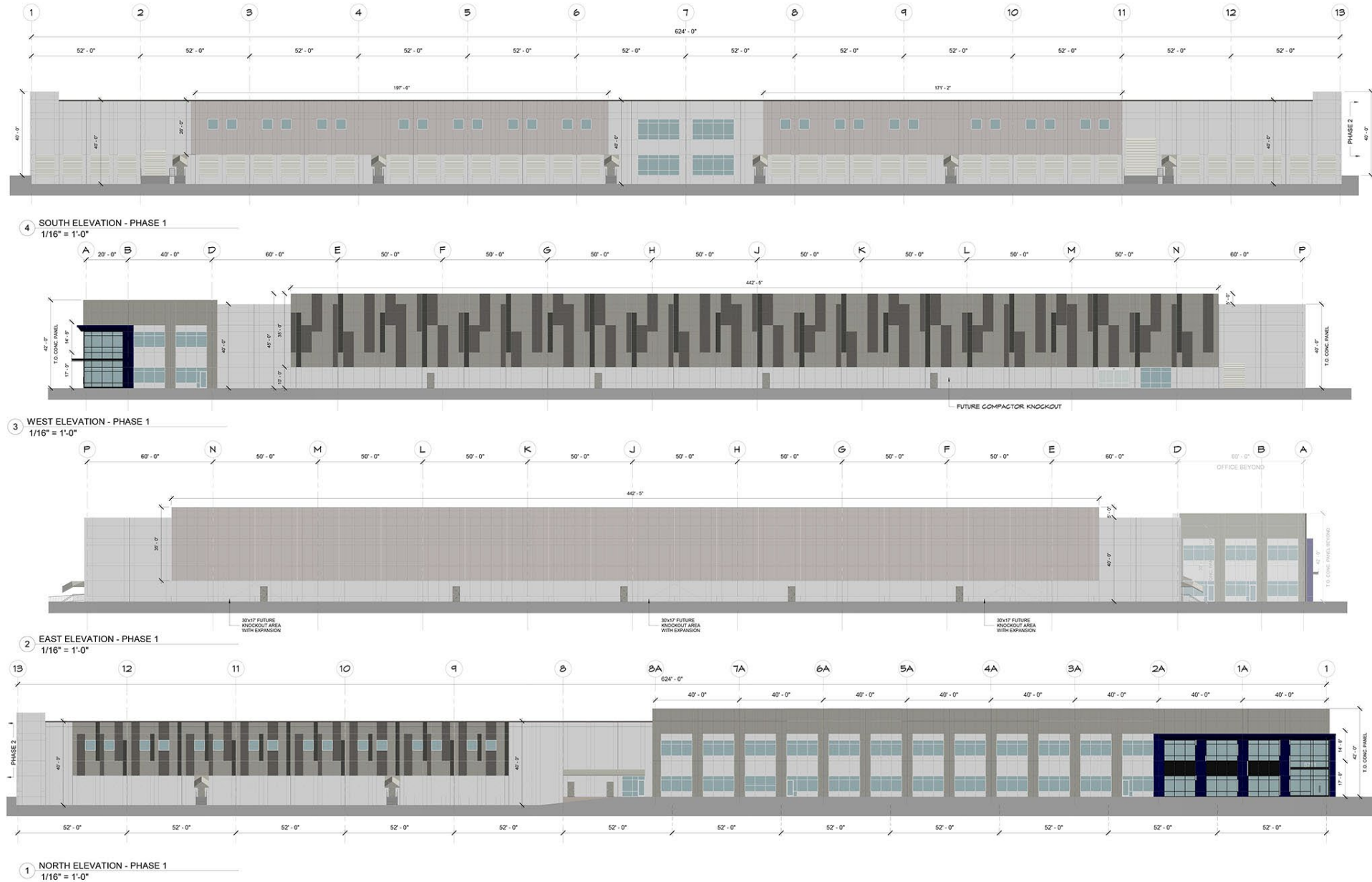
OPTION 1
CAPITAL ELECTRIC @ WESTPHALIA



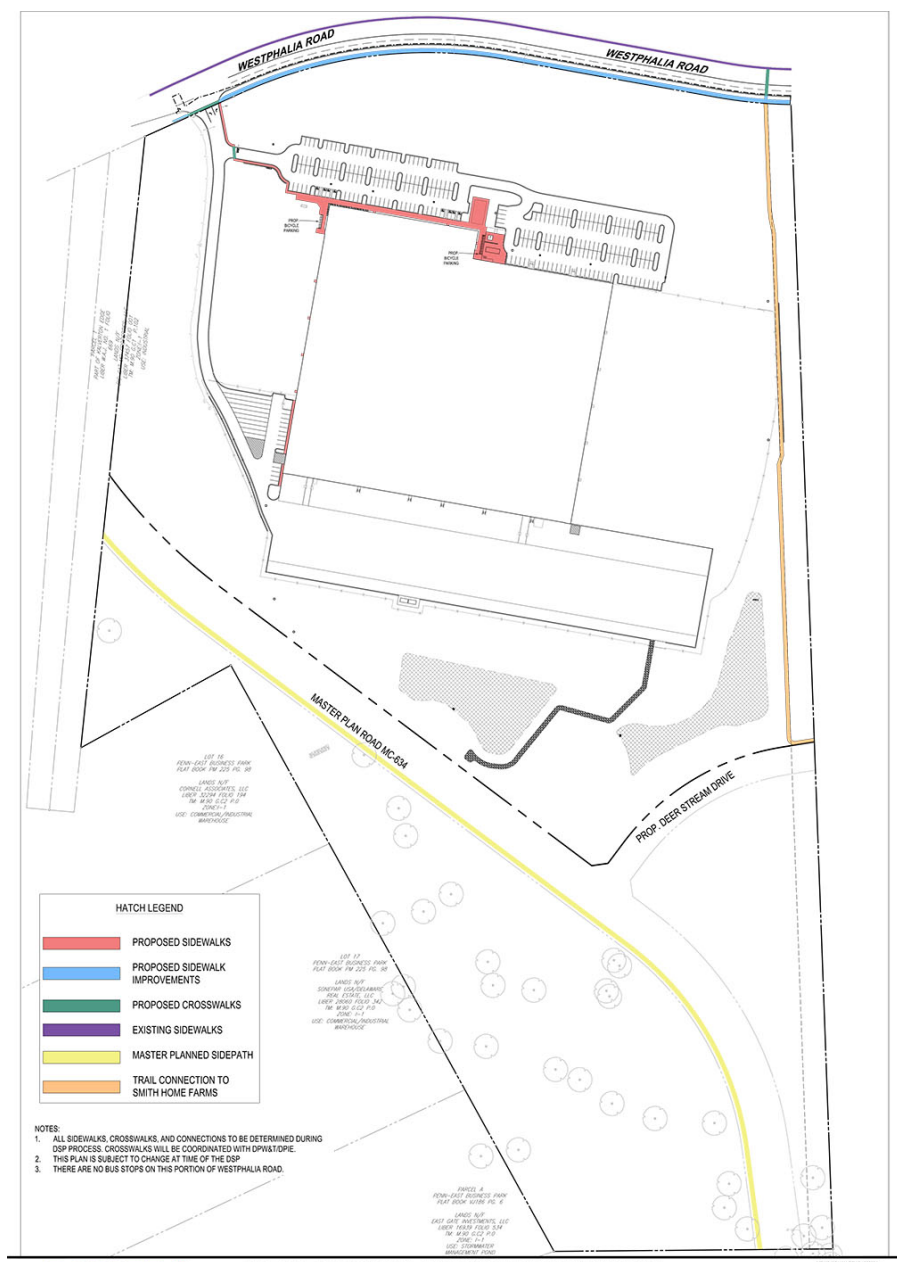
NIGHT RENDERING



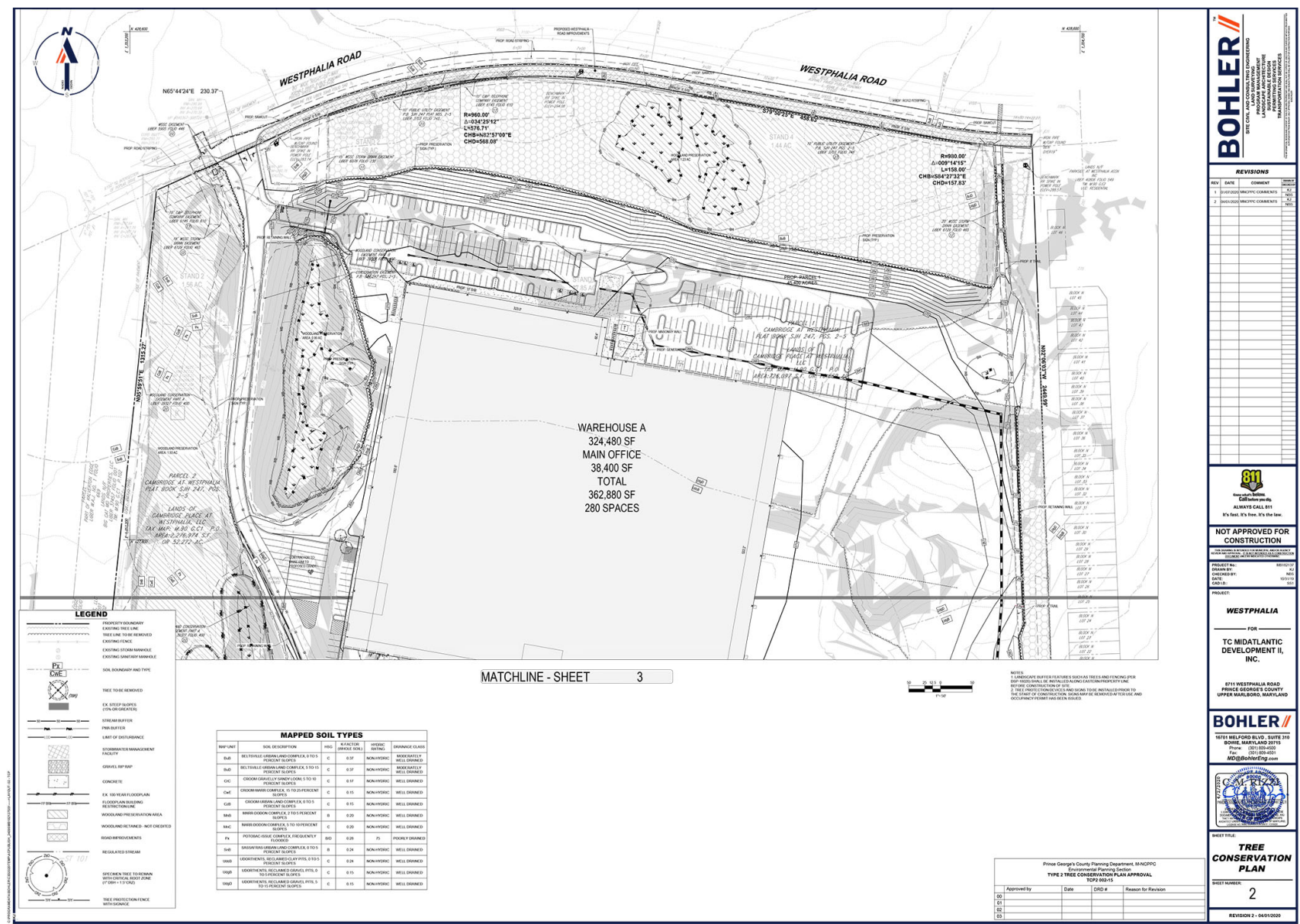
ELEVATIONS



PEDESTRIAN NETWORK PLAN



TYPE 2 TREE CONSERVATION PLAN



LEGEND

- PROPERTY BOUNDARY
- EXISTING TREE LINE
- TREE LINE TO BE REMOVED
- EXISTING SETBACK MARKER
- EXISTING SANITARY MARKER
- SOIL BOUNDARY AND TYPE
- TREE TO BE REMOVED
- EX DEEP BLADES
- EX OR GREATER
- STREET BUFFER
- PERMISSIVE
- LIMIT OF DISTURBANCE
- STORMWATER MANAGEMENT FACILITY
- URVAC SIP RAP
- CONCRETE
- EX 10-YEAR FLOODPLAIN
- FLOODPLAIN BUFFER RESTRICTION LINE
- WETLAND PRESERVATION AREA
- WETLAND RESTORED, NOT CREATED
- WATER INFILTRATION
- REGULATED STREAM
- SPECIMEN TREE TO BE MAINTAINED WITHIN BUFFER ZONE OF 10 FEET
- TREE PRESERVATION WITH SOURCE

MAPPED SOIL TYPES

SWP LINE	SOIL DESCRIPTION	PERCENT	A FACTOR	DRYING	SHRINKAGE	DRAINAGE CLASS
BaB	BELLEVILLE GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.37	NONHYDRC	WELL DRAIN	MODERATELY WELL DRAIN
BaC	BELLEVILLE GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.37	NONHYDRC	WELL DRAIN	MODERATELY WELL DRAIN
CcC	CHOCOMA GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.37	NONHYDRC	WELL DRAIN	WELL DRAIN
CwE	CHOCOMA GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.35	NONHYDRC	WELL DRAIN	WELL DRAIN
CwB	CHOCOMA GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.35	NONHYDRC	WELL DRAIN	WELL DRAIN
BaB	BELLEVILLE GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.37	NONHYDRC	WELL DRAIN	WELL DRAIN
Pa	POTOMAC RIVER COMPLEX, FREQUENTLY FLOODED	B	0.28	NONHYDRC	POOR DRAIN	POOR DRAIN
UaB	UNION BRASS GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.34	NONHYDRC	WELL DRAIN	WELL DRAIN
UaC	UNION BRASS GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.34	NONHYDRC	WELL DRAIN	WELL DRAIN
UaD	UNION BRASS GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.34	NONHYDRC	WELL DRAIN	WELL DRAIN
UaE	UNION BRASS GRASSLAND COMPLEX, 0 TO 10 IN PERCENT CLAY	C	0.34	NONHYDRC	WELL DRAIN	WELL DRAIN

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 BOWIE, MARYLAND 20715
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 FAX: (301) 380-2001
 MD@BohlerEng.com

REVISIONS

REV	DATE	COMMENT	BY	CHKD
1		ISSUED FOR PERMIT COMMENTS		
2		ISSUED FOR PERMIT COMMENTS		

811
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NOT APPROVED FOR CONSTRUCTION

PROJECT NO: 8810117
 DRAWN BY: MEB
 CHECKED BY: MEB
 DATE: 03/26/2020

WESTPHALIA

FOR
 TC MIDATLANTIC DEVELOPMENT II, INC.

8711 WESTPHALIA ROAD
 PRINCE GEORGE COUNTY
 UPPER MARLBORO, MARYLAND

BOHLER

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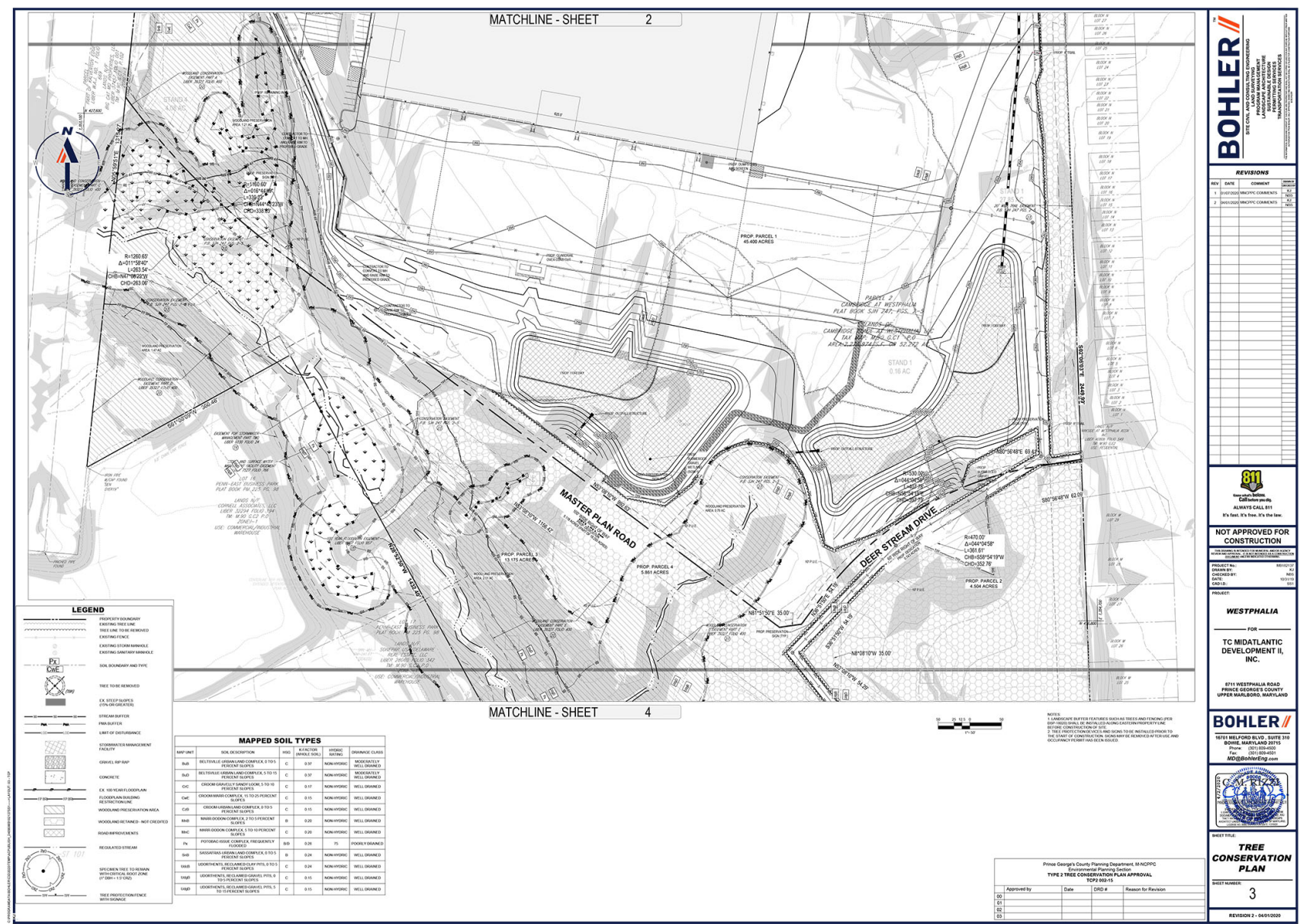
TREE CONSERVATION PLAN

SHEET NUMBER: 2

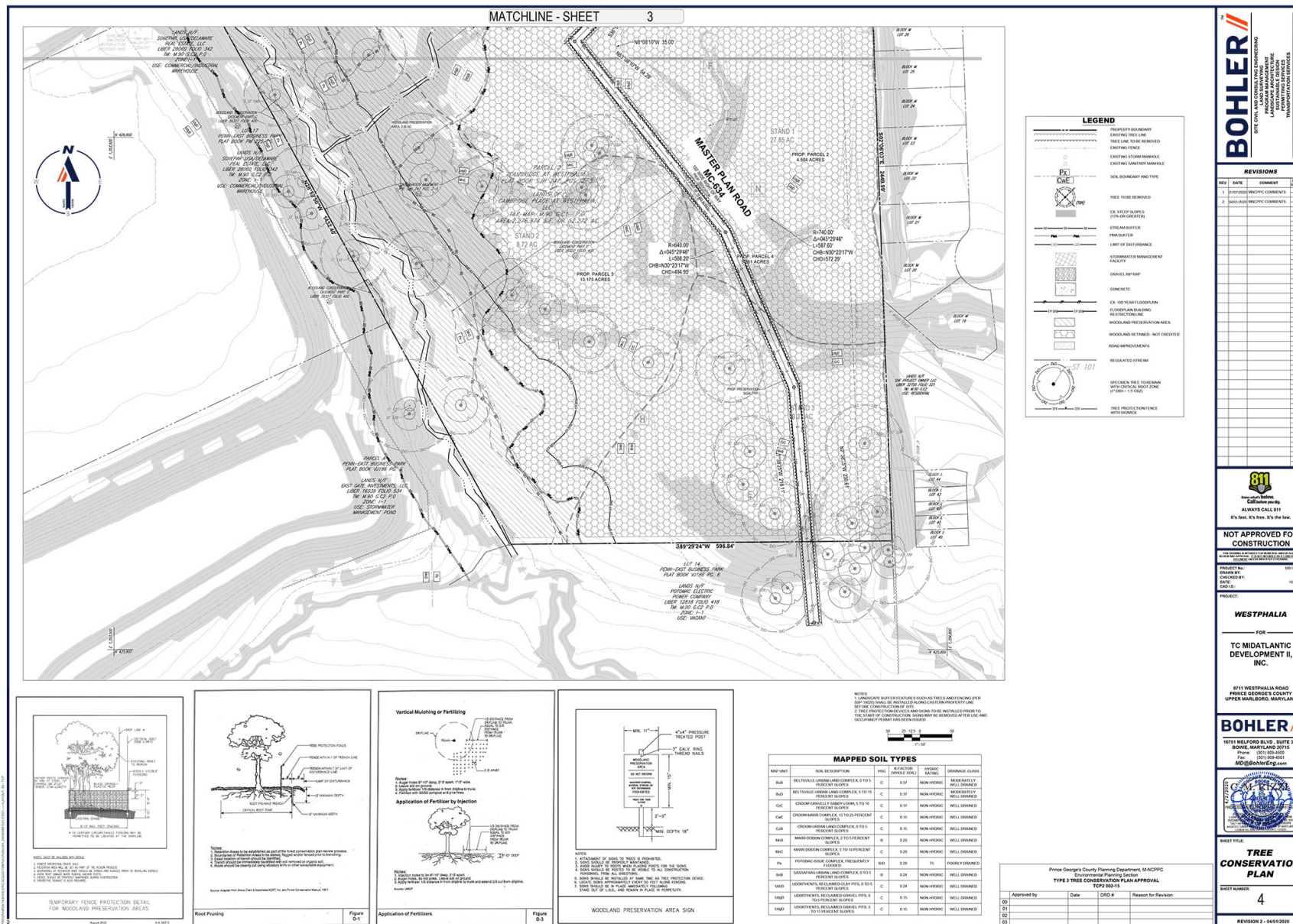
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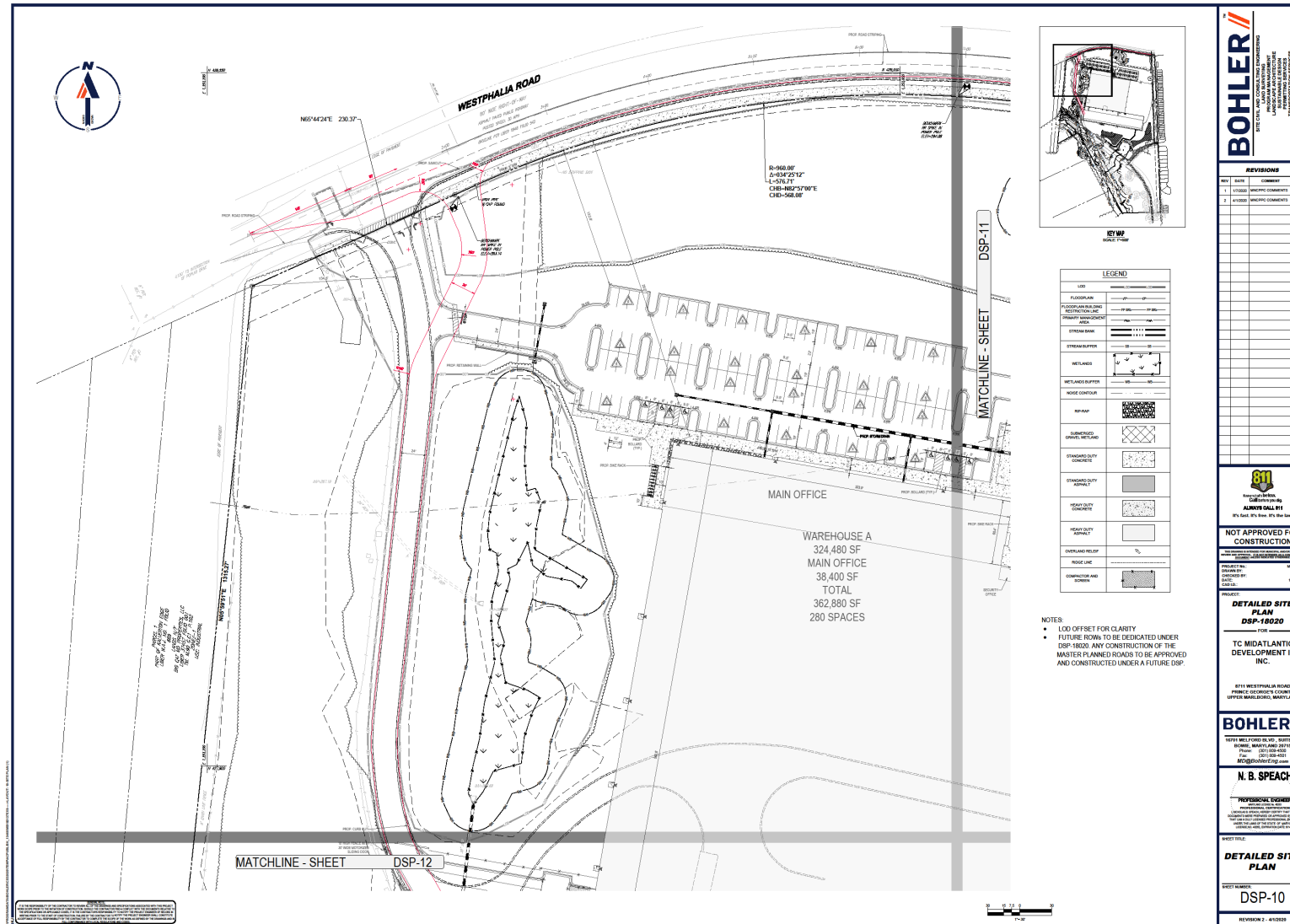
TYPE 2 TREE CONSERVATION PLAN



TYPE 2 TREE CONSERVATION PLAN



ENTRANCE REALIGNMENT EXHIBIT



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*Also admitted in the District of Columbia

November 20, 2019

VIA HAND DELIVERY

Ms. Jill Kosack
Development Review Division
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

**RE: Statement of Justification for TC Midatlantic Development II, Inc.
Detailed Site Plan (DSP-18020)**

Dear Ms. Kosack:

On behalf of TC Midatlantic Development II, Inc. ("Applicant"), Arthur J. Horne, Jr. and Shipley & Horne, P.A., hereby submits this Statement of Justification for a Detailed Site Plan ("DSP") for the redevelopment of the former Potomac Electric Power Company (PEPCO) service and warehouse complex. In its entirety, the site contains approximately 68.94-acres of land identified in approved in CSP-11003. This DSP-18020 application is submitted as a supplement in support of the Preliminary Plan of Subdivision 4-19036 submitted to M-NCPPC on October 2, 2019 that proposes the a subdivision reconfiguring the existing property that presently supports an existing vacant 142,500 gross floor area industrial building into four parcels, one of which, i.e., Parcel 1 will be redeveloped for approximately 38,400 square feet of office space and up to 324,480 square feet of warehouse use for Capital Electric.

This request represents a minor increase in building size of approximately 13,000 square feet or 3.588 percent increase in building size from the 349,860 square foot light warehouse building recently authorized by the Planning Board in their approval of 4-18005 (PGCPB No. 18-117). The site will continue to be accessed via the existing access point on Westphalia Road. Furthermore, this application proposes the removal from further consideration for future issuance of permits and development, the 325-unit multifamily residential development and all site improvements related to the Cambridge Place at Westphalia development approved through the authority of Conceptual Site Plan CSP-11003 (revised to 301 multifamily residential units in the subsequent Detailed Site Plan DSP-14021).

I. Site Location and Nature of Request:

A. Site Location: The subject property is located on the south side of Westphalia Road, approximately one-half mile east of its intersection with Pennsylvania Avenue (MD 4) in Planning

Area 78, Council District 6, and within the Developing Tier. The property is identified as of land with a current street address of 8711 Westphalia Road, Upper Marlboro, Maryland 20772 (“the property”). The property is also known as Plat-1 Parcel 1, Plat-1 Parcel 2, Plat-2 Parcel 2, Plat-3 Parcel 2 and Plat 4 Parcel 2 Cambridge at Westphalia under Tax Map 090, Grid C1.

B. Surrounding Uses: The subject site is designed to incorporate vehicular access from the south side of Westphalia Road. The property’s northeast section includes the 16.669-acre Parcel 1 of the Cambridge at Westphalia that achieved a Detailed Site Plan DSP-14021 plan certification for 301 multifamily units on January 3, 2017. To the north of the property across Westphalia Road is the M-NCPPC-owned property located in the Rural Residential (R-R) Zone, and residential development in the Multifamily Medium-Density Residential (R-18) and R-R Zones. West and south of the subject property are Light Industrial (I-1)-zoned development. The subject property is bounded to the east by the single-family development, known as the Smith Home Farm in the Residential Medium-Development (R-M) Zone.

C. Nature of Request: As discussed on page 1 of this justification statement, this DSP-18020 application is submitted as a supplement in support of the Preliminary Plan of Subdivision 4-19036 submitted to M-NCPPC on October 2, 2019 that proposes the a subdivision reconfiguring the existing property that presently supports an existing 142,500 gross floor area PEPCO industrial building into four parcels, one of which, i.e., Parcel 1 will be redeveloped for approximately 38,400 square feet of office space and up to 324,480 square feet of warehouse use for Capital Electric. **Furthermore, this application proposes the removal from further consideration for future issuance of permits and development, the 325 multifamily residential unit and all site improvements related to the Cambridge Place at Westphalia development approved through the authority of Conceptual Site Plan CSP-11003 (revised to 301 multifamily residential units in the subsequent Detailed Site Plan DSP-83045).**

II. Development Data Summary:

Zone	Existing M-X-T	Proposed M-X-T
Use(s) – (Gross Floor Area)	Vacant Industrial/Office Building 142,500 SF	Industrial Warehouse/ Distribution 362,880 SF
Existing Acreage	–	–
- Parcel 1	16.669 AC	45.400 AC
- Parcel 2	52.272 AC	4.504 AC
- Parcel 3	–	13.175 AC
- Parcel 4 (road dedication)	–	5.861 AC
- Total	68.941 AC	68.94 AC
Acreage of Road Dedication	–	5.861 AC

Area within 100 yr. floodplain	–	4.25 AC
Area within PMA	–	11.72 AC*
Net Area Outside of PMA	–	57.22 AC

* (Includes floodplain, wetlands, streams, and associated buffers)

Setbacks	Required	Provided
- Front (Westphalia Road)	20' Min.	292.8'
- Side (West)	None	368.3'
- Side (East)	50' Min	394.1'
- Rear	20' Min	274.4'
Landscape Yard	Required	Provided
- Front (Westphalia Road)	20' Min	132.8'
- Side (West)	None	134.8
- Side (East)	40' Min	309.3'
- Rear	20' Min	83.1'

Parking Required	Rate	Required
- Warehouse	3 Per First 1,500 SF of GFA	3 Spaces
	+ 1 Per Additional Each 1,500 SF of up to 100,000 SF GFA	66 Spaces
	+ 0.20 Per Additional 1,000 SF GFA above 100,000 SF GFA	53 Spaces
Total Parking Required		122 Spaces
Parking Provided	Dimension	Proposed
- Standard Parking	9.5' x 19'	275 Spaces
- ADA Parking = 7 Spaces Per 201 to 300 Parking Spaces	8' x 19' (w/5' Landing) 8'x19' Van Accessible (w/8' Landing)	6 Spaces 2 Spaces
Total Parking Provided		284 Spaces
Loading Spaces Required		
- Warehouse	1 Per First 10,000 SF of GFA + 1 Per Additional 40,000 SF of GFA	1 Space 9 Spaces
Total Loading Required		10 Spaces
Loading Spaces Provided		
	9' x 10' (OHD)	35 Spaces
	10' x 12' Drive-In	1 Space
	12' x 14' Drive-In	1 Space
Total Loading Provided		37 Spaces



BUILDING DATA			
Building	Dimensions	Main Office	Warehouse
A	520' x 624'	38,400 SF	362,880 SF

III. Prior Approvals

On June 18, 1979, the District Council approved Zoning Map Amendment A-9198, for Light Industrial (I-1) zoning on the subject site, with a site plan, on approximately 139 acres of land, located on the south side of Westphalia Road, east of Pennsylvania Avenue (MD 4).

The subject property was previously known as Parcel C of the Penn-East Park subdivision. The site is improved with an existing 142,500-square-foot office and industrial building that was constructed in 1983, pursuant to Detailed Site Plan DSP-83045. The building was originally designed for the repair of turbine engines used at power plants then owned by the Potomac Electric Power Company (PEPCO). The subject site was later rezoned from the Light Industrial (I-1) Zone to the M-X-T Zone through the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment which was approved by the District Council on February 6, 2007. The existing industrial building remains vacant today.

Conceptual Site Plan CSP-11003 was approved for the subject property on October 24, 2013 (PGCPB Resolution No. 13-122) with 14 conditions. The CSP approved a square footage range for industrial/retail uses and up to 325 multifamily units. Preliminary Plan 4-11012 was approved on June 5, 2014 (PGCPB Resolution No.14-52) to subdivide existing Parcel C into two parcels, Parcels 1 and 2, with 23 conditions. Detailed Site Plan DSP-14021 was approved for the existing 16.67-acre Parcel 1 on July 30, 2015 (PGCPB Resolution No. 15-79) with eight (8) conditions and reduced the number of multifamily dwellings to 301 units.

Preliminary Plan 4-18005 for Cambridge Place at Westphalia's 52.27-acre parcel of land known as Parcel 2, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on November 15, 2018, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code. The application for the development of 349,860 square feet of gross floor area (GFA) for light industrial use was approved by the Planning Board at its regular meeting held on Thursday, November 15, 2018 (PGCPB No. 18-117).

County Council Bill CB-10-2019, pertaining to permitting any use allowed in the I-1 Zone (excluding those uses permitted by Special Exception) to also be permitted in the M-X-T Zone under specific circumstances was approved by the District Council with an effective date of August 5, 2019.

This DSP-18020 application is submitted as a supplement in support of the submitted Preliminary Plan of Subdivision 4-19036 (submitted to M-NCPPC on October 2, 2019) that proposes the development of a subdivision reconfiguring the existing property that presently supports an existing vacant 142,500 gross floor area industrial building (per SDAT) into four parcels, one of which, i.e., Parcel 1 will be redeveloped for approximately 362,880 gross floor area light industrial warehouse use for Capital Electric. This request represents a minor increase in building size of approximately 13,000 square feet or 3.588 percent increase in building size from the 349,860 square foot light warehouse building recently authorized by the Planning Board in their approval of 4-18005 (PGCPB No. 18-117). As discussed on page 1, **this application proposes the removal from further consideration for future issuance of permits and development, the 325 multifamily residential units and all site improvements related to the Cambridge Place at**

Westphalia development approved through the authority of Conceptual Site Plan CSP-11003 (revised to 301 multifamily residential units in the subsequent Detailed Site Plan DSP-14021).

IV. Relationship to County Plans and Policies:

General Plan:

This proposal is consistent with the vision, policies, and strategies contained within the 2002 Prince George's County Approved General Plan, and the Plan Prince George's 2035 Approved General Plan (Plan Prince George's 2035). The subject property in this application is in the Developing Tier of the 2002 General Plan. The vision for the Developing Tier was to maintain a pattern of low-to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. Much of the developing tier did not meet the goals for growth envisioned by the 2002 plan, and the Plan Prince George's 2035 Plan established a growth boundary within which growth would be encouraged. The Plan Prince George's 2035 designates the property within or in the proximity of the Master Plan's Local Centers. The plan describes established communities as most appropriate for context-sensitive infill and low- to medium-density development. The Detailed Site Plan that is being developed in association with the PPS plan and will be designed in accordance with the commercial and employment characteristics of the surrounding area and the Developing Tier in general.

2007 Approved Westphalia Sector Plan and Sectional Map Amendment:

The subject property is located within the boundaries of the Approved 2007 Westphalia Sector Plan and Sectional Map Amendment. For the property's parent CSP-11003 case, the Planning Board determined that the application was in conformance with the land use recommendations of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The 301-unit multifamily residential development was subsequently approved with the adoption of PGCPB No. 15-79 (DSP-14021) for Parcel 1. Furthermore, the Planning Board found for that case; the sector plan recommends the development of a commercially oriented neighborhood center and low-density residential use, mixed with industrial uses on the subject property.

2005 Approved Countywide Green Infrastructure Plan:

The subject property is not within the boundaries of the 2005 Approved Countywide Green Infrastructure Plan and does not contain any regulated areas, evaluation areas or network gaps.

County's Ten-Year Water and Sewerage Plan:

The 2010 Water Resources Functional Master Plan amends the 2002 General Plan and provides growth guidance expressed as goals, policies, and strategies to address water quality impacts associated with land use in the county. The Plan references the Ten-year Water and Sewer

Plan and addresses explicitly: Drinking Water Supply, Water Treatment, and Stormwater Management.

The 2010 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System, and within Tier 1 under the Sustainable Growth Act, the site will, therefore, be served by public systems.

An eight-inch water line in Westphalia Road and an eight-inch sewer line extending from Oak Street abuts the site via Westphalia Road. Water and sewer line extensions and/or an on-site system may be required to service the proposed development and must be approved by the Washington Suburban Sanitary Commission (WSSC).

Woodland Conservation Ordinance:

Easement—Section 25-122(d)(1)(B) requires that woodlands preserved, planted or regenerated in fulfillment of woodland conservation requirements on-site be placed in a woodland conservation easement recorded in the land records. This is in conformance with the requirements of the state Forest Conservation Act which requires that woodland conservation areas have long-term protection measures in effect at all times. This requirement applies to TCP2 applications approved after September 1, 2010, that do not have a TCP1 approved before September 1, 2010 (non-grandfathered projects).

2009 Master Plan of Transportation:

According to the 2009 Master Plan of Transportation, the site is adjacent to Collector roadway, Westphalia Road as designated by the 2009 Prince George's County Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations is currently in place along this roadway section. The applicant submitted an illustrative site plan showing the location of the proposed building, parking areas, and driveways. The bicycle and trail recommendations in the Westphalia Sector Plan have been superseded by the recommendations in the 2009 Approved Countywide Master Plan of Transportation (MPOT). The Transportation Plan calls for a shared-use sidepath and on-road bicycle facilities between Ritchie Marlboro Road and MC-634.

Both the 2009 Approved Master Plan of Transportation (MPOT) and area master plan identify two master plan trails issues near the subject property. Sidepaths are recommended along both Westphalia Road and MC-634.

Westphalia Road (C-626) Shared-Use Side Path:

A shared-use side path should be provided as part of the planned improvements to Westphalia Road if practical and feasible. On-road bicycle facilities may also be appropriate (MPOT, page 36).

Presidential Parkway Extended (MC-634) Side Path:

The Westphalia Sector Plan SMA recommends extending the existing side path along Presidential Parkway and along the entire length of MC-634 and A-66. This facility will provide access to the town center, Little Washington, and several park facilities. On-road bicycle facilities may also be appropriate (MPOT, page 36).

V. Requirements of the Zoning Ordinance:

The M-X-T Zone requires the approval of a conceptual site plan (CSP) and a detailed site plan (DSP) for all uses and improvements. The Conceptual Site Plan, CSP-11003 for the subject property was approved by the Planning Board on October 24, 2013 (PGCPB 13-122). The Prince George's County District Council did not request to hear the CSP. The CSP was approved for a multifamily residential use on Parcel 1 and existing industrial use on Parcel 2. **As discussed on page 1, this application proposes the removal from further consideration for future development, the 325-unit multifamily residential development and associated site improvements Cambridge Place at Westphalia development approved through the authority of Conceptual Site Plan CSP-11003 (revised to 301 multifamily residential units in the subsequent Detailed Site Plan DSP-14021).**

Section 27-546(d):

The proposed DSP has been designed and developed in accordance with these specific purposes with the intent to implement the recommendations within the 2007 Westphalia Sector Plan and fulfill the purposes of the M-X-T Zone.

- (1) ***The proposed development is in conformance with the purposes and other provisions of this Division:***

Response: The purposes of the M-X-T Zone are stated in Section 27-542(a). The proposed development is in conformance with the purposes of the M-X-T Zone as modified by County Council Bill CB-10-2019, pertaining to permitting any use allowed in the I-1 Zone (excluding those uses permitted by Special Exception) to also be permitted in the M-X-T Zone as follows:

- (1) ***To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens:***

Response: The subject property is in the M-X-T Zone and per its approved Preliminary Plan

of Subdivision 4-18005, and proposed 4-19036 reviews and Planning Board approvals, has already been determined to be compatible with the purposes of the Westphalia Sector Plan and the M-X-T Zone.

- (2) *To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;*

RESPONSE: This proposal is consistent with the vision, policies, and strategies contained within the 2002 Prince George's County Approved General Plan and the Plan Prince George's 2035 Approved General Plan (Plan Prince George's 2035). The subject property in this application is in the Developing Tier of the 2002 General Plan. The vision for the Developing Tier was to maintain a pattern of low-to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. Much of the developing tier did not meet the goals for growth envisioned by the 2002 plan, and the Plan Prince George's 2035 Plan established a growth boundary within which growth would be encouraged. The Plan Prince George's 2035 designates the property within or in the proximity of the Master Plan's Local Centers. The plan describes established communities as most appropriate for context context-sensitive infill and low- to medium-density development. The Detailed Site Plan that is being developed in association with the approved Preliminary Plan of Subdivision 4-18005 and proposed 4-19036 plan and will be designed in accordance with the commercial and employment characteristics of the surrounding area and the Developing Tier in general.

- (3) *To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;*

RESPONSE: As discussed in the prior approved Preliminary Plan of Subdivision 4-18005 application, the proposed redevelopment of the subject property enhances an established service promoted by both the General Plan and Sector Plan.

- (4) *To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;*

RESPONSE: As public and privately funded community improvements continue to be implemented in accordance with the Westphalia Sector Plan, the subject property will continue to be easily accessible to the surrounding community.

- (5) *To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;*

RESPONSE: This standard does not apply to the proposed warehouse use.

- (6) *To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;*

RESPONSE: The layout, scale, and architecture of the proposed facility provide an attractive design for the proposed commercial use that blends in with and preserves the setting of the property concerning the Westphalia Road streetscape, neighboring properties and uses.

- (7) *To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;*

RESPONSE: The exhibits and illustrative views submitted by the Applicant, in conjunction with this application reflect a high standard of architecture including attractively detailed facades that address the recommendations promoted by the Sector Plan. Thus, the proposed development is compatible with the proposed development in the vicinity as envisioned by the Sector Plan.

- (8) *To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;*

RESPONSE: A new Site Development (Stormwater Management) Concept Plan (SDCP-32693-2019) has been submitted and is in for agency review. The concept shows stormwater management requirements to be met through the use of two submerged gravel wetlands. The proposed stormwater management shown on the TCP1 is in general conformance with the approved concept plan.

- (9) *To permit a flexible response to the market and promote economic vitality and investment; and*

Response: The proposed development responds to Prince George's County's goals to expand its employment base with modern, clean high-quality commercial and light industrial uses.

- (10) *To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.*

Response: The proposed building design includes variations in exterior architectural materials, colors, articulations, and fenestrations in compliance with the above standards. Colored conceptual elevations, as well as dimensioned architectural elevation plan drawing sets, are contained within this instant Detailed Site Plan application package. The Applicant will make every attempt that that is practicable to incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption.

- (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 548.*

Response: The subject site contains approximately 68.941 gross acres, and is, therefore, not subject to this requirement.

- (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;*

Response: Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application is not required to conform to the land use recommendation of the 2007 Westphalia Sector Plan and SMA, because the property was rezoned to M-X-T. Furthermore, the proposed light industrial warehouse is defined as a permitted use pursuant to District County Council Bill CB-10-2019, which permits any use allowed in the I-1 Zone (excluding those permitted by Special Exception) to also be permitted in the M-X-T Zone under specific circumstances and which was approved with an effective date of August 5, 2019.

- (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;*

RESPONSE: Reiterating the Applicant's response to standard 6 immediately above, the layout, scale, and architecture of the proposed facility provide an attractive design for the proposed commercial use that blends in with and preserves the setting of the property in relation to the Westphalia Road streetscape, as well as, neighboring properties and uses.

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

Response: The exhibits and illustrative views submitted by the Applicant in conjunction with this application reflect a high standard of architecture including well-detailed facades that address the recommendations promoted by the Sector Plan. Thus, the proposed development is compatible with the proposed development in the vicinity as envisioned by the Sector Plan.

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

Response: As discussed previously within this justification report, pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application is not required to conform to the land use recommendation of the 2007 Westphalia Sector Plan and SMA, because the property was rezoned to M-X-T. Furthermore, the proposed light industrial warehouse is defined as a permitted use pursuant to District County Council Bill CB-10-2019, permits any use allowed in the I-1 Zone (excluding those permitted by Special Exception) to also be permitted in the M-X-T Zone under specific circumstances was approved with an effective date of August 5, 2019.

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

Response: Phased development is not proposed. The layout, scale, and architecture of the proposed facility provide an attractive design that blends in with and preserves the existing spatial setting of the property.

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

RESPONSE: This standard does not apply to the proposed light industrial use.

- (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, height 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*

Response: The proposed development is designed to be physically integrated with both existing and future adjacent development in the area. The Detailed Site Plan site and landscape plan take full advantage of the environmental features of the property in conjunction with the proposed by integration of the site development within the confines of its combined Westphalia Road future planned right-of-way MC-634 streetscape setting.

- (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, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development, The findings 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.*

Response: A traffic impact analysis (TIA) dated October 10, 2019 (attached), that demonstrates the adequacy of public roadway is included in this submission. The memorandum documents that a detailed Scoping Agreement was reached with the M-NCPPC Transportation Planning Section staff, fully in accordance with the County's "Guidelines for the Analysis of Development Proposals". In light of the results of this study and the recommendations noted in it, this project will satisfy the APFO requirements of Prince George's County and should be approved. An updated scoping agreement, checklist, site plan, and exhibits including location map, trip gen, trip assignment, and background developments has been submitted to M-NCPPC Transportation staff that identified the identical scope of work as the prior PPS.

- (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 approved by the applicant.*

Response: As the subject property's M-X-T zoning was the result of a Sectional Map Amendment, this requirement is not applicable to the Detailed Site Plan.

- (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 548.

Response: The subject site contains approximately 68.941 gross acres, and is therefore, not subject to this requirement.

Section 27-547(e), the required mix of uses for sites in the M-X-T Zone:

- (e) *For property placed in the M-X-T Zone by a Sectional Map Amendment approved after October 1, 2006, and recommended for mixed-use development in the General Plan, and a Master Plan, or Sector Plan for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, a Conceptual Site Plan submitted for any property located in the M-X-T Zone may include only one (1) of the above categories, provided that it conforms to the visions, goals, policies, and recommendations of the plan for that specific portion of the M-X-T Zone.*

Response: Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application is not required to conform to the land use recommendation of the 2007 Westphalia Sector Plan and SMA, because the property was rezoned to M-X-T. Furthermore, the proposed light industrial warehouse is defined as a permitted use pursuant to District County Council Bill CB-10-2019, permits any use allowed in the I-1 Zone (excluding those permitted by Special Exception) to also be permitted in the M-X-T Zone under specific circumstances was approved with an effective date of August 5, 2019.

Section 27-548. Regulations

The detailed site plan's conformance with the applicable provisions is discussed as follows:

- (a) *Maximum floor area ration (FAR):*
1. *Without the use of the optional method of development – 0.40 FAR;*
 - and*
 2. *With the use of the optional method of development – 8.0 FAR*

Response: As noted previously in this statement, the proposed development will not utilize the optional method of development and is designed with an overall floor area of 0.1835.

- (b) *The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.*

Response: The proposed building will be located on single development lot/parcel.

- (c) *Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.*

Response: The detailed site plan shows all the required information.

- (d) *Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.*

Response: Although there may be instances where modifications may be required, the detailed site plan is in general compliance with the Prince George's County Landscape Manual. For further details, please refer to the Landscape plans included as part of the submittal.

- (e) *In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area the area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.*

Response: The FAR for the proposed 38,400 square feet of office space and up to 324,480 square feet of warehouse use is of 0.1835, which is well within these requirements.

- (f) *Private structures may be located within the air space above, or in the ground below, public rights-of-way.*

Response: The improvements for this project do not interfere with either the air space above or the below-ground public rights-of-way.

- (g) *Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.*

Response: As with the existing parcel, the proposal will continue to maintain its frontage along and with direct vehicular access to Westphalia Road by means of the existing driveway.

- (h) *Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size...*

Response: This section is not applicable as it only applies to residential townhouse developments.

- (i) *The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restrictions shall not apply within any Transit District Overlay Zone, or a Mixed-Use Planned Community.*

Response: The building design prepared for this Detailed Site Plan application is designed with a maximum height of 35 feet, as measured to the mid-point of the sloped roof. Nonetheless, the group residential facility is an “institutional” use and is not considered by the Zoning Ordinance to be a “multifamily” building.

- (j) *As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on 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 any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).*

Response: As discussed previously in this justification report, pursuant to Section 24-

121(a)(5) of the Subdivision Regulations, this application is not required to conform to the land use recommendation of the 2007 Westphalia Sector Plan and SMA, because the property was rezoned to M-X-T. Furthermore, the proposed light industrial warehouse is defined as a permitted use under District County Council Bill CB-10-2019, which permits any use allowed in the I-1 Zone (excluding those permitted by Special Exception) to also be permitted in the M-X-T Zone under specific circumstances and which was approved with an effective date of August 5, 2019.

Section 27-281 – Purpose of Detailed Site Plan

(c) *Specific purposes.*

(1) *The specific purposes of Detailed Site Plans are:*

- (A) *To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;***
- (B) *To show specific grading, planting, sediment control, woodland conservation areas, regulated environmental features and storm water management features proposed for the site;***
- (C) *To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and***
- (D) *To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.***

Response: The Detailed Site Plan application documents show the above information that detail the architecture and location of buildings, parking and loading spaces, vehicular traffic flow direction; handicapped parking, access aisle and sign details; landscaping and lighting details; fencing details; curb, gutter, parking lot access, and circulation, paving and sidewalk details.

Compliance with Evaluation Criteria Section 27-285 Planning Board Procedures (Detailed Site Plans):

(b) *Required findings for Detailed Site Plans*

- (1) *The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without***

requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.

Response: This request represents a minor very modest increase in building size of amendment by approximately 13,000 square feet or 3.588 percent increase in building size from the 349,860 square foot light warehouse building recently authorized by the Planning Board in their approval of 4-18005 (PGCPB No. 18-117). The site will continue to be accessed via the existing site access point on Westphalia Road. A traffic impact analysis (TIA) dated October 10, 2019 (attached), that demonstrates the adequacy of public roadway is included in this submission. The memorandum documents that a detailed Scoping Agreement was reached with the M-NCPPC Transportation Planning Section staff, fully in accordance with the County's "Guidelines for the Analysis of Development Proposals". In light of the results of this study and the recommendations noted in it, this project will satisfy the APFO requirements of Prince George's County and should be approved. An updated scoping agreement, checklist, site plan, and exhibits including location map, trip gen, trip assignment, and background developments has been submitted to M-NCPPC Transportation staff that identified the identical scope of work as the prior PPS.

Based on the points and reasons provided herein, in addition to the plans and other evidence filed in conjunction with this application, the applicant contends that the DSP-18020 application presents the most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for the intended uses.

(2) *The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).*

Response: On October 24, 2013, the Planning Board reviewed and adopted the Conceptual Site Plan CSP-11003 (Resolution PGCPB No. 13-122) for the subject property. The Planning Board approved the Conceptual Site Plan application with the following 14 conditions. Per the provisions of Section 27-282(g) which provides: "A Detailed Site Plan application may amend an existing Conceptual Site Plan applicable to a proposal for development of the subject property", the Applicant will provide their detailed discussion of the DSP's conformance with the approved Conceptual Site Plan CSP-11003 in the following section VI below.

(3) *The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.*

Response: A Detailed Site Plan for Infrastructure is not required. Therefore, this standard does not apply.

- (4) *The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).*

Response: As discussed in the Preliminary Plan of Subdivision 4-18005 and 4-19036 for the proposed development of the subject property, an approved Natural Resources Inventory, NRI-016-11, was submitted with the application which was approved on November 4, 2011. There is PMA on-site comprised of streams and wetlands, associated buffers, 100-year floodplain, and adjacent steep slopes. The site also contains an isolated wetland along the northern property line adjacent to Westphalia Road. The on-site streams are the headwaters of Cabin Branch, which is located within the Western Branch drainage basin of the Patuxent River watershed. The floodplain information shown on the plan is from floodplain map and cross-section numbers provided by the Department of Permitting, Inspections & Enforcement (DPIE) on February 22, 2011.

Several areas of steep slopes occur on the property. The predominant soils found to occur on-site, according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include the Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Marr Complex, Croom-Urban land complex, Marr-Dodon complex, Potomac-Issue complex, Sassafras-Urban land complex, and Udorthents reclaimed clay and gravel pits. Marlboro and Christiana clays are not mapped on this property.

According to information obtained from the Maryland Department of Natural Resources (DNR), Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property; however, DNR has documented that an area of acidic seepage swamp is located on-site, which is a watch-list habitat.

The forest stand delineation indicates the presence of four forest stands totaling 48.66 acres and 41 specimen trees. Stand 1 is a coniferous forest dominated by Virginia pine, Stand 2 is a mixed-hardwood forest dominated by chestnut oak and white oak, Stand 3 is a mixed-hardwood forest dominated by tulip-poplar and American beech, and Stand 4 is a mixed hardwood forest dominated by red maple.

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan TCP1-011-12-01 was submitted with the PPS application.

The Type 1 Tree Conservation Plan TCP1-011-12-01 has been reviewed and requires technical revisions to be in conformance with the WCO. The woodland conservation threshold for this 68.94-acre property is 15 percent of the net tract area (61.31-acres), or 9.20 acres. The total woodland conservation requirement based on the amount of clearing shown on the plan is 14.98 acres. The woodland conservation requirement is proposed to be satisfied with on-site preservation.

The TCP1 approval block must be revised to type-in the previous approval information (Megan K. Reiser on March 14, 2014) and to provide an additional column reflecting the CSP number it was approved with. The Development Review Division standard approval block must be shown on the plan for signature approval of the PPS. All proposed stormwater and storm drain structures must be shown on the plan. All existing stormwater and storm drain structures must be shown on the plan; specifically, the existing culvert pipe running under the entrance driveway. After all revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions made.

A stream corridor assessment using the DNR protocol was submitted on March 14, 2014, pursuant to Condition 4(c) of the CSP-11003. The stream corridor assessment report indicates that there are six problem areas in the on-site stream system; however, all of the problems that were identified are located on the southern portion of the site (Parcel 2), which is proposed to remain as it exists today.

Conceptual Site Plan CSP-11003, Condition 4(f), required the submittal of an approved stormwater management concept plan using low-impact development (LID), now commonly referred to as environmental site design (ESD). Per the condition, the CSP was to show the same site layout as the PPS and TCP1. A new Site Development (Stormwater Management) Concept Plan (SDCP-32693-2019) has been submitted and is in for agency review. The concept shows stormwater management requirements to be met through the use of two submerged gravel wetlands. The proposed stormwater management shown on the TCP1 is in general conformance with the approved concept plan.

Prior to signature approval of the PPS, the stormwater management concept plan shall be revised and approved to show a site design layout that is consistently shown on all plans in the package with a focus on stormwater facilities designed as amenities using LID/ESD techniques.

Prior to the grading of the site, the county requires the approval of an erosion and sediment control plan. The TCP must reflect the ultimate limits of disturbance (LOD) not only for the installation of permanent site infrastructure but also for the installation of all temporary infrastructure including erosion and sediment control measures. An unapproved copy of the erosion and sediment control concept plan will be submitted for approval. The LOD shown on the erosion and sediment control plan is the same LOD shown on the TCP1. Prior to signature approval of the PPS, a copy of the erosion and sediment control concept plan approved by the Soil Conservation District must be submitted.

VI. Previous Approvals

Conceptual Site Plan CSP-11003: On October 24, 2013, the District Council reviewed and approved the Conceptual Site Plan CSP-11003 (Corrected Resolution PGCPB No. 18-117 for the subject property. The Planning Board approved the Conceptual Site Plan application with the following 14 conditions *highlighted in italic bold*:

As discussed on page 1 of this justification statement, **this application proposes the removal from further consideration for future issuance of permits and development, the 325-unit multifamily residential development and all site improvements related to the Cambridge Place at Westphalia development approved through the authority of Conceptual Site Plan CSP-11003 (revised to 301 multifamily residential units in the subsequent Detailed Site Plan DSP-14021).** Therefore, any Planning Board CSP conditions of approval relating to said multifamily development are considered moot.

1. *Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made to the plans, or information shall be provided:*
 - a. *A note shall be added that the appropriate location of the access to the multifamily portion of the development shall be made at the time of preliminary plan of subdivision. Consideration shall be given to aligning the access with Chester Grove Road.*
 - b. *The allowable FAR of 1.4 shall be indicated on the CSP.*
 - c. *The plan shall note the property's position relative to the Joint Base Andrews Interim Land Use Controls (ILUC) Study area. The ILUC Imaginary Surface boundaries and height and development limits associated with those boundaries shall be shown on the plan.*
 - d. *Label the location of additional public spaces for use by the residents, with the location and number to be further developed at time of detailed site plan.*

RESPONSE: The CSP-11003 plan that was certified on March 13, 2014, is presumed to have complied with the above four (4) said design conditions. However, because it is the Applicant's intent to void any consideration for future development of the multifamily development associated with CSP-11003, said conditions do not apply to the subject application.

2. *Prior to certification of the conceptual site plan (CSP), Type 1 Tree Conservation Plan TCP1-011-12 shall be revised as follows:*
 - a. *Revise the limits of disturbance (LOD) to reflect the disturbance necessary for the multifamily development only.*
 - b. *Provide labels for Joint Base Andrews noise contours on the cover sheet and add the noise contour symbol to the legend.*

- c. Label the bearings and distances for all boundary lines.*
- d. Revise the approval block to include the assigned TCP plan number (TCP1-011-12).*
- e. Show all proposed stormwater management and stormdrain structures necessary for the multifamily development only.*

RESPONSE: Where applicable and pertinent to the subject PPS proposal, said design conditions have met as demonstrated on the relevant plans and documents supplied with the subject application submission. A revised TCP1-011-12-01 was included with the preliminary plan of subdivision 4-19036 application currently being reviewed by M-NCPPC.

- 3. Prior to the signature of the Type 2 Tree Conservation Plan for this site, the liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:*

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber Folio. Revisions to this TCP2 may require a revision to the recorded easement.”

RESPONSE: This condition will be addressed prior to certification of a Type 2 tree conservation plan (TCP2).

- 4. Prior to acceptance of a preliminary plan of subdivision, the following information shall be provided:*
 - a. A statement of justification describing how the application meets each of the goals, policies, and strategies of the Environmental Infrastructure Section of the 2007 Approved Westphalia Approved Master Plan and Sectional Map Amendment.*
 - b. A detailed statement of justification for the proposed removal of any specimen trees. The statement of justification shall be based on a detailed site design, including grading and stormwater management, and shall show how each of the required findings have been met by the application.*
 - c. A stream corridor assessment using the Maryland Department of Natural Resources protocol shall be prepared for any on-site stream restoration efforts.*

- d. A statement of justification for proposed impacts to regulated environmental features that incorporates the findings of the required stream corridor assessment and the goals, policies, and strategies found in the Environmental Infrastructure section of the Westphalia Sector Plan.*
- e. An inventory of scenic and historic features along the site's frontage on Westphalia Road.*
- f. An approved stormwater concept plan with a focus on stormwater facilities designed as amenities using LID techniques. The concept plan shall show the same site layout as the preliminary plan and its associated TCPI.*
- g. A copy of the Erosion and Sediment Control Concept Plan.*

RESPONSE: The applicant has submitted the above information with this PPS. The Environmental Planning Section has evaluated the above information and is discussed further in the Environmental finding. The stormwater management Concept Approval requested at the September 21, 2018, Subdivision Development Review Committee meeting ("SDRC") is included with this revised submission packet. Additionally, at that same SDRC meeting a separate PMA impact statement of justification was requested and is provided under this same submission cover that addresses the following minor modifications to the site plan design:

- A submerged gravel wetland has been proposed to treat stormwater runoff from the proposed parking lot and building. The device has been proposed because of its location adjacent to the PMA and stream, as the two work in unison better than other stormwater devices would.
- To outfall the device, a pipe and headwall are being proposed through the PMA to the stream itself. This is done to limit any potential erosion and ensure the discharge is directed straight into the stream itself.

5. At the time of the preliminary plan of subdivision the applicant shall:

- a. Demonstrate that rights-of-way for Westphalia Road, MC-634, are consistent with the recommendations of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment.*

RESPONSE: The PPS delineates the rights-of-way for Westphalia Road and MC-634 as consistent with the Westphalia Sector Plan and SMA. There are no structures planned within the 100-foot ROW; therefore, the proposed plan does not degrade the ability to implement the Master Plan in the future.

As discussed previously in the statement of justification report in reference to MC-634, it was determined that a nexus cannot be found for the dedication of the right-of-way that was proportional to the development proposed. However, based on recent discussions and a determination made by the Director of the Department of Permitting, Inspections & Enforcement (DPIE) Haitham A. Hijazi, the ROW for the MC-634 is identified on the 4-18005 site plan for dedication. The labeling for MC-634 has been revised on the PPS site plan to show both the dimensions of the right-of-way and its status for proposed dedication.

- b. Evaluate the feasibility of providing an access point into the multifamily portion of the development that is aligned with the existing intersection of Chester Grove Road and Westphalia Road.*

RESPONSE Due to the fact that the applicant is no longer proposing Multi-family residential development is being eliminated with the approval of this plan and the proposed project will continue to be accessed via the existing driveway.

- 6. At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:*
 - a. The multifamily development shall demonstrate adequate screening of all surface parking lots that are adjacent to Westphalia Road.*
 - b. The multifamily development shall include public spaces for the benefit of future residents that include sitting areas and objectively attractive site and landscape features. These public spaces shall incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An objectively attractive mix of public spaces that include focal points, seating areas, specialty landscaping, and specialty paving materials shall be provided.*
 - c. Adequate visitor parking spaces to serve the proposed multifamily development shall be provided.*
 - d. The applicant shall propose and provide a written description of the proposed green development techniques for evaluation by staff and the Planning Board.*
 - e. The final landscape treatments for the frontage of Westphalia Road shall be determined. The landscape treatment shall provide an equivalent or better streetscape appearance than would be achieved under the strict application of Section 4.6, Buffering Development from Special Roadways.*

- f. The applicant shall allocate appropriate and developable areas for the private recreational facilities.*
 - g. The applicant shall demonstrate to the Planning Board in writing that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate means and that such instrument is legally binding upon the subdivider and his heirs, successors, and assigns.*
 - h. Access to existing or future bus routes shall be evaluated at time of detailed site plan, and facilities for a bus stop shall be shown if deemed appropriate by the Department of Public Works and Transportation (DPW&T).*
 - i. The multifamily development shall utilize an appropriate balance of finish materials such as brick, stone, and cementitious siding. The cumulative area of all of the building elevations of all of the multifamily buildings should be no less than 40 percent brick or stone. A chart indicating the composition of the building materials shall be provided with the architectural elevations.*
 - j. A variety in building styles and architecture shall be demonstrated. Flat façades shall be avoided by using bays, balconies, and other projecting elements.*
- 7. The applicant shall submit three (3) original executed private Recreational Facilities Agreements (RFA) for the private recreational facilities on-site to the M-NCPPC Development Review Division for their approval three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Maryland.*
- 8. The applicant shall submit to the M-NCPPC Development Review Division a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.*
- 9. Prior to the issuance of any building permits within the subject property the evidence of the following certifications shall be provided:*

- a. *The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.*
- b. *A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in CB-3-2012.*

RESPONSE: As discussed on page 1, this application proposes the removal from further consideration for future issuance of permits and development, the 325-unit multifamily residential development and all site improvements related to the Cambridge Place at Westphalia development approved through the authority of Conceptual Site Plan CSP-11003 (revised to 301 multifamily residential units in the subsequent Detailed Site Plan DSP-14021). Therefore, conditions 6, 7, 8, and 9 which apply to the residential development approved to the north of the subject, do not apply to this instant application.

10. *Total development within the subject property shall be limited to uses which generate no more than 279 (129 in; 150 out) AM peak hour trips and 303 (142 in; 161 out) PM peak hour trips. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.*

RESPONSE: As discussed above, in total size, this request represents a minor increase in building size over the warehouse building recently approved by the Planning Board in their approval of 4-18005 (PGCPB No. 18-117). The site that is to be improved with 38,400 square feet of office space and up to 324,480 square feet of warehouse will continue to be accessed via the existing site access point along Westphalia Road. A traffic impact analysis (TIA) dated October 10, 2019 (attached), demonstrates the new trip cap for the site will be 207 AM and 201 PM trips.

11. *Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and (c) have an agreed-upon timetable for construction with the appropriate operating agency:*

- a. *Westphalia Road @ D'Arcy Road Intersection*

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

- b. *Westphalia Road @ West site access intersection*

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

c. Westphalia Road @ East site access Intersection

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

RESPONSE: Based on the traffic study analysis with this Detailed Site Plan application, conditions 11a and 11b are no longer relevant. These factors and considerations are incorporated within the submitted Traffic Impact Analysis. With respects to condition 11c at the site access does not pass the APFO for unsignalized intersections and as a result the Applicant will be required to provide a signal warrant analysis to DPWT. However , based on the analysis modeled within the attached draft of the signal warrant study, a signal is NOT warranted.

12. Recreation and Parks improvements:

- a. The applicant shall make a monetary contribution to the “park club”, which is to be established and administered by the M-NCPPC Department of Parks and Recreation. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for construction, operation and maintenance of the recreational facilities in the central park and/or the other public parks that will serve the Westphalia Study Area. The park club shall be established and administered by the DPR.*
- b. Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into an account administered by the M-NCPPC. If not previously determined, the agreement shall also establish a schedule of payments and/or a schedule for park construction. The payment shall include a formula for any needed adjustments to account for inflation. The agreement shall be recorded among the Prince George’s County Land Records by the applicant prior to final plat approval.*

13. The applicant, his successors, and/or assigns, shall provide on-site private, recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.

14. A comprehensive and safe pedestrian network shall be provided. A pedestrian and bikeway facilities plan shall be provided with the preliminary plan or detailed site plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the

implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:

- a. Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.*
- b. Additional consideration shall be paid to providing safe pedestrian route across Westphalia Road.*
- c. Linkage of private recreational facilities to trails via a ten-foot-wide asphalt master planned trail along the Cabin Branch and eight-foot-wide trail connectors to the neighborhoods.*
- d. Pedestrian connectivity from the existing industrial building to Westphalia Road and the proposed multifamily development.*
- e. Connections to transit facilities including but not limited to bus stops.*

The items evaluated within the connectivity plan are subject to modification by staff for final review by the Planning Board.

RESPONSE: As discussed on page 1, **this application proposes the removal from further consideration for future issuance of permits and development, the 325-unit multifamily residential development and all site improvements related to the Cambridge Place at Westphalia development approved through the authority of Conceptual Site Plan CSP-11003 (revised to 301 multifamily residential units in the subsequent Detailed Site Plan DSP-14021).** Therefore, the above Conditions 12, 13, and 14 all relate to improvements associated with the residential development approved through the CSP-11003 case, do not have any bearing or applicability on the subject detailed site plan DSP-18020 application, nor the 4-18005 or 4-19036 preliminary plan of subdivision applications.

Preliminary Plan of Subdivision 4-18005: On November 15, 2018, the Planning Board reviewed and adopted the Preliminary Plan of Subdivision 4-18005 (Resolution PGCPB No. 18-117) for the subject property. The Planning Board approved the Preliminary Plan of Subdivision application with the following ten (10) conditions, highlighted in *italic bold*:

- 1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:*

Update the Pedestrian and Bikeway Facilities Plan to incorporate the proposed future dedication of Deer Stream Drive on the subject site. The trail along MC-634 shall be relabeled as a Master Plan sidepath.

RESPONSE: Dedication for Deer Stream Drive is shown on the preliminary plan of subdivision as is the trail that parallels the eastern property line.

Revise the plans to show the sidepath along MC-634 as delineated on the Pedestrian and Bikeway Facilities Plan (Applicant's Exhibit A).

RESPONSE: The trail along the eastern property line connecting to Deer Stream Drive is shown on the preliminary plan of subdivision and the TCP.

Revise the delineation and acreage of Outparcel 2 to exclude the area associated with MC-634.

RESPONSE: The PPS 4-19036 site plan does not incorporate any outparcels in its design. The site area associated with the future MC-634 right-of-way is defined within the bounds of the 5.861-acre Parcel 4.

2. *Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan shall be revised as follows:*

Revise Standard Note 1 to reference the preliminary plan.

RESPONSE: The TCP1 plan complies with this condition.

Revise General Note 7 to say, "...within Plan Prince George's 2035, Environmental Strategy Area Two, formerly the Developing Tier..."

RESPONSE: The TCP1 plan complies with this condition.

Add a column for the Development Review Division (DRD) number and a "reason for revision" column in the TCP1 approval block.

RESPONSE: The TCP1 plan complies with this condition.

Provide an updated approval block, filling in the previous two approvals. This review is the second revision to the TCP1. The first revision information is: "Megan Reiser; 2/10/2015; 4-11012."

RESPONSE: The TCP1 plan complies with this condition.

Correct the Woodland Retained Not Part of Requirements on the worksheet to be 6.39 acres (5.27+1.12).

RESPONSE: The worksheet has been updated.

Identify the steep slopes on the plan with shading.

RESPONSE: The TCP1 plan complies with this condition.

Provide a footnote below the specimen tree chart identifying the trees located off-site.

RESPONSE: The TCP1 plan complies with this condition.

Have the revised plan signed and dated by the qualified professional preparing the plan.

RESPONSE: The TCP1 plan complies with this condition.

3. *Total development within the subject property shall be limited to uses which generate no more than 300 AM peak-hour trips and 300 PM peak-hour 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.*

RESPONSE: Considering the very modest increase in building size of approximately 13,000 square feet or 3.588 percent from the 349,860 square foot light warehouse building recently approved by the Planning Board in their approval of 4-18005 (PGCPB No. 18-117), the PPS complies with this condition.

4. *A substantial change to the uses or site layout on the subject property that affects Subtitle 24 of the County Code, adequacy findings shall require the approval of a new preliminary plan of subdivision prior to the approval any building permits.*

RESPONSE: As discussed previously in this justification report, this DSP-18020 application is submitted as a supplement in support of the Preliminary Plan of Subdivision 4-19036 submitted to M-NCPPC on October 2, 2019 that proposes the a subdivision reconfiguring the existing property that presently supports an existing vacant 142,500 gross floor area industrial building into four parcels, one of which, i.e., Parcel 1 will be redeveloped for approximately 38,400 square feet of office space and up to 324,480 square feet of warehouse use for Capital Electric. The 4-19036 PPS application and plan are submitted in compliance with this condition.

5. *Prior to signature approval of the preliminary plan of subdivision, the applicant shall submit an approved stormwater management (SWM) concept plan and*

approval letter, which must show that the issue of the on-site failing riser structure has been satisfactorily addressed. Development of this site shall be in conformance with that approved SWM concept plan and any subsequent revisions. The final plat shall note the SWM concept plan number and approval date.

RESPONSE: A Site Development (Stormwater Management) Concept Plan (SDCP-32693-2019) was submitted for the proposed development in July of 2019. The subject property will be developed in accordance with the approved Site Development (Stormwater Management) Concept Plan upon its approval.

6. At the time of final plat:

The applicant shall dedicate 100 feet of right-of-way for the master planned MC-634.

RESPONSE: The site area associated with the future MC-634 right-of-way is defined within the bounds of the 5.861-acre Parcel 4 for future dedication.

A 10-foot-wide public utility easement shall be granted along the public rights-of-way.

RESPONSE: Public utility easements are shown along the Deer Stream Drive and MC-634 Right-of-Way's.

A conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated PMA, except for the approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and road, and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director, or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

RESPONSE: Conservation easements will be depicted as required and the plat will have the note above.

7. Prior to issuance of the each building permit beyond the first 142,500 square feet of development, the applicant and the applicant's heirs, successors, and/or assignees shall, pursuant to the provisions of Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation

Program (PFFIP), pay to Prince George's County (or its designee) a fee of \$3.63 (in 2010 dollars) per square foot, pursuant to the Memorandum of Understanding (MOU) required by CR-66-2010. The MOU shall be recorded in the Land Records of Prince George's County, Maryland. These unit costs will be adjusted based on an inflation cost index factor to be determined by the Department of Public Works and Transportation (DPW&T) at the time of the issuance of each permit.

RESPONSE: The Applicant acknowledges this condition of approval.

8. *Prior to the approval of any final plat for this project, pursuant to CR-66-2010, the owner/developer, its heirs, successors and/or assigns shall execute a Memorandum of Understanding ("MOU") with the County that sets forth the terms and conditions for the payment of Fees by the Owner/Developer, its heirs, successor and/or assignees pursuant to the PFFIP. The MOU shall be executed and recorded among the County land records and the liber/folio noted on final plat of subdivision.*

RESPONSE: The Applicant acknowledges this condition of approval.

9. *Prior to the issuance of any building permits within the subject property, evidence of the following certifications shall be provided:*

A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in Council Bill CB-3-2012.

RESPONSE: The Applicant acknowledges this condition of approval.

An acoustical engineer or qualified professional of competent expertise shall certify noise level reduction within the interior of the nonresidential building.

RESPONSE: The Applicant acknowledges this condition of approval. Per Section 27-548.55 of the Zoning Ordinance: the subject property is within the limit of the 60 dB – 75+ dB High-Intensity Noise Area contour associated with the M-I-O Zone, established by the most current Air Installation Compatible Use Zone Study ("AICUZ") on file in the Clerk of the County Council's office and are identified in the Impact Map represented as Figure B (Noise Intensity). The proposed building being designed by the Applicant will comply with the County's noise abatement standard of 45 dBA Ldn or less as certified by an Acoustical Engineer or qualified professional of competent expertise.

- 10. *Development of this site shall be in conformance with an approved Stormwater Management Concept Plan. The final plat shall note the Stormwater Management Concept Plan number and approval date.***

RESPONSE: The Applicant acknowledges this condition of approval.
serve the property.

VII. Conclusion

Based upon the analysis and discussion presented herein, the Applicant respectfully requests that the Planning Board approve the Detailed Site Plan (DSP-18020) application designed in compliance with the approved Preliminary Plan of Subdivisions 4-18005, and proposed Preliminary Plan of Subdivision 4-19036. Furthermore, this application proposes the removal from further consideration for future issuance of permits and development, the 325-unit multifamily residential development and all site improvements related to the Cambridge Place at Westphalia development approved through the authority of Conceptual Site Plan CSP-11003 (revised to 301 multifamily residential units in the subsequent Detailed Site Plan DSP-14021).

Your favorable consideration of this request is greatly appreciated.

Respectfully submitted,



Arthur J. Horne, Jr.

cc: Dan Gordon
Nicholas Speach
Michael Lenhart

AJH/fms

Case No.: A-9198-C

Applicant: Mirant Mid-
Atlantic, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 12 - 2003

AN ORDINANCE to amend the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, by amending an approved site plan, with conditions.

WHEREAS, on June 18, 1979, the District Council approved Application No. A-9198, for I-1 zoning, with a site plan, on approximately 139 acres of land, located on south side of Westphalia Road, east of Pennsylvania Avenue, Upper Marlboro, Maryland; and

WHEREAS, the applicant has filed a request with the District Council to amend the site plan and conditions of zoning for Application No. A-9198; and

WHEREAS, the applicant's request was given public notice, in accordance with all requirements of law, and a public hearing on the request was held by the District Council; and

WHEREAS, having reviewed the record in this case and the testimony and exhibits presented at the public hearings, the District Council has determined that the request to amend the site plan meets the requirements of Section 27-195(b) and should

be approved, with conditions, as recommended by the Zoning Hearing Examiner; and

WHEREAS, to protect adjacent properties and the general neighborhood, approval of the amended site plan is granted subject to conditions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The site plan for Application No. A-9198-C is hereby amended, subject to the following conditions:

1. Development of the subject property in accordance with I-1 regulations shall be subject to site plan approval by the Planning Board. In such site plan review, the Board shall determine that all conditions are met and that the following criteria are satisfied:
 - a. Development on the subject property will not adversely affect adjoining or nearby properties because of stormwater runoff. There shall be included as part of the subject property's development an on-site stormwater management control program, approved by the Planning Board, to insure that runoff from the subject tract will not pollute nearby rivers and streams and will not cause flooding on other property.
 - b. The northwest entrance to the subject property, where access to Westphalia Road may be provided as stated in Conditions (2) and (4), shall be provided with suitable landscaping.
2. The exterior wall construction of any building facing Pennsylvania Avenue shall not be constructed of corrugated metal or corrugated fiberglass material.

3. On all buildings on the subject property, walls facing Pennsylvania Avenue which are constructed of concrete block or cinder block shall be covered with materials suitable to conceal the appearance of such construction.
4. The loading and outside storage areas associated with any major building shall not be located on a wall facing Pennsylvania Avenue. All loading docks and storage areas shall be oriented away from Pennsylvania Avenue.

SECTION 2. This Ordinance shall take effect on the date of its enactment.

Enacted this 24th day of November, 2003, by the following vote:

In Favor: Council Members Knotts, Bland, Dean, Dernoga, Exum, Harrington and Peters

Opposed:

Abstained:

Absent: Council Members Shapiro and Hendershot

Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL DISTRICT
IN PRINCE GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual 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 October 24, 2013 regarding Conceptual Site Plan CSP-11003 for Cambridge Place at Westphalia, the Planning Board finds:

1. **Request:** The subject application is for approval of a conceptual site plan for 325 multifamily units, 175,200 square feet of industrial uses, and 68,221 square feet of commercial uses in the M-X-T (Mixed Use-Transportation Oriented) Zone.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant Industrial/Office Building	Residential, Industrial, and Retail
Acreage	68.91	68.91
Gross Floor Area (sq. ft.)	142,500	Industrial 116,800 – 165,200 Retail 45,480 – 68,221
Number of Unit(s)	-	Up to 325 Multifamily Units

Floor Area Ratio (FAR) in the M-X-T Zone

Base Density:	0.4 FAR
Total FAR Permitted:	1.4 FAR (including 1.0 residential bonus)
Total FAR Proposed:	0.2 – 0.3 FAR

3. **Location:** The subject property is located on the south side of Westphalia Road, approximately one-half mile east of its intersection with Pennsylvania Avenue (MD 4) in Planning Area 78, Council District 6, and within the Developing Tier.
4. **Surrounding Uses:** The site is bounded to the north by Westphalia Road. Further north of Westphalia Road is M-NCPPC-owned property located in the Rural Residential (R-R) Zone, and residential development in the Multifamily Medium Density Residential (R-18) and R-R Zones. West and south of the subject property is Light Industrial (I-1)-zoned development. The subject property is bounded to the east by the single family development, known as the Smith Home Farm in the Residential Medium Development (R-M) Zone.

5. **Previous Approvals:** The subject property is Parcel C of the Penn-East Park subdivision. The site is developed with an existing 142,500-square-foot office and industrial building that was constructed in 1983. The building was designed for the repair of turbine engines used at power plants then owned by PEPCO. The subject site was rezoned from the Light Industrial (I-1) Zone to the M-X-T Zone through the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, which was approved by the District Council on February 6, 2007.
6. **Design Features:** The subject property is 68.91 acres in size. The applicant proposes a mixed use development project consisting of residential and industrial uses, and possible commercial uses in the future. The conceptual site plan submitted by the applicant shows that the development is proposed to occur on three of five conceptually proposed parcels. Primary access into the proposed development is to occur from Westphalia Road where two points of access are indicated. One existing entrance provides access to the existing 142,500-square-foot office and industrial building located in the rear of the subject site. The second access point is proposed to the east of the existing access to serve the proposed multifamily development. At the time of preliminary plan of subdivision staff and the applicant shall evaluate the feasibility of providing an access point that aligns with the existing Chester Grove Road located in the north side of Westphalia Road to provide a standard four-legged intersection.

The alignment for master-planned roadway MC-634, designated as a major collector with a 120-foot-wide right-of-way, is found to occur on the subject property passing south of the existing office/industrial building. This master-planned roadway impacts streams and a primary management area (PMA) on the subject site. While possible modifications to the alignment of the master-planned roadway were evaluated during the review of the CSP, no specific modifications to the alignment of MC-634 are approved with this CSP. The proposed alternatives for the master-planned roadway alignment were found to negatively impact adjacent properties and detract from the purpose of the master-planned road.

The conceptual site plan indicates that the multifamily portion of the development is phase one of the proposal. Three-hundred to 325 multifamily units are proposed on one proposed parcel fronting Westphalia Road. The multifamily units are proposed in 13 three- and three and one-half story multifamily buildings with garages integrated into the ground level of each building. Garage parking is proposed in addition to surface parking lots, which are proposed to serve the bulk of the multifamily development. A 4,000 square-foot community building is also included to serve the multifamily community.

South of the proposed multifamily development is the existing 142,500-square-foot office and industrial building with a large surface parking lot. While most industrial uses are excluded from the table of permitted uses for mixed-use zones contained in the Zoning Ordinance, CB-67-2013 was written to amend the table of uses and permits light industrial uses on the subject site until July 1, 2014. The conceptual site plan indicates a reuse of the existing building with permitted uses in the M-X-T zone, which may include uses permitted in the I-1 Zone. A continuation of industrial uses on the subject site was anticipated with the approval of the 2007 *Approved*

Westphalia Sector Plan and Sectional Map Amendment. The land use maps contained in the Sector Plan (p. 19) show industrial and low-density residential uses on the subject site.

The Sector Plan recommends a Neighborhood Center south of Poplar Drive and its intersection with Westphalia Road (identical to the intersection of MC-634 and Westphalia Road), which is to occur approximately 350 feet west of the subject property. Neighborhood Centers are designated commercial activity centers within the Sector Plan that serve communities outside of the Westphalia Town Center. The CSP proposes an area for future commercial uses west of the intersection of Westphalia Road and the western access to the subject site. The area proposed for future commercial uses on the subject site is somewhat narrow and long. It is unlikely that this area could be developed independently for commercial development due to this property's characteristics. This land area would, most likely, need to be combined with other properties to the west, which are outside of the CSP boundary and under different ownership, if commercial development is to be implemented as envisioned. Of additional consideration is that the properties located south of Poplar Drive and its intersection with Westphalia Road are zoned I-1. Providing a mix of commercial uses in the location may be challenging without rezoning.

The submitted conceptual site plan does not include a review of signage. Signage within the M-X-T Zone is required to be reviewed and approved by the Planning Board. At time of detailed site plan, the submittal of a sign plan is required that shows the exact appearance and location of proposed signs, or establishes design guidelines and standards for future signage on the subject site.

The Planning Board requests that the applicant consider environmental site design strategies and green building strategies within the subject project. At time of detailed site plan the applicant shall provide a written description of the green development techniques proffered by the applicant.

7. **The requirements of the Zoning Ordinance:** The Planning Board finds that the subject conceptual site plan (CSP) complies with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-547, Uses Permitted, of the Zoning Ordinance. The proposed uses in this application are permitted uses in the M-X-T Zone. Pursuant to CB-67-2013, uses permitted in the I-1 Zone are also permitted on the subject site until July 1, 2014.

Section 27-547 provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:

- (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone.... The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the**

proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purpose of the zone:

- (1) Retail business;**
 - (2) Office, research, or industrial uses;**
 - (3) Dwellings, hotel, or motel.**
- (e) For property placed in the M-X-T Zone by a Sectional Map Amendment approved after October 1, 2006, and recommended for mixed-use development in the General Plan, and a Master Plan, or Sector Plan for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, a Conceptual Site Plan submitted for any property located in the M-X-T Zone may include only one (1) of the above categories, provided that it conforms to the visions, goals, policies, and recommendations of the plan for that specific portion of the M-X-T Zone.**

The M-X-T Zone generally requires a mix of uses on the conceptual site plan. Section 27-547(e) applies to the subject site as the site was placed in the M-X-T Zone pursuant to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, for which a comprehensive land use planning study was conducted by Technical Staff prior to the plan's initiation. The submitted conceptual plan indicates three of the above use categories can be provided: including retail, office and industrial, and residential uses.

Each use is indicated on a separate proposed parcel on the CSP. While planning practices generally encourage a higher amount of integration of proposed uses within mixed-use developments, in this instance the separation of the industrial and residential uses is appropriate. Due to the large size of the existing industrial/office building, the variety of light industrial uses that may be permitted within the building, and potentially large number of employees and users associated with the future use, separation of the industrial building and multifamily development provides beneficial protection to the future residential tenants.

b. The CSP is consistent with Section 27-548, Regulations as follows:

- (1) The proposed floor area ratio (FAR) is provided on the site plan. The subject application uses the optional method of development contained in Section 27-545. A bonus of 1.0 FAR is permitted because residential development is proposed. The overall FAR for the site is 0.3, which is much smaller than the maximum FAR of 1.4 that is allowed. The allowable FAR of 1.4 shall be indicated on the CSP.
- (2) Developments in the M-X-T Zone are required to have vehicular access to a public street in accordance with Section-548(g) noted below.

Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

The subject site fronts Westphalia Road and MC-634. The preliminary plan of subdivision will establish the required access right-of-way to all proposed parcels pursuant to Subtitle 24, Subdivision Regulations, for this site.

- c. As approved with conditions, the CSP is in conformance with the applicable conceptual site plan site design guidelines contained in Section 27-274 as follows:
- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. The subject CSP is in general conformance with this requirement. At the time of detailed site plan, the multifamily development shall demonstrate adequate screening of all surface parking lots that are adjacent to Westphalia Road.
 - (2) In accordance with Section 27-274(a)(2)(B), loading areas shall be visually unobtrusive. Loading areas are not indicated on the CSP. At time of DSP attention shall be paid to the design of loading areas so they are visually unobtrusive as viewed from public spaces and the public rights-of-way.
 - (3) In accordance with Section 27-274(a)(6)(i), Site and streetscape amenities, the coordination of the design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture will be required. Comprehensive review of streetscape amenities will occur at the time of detailed site plan.
 - (4) A public space system shall be provided to enhance the multifamily development, in accordance with Section 27-274(a)(9), Public Spaces. The multifamily development shall also include public spaces for the benefit of future residents that contain sitting areas and objectively attractive site and landscape features. These public spaces shall incorporate high-quality amenities and be integrated into the site design by a well-designed pedestrian system. An attractive mix of public spaces that include focal points, seating areas, specialty landscaping, and specialty paving materials shall be demonstrated at time of detailed site plan for the multifamily development.

Up to 325 multifamily units are proposed on the CSP. Appropriate on-site recreational facilities shall be provided for future residents. Based upon the Planning Department's recreational facility calculator, on-site private recreational facilities with a minimum value of approximately \$354,872 will be required for the proposed development, which will have an approximate population of 936 residents. Recreation areas shall be centrally located on the site, and recreation

areas shall include passive and active recreational facilities, such as playgrounds. On-site recreational facilities will be reviewed at time of DSP.

- d. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of detailed site plan. Detailed information regarding the methodology and procedures to be used in determining the parking requirement is outlined in Section 24-574(b). The conceptual site plan is not required to include detailed parking rate information. At time of detailed site plan review, adequate parking will be required for the proposal. Special attention shall be paid to providing adequate visitor parking to serve the proposed multifamily development.
- e. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a conceptual site plan 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 purposes of the M-X-T Zone as stated in Section 27-542(a) include the following:

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

The subject site is in the vicinity of a major interchange of Westphalia Road and Pennsylvania Avenue (MD 4) and is located along one of the primary routes into Westphalia. The Planning Board finds that development on the subject site will provide an expanding source of employment and residential opportunities for the area.

- (2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The site was placed in the M-X-T Zone to implement the mixed-use recommendations of the Westphalia sector plan. Specifically the proposal will implement the industrial and residential land use concept for the subject site contained in the Westphalia Sector Plan, and provide opportunity for commercial development in the future.

- (3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

The proposal will conserve the value of land and buildings, by providing a concentration of uses to serve the subject site and surrounding communities.

- (4) To promote the effective and optimum use of transit and other major transportation systems;**

The subject property, located along an existing collector road and with a master-planned major collector road bisecting it, is easily accessed by automobiles. The sector plan further identifies both Westphalia Road and MC-634 as bikeway corridors. Pedestrian and bike connectivity will be important considerations for the development of the site. In order to promote the effective and optimum use of transit, access to existing or future bus routes shall also be evaluated at time of detailed site plan; and if deemed appropriate by the Department of Public Works and Transportation (DPW&T), facilities for a bus stop shall be considered. As approved with conditions, the Planning Board finds that the site can promote the effective and optimum use of multi-modal transit.

- (5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

The subject site is currently a dual use site, as there is an existing office and light-industrial space within the building. By providing residential uses during the first phase of the project, the proposal encourages a more twenty-four hour environment.

- (6) To encourage diverse land uses which blend together harmoniously;**

Pursuant to CB-67-2013, uses permitted in the I-1 Zone are permitted on the subject site until July 1, 2014. The applicant shall consider future tenants for the existing industrial building that blend together harmoniously with the proposed multifamily residential development.

- (7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**

At time of detailed site plan, the proposal shall demonstrate that architecture and site design will create an attractive and a distinctive visual identity for the project.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**

As multiple uses/users are envisioned on the site, cost and energy saving will be realized with the subject proposal.

- (9) To permit a flexible response to the market; and**

The submitted CSP will allow the applicant to respond flexibly to the market through the reuse of the existing office/light-industrial building with permitted industrial, office, residential, or commercial uses and the designation for future commercial along Westphalia Road. The CSP shows a small area for future commercial/retail development along Westphalia Road. No specific development proposal for retail along Westphalia Road is included in the CSP, and obviously market conditions affect the applicant's ability to propose retail development at this time. See Finding 12(h) for additional discussion about market conditions. When development conditions are appropriate, the small development area could be combined with other properties to the west to provide a compact neighborhood commercial center.

- (10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The Planning Board encourages the applicant to employ freedom of architectural design afforded in the M-X-T Zone to provide an exemplary mixed-use project. Buildings shall be designed with interesting and objectively attractive architectural features to promote a sense of place, and utilize materials and finishes that reinforce a sense of quality and permanence. The use of siding shall be limited and only provided in balance with other finish materials such as brick and stone.

As guidance for the future submission of a detailed site plan for the multifamily development, the multifamily buildings should be designed to provide building facades with a minimum of 40 percent brick or stone. A chart indicating the composition of the building materials shall be provided with the architectural elevations.

- (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 property was placed in the M-X-T Zone by the Westphalia Sector Plan approved after October 1, 2006. The CSP conforms to the standards intended to implement the development concept contained in the Sector Plan. A more detailed review for conformance to the design guidelines contained in the Sector Plan will occur at time of detailed site 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 conceptual site layout has been designed to have an outward orientation that fronts Westphalia Road. If constructed with a high design standard, the project may serve as a catalyst to future community improvements and development within the Westphalia planning area.

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

The subject site is bordered to the west by existing industrial uses and to the east by residential uses. The subject site will create a transition from industrial uses to residential uses along Westphalia Road. The proposal is compatible with existing and proposed development in the vicinity.

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

At a conceptual level, the subject proposal conforms to this requirement. If approved with conditions, the detailed site plan may further address the mix of uses, arrangement and design of buildings, and other site improvements.

- (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 development will be phased. An industrial and office building currently exists. During phase 1 of the construction, the applicant proposes to develop the multifamily residential portion of the site. Retail uses may be developed in the future with the redevelopment of the I-1-zoned properties west of the subject site. Each phase is designed as a self-sufficient entity, while allowing for integration of subsequent phases.

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

The pedestrian circulation system shall be more fully developed during the detailed site plan process. Conceptually pedestrian facilities are proposed along all major roadways. A more detailed and comprehensive pedestrian system will be required and evaluated at time of detailed site plan.

The Westphalia Sector Plan identifies the construction of an elementary school (co-located with an existing neighborhood park) across the street from the subject property. At time of preliminary plan of subdivision and detailed site plan, safe pedestrian connections to key area amenities located on and off of the subject site shall be provided, including those across Westphalia Road, as feasible.

(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 above finding is not applicable because the subject application is a conceptual site plan.

(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, or will be provided by the applicant, 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.

The subject property was re-zoned to the M-X-T Zone as part of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* planning process. Consequently, a traffic study is required for this conceptual site plan application. The traffic study has been evaluated and the Planning Board has determined that signal warrant studies shall be completed for the unsignalized intersections of Westphalia Road and D'Arcy Road, Westphalia Road and the west site access, and Westphalia Road and the east site access. The applicant shall provide improvements to these unsignalized intersections as determined by the signal warrant studies and the appropriate operating agency. Additionally, the applicant proposes to contribute financially to the construction of an interchange at the intersection of MD 4 and Westphalia Road, in accordance with the

provisions of CB-66-2010. The pro rata share will be determined at the time of the preliminary plan of subdivision.

The Planning Board adopts the following findings with respect to transportation:

- (1) The submitted traffic study is for a commercial development consisting of 301 apartment dwelling units, and 142,000 square feet of light industrial use. This development will be adding 279 (129 in; 150 out) AM peak hour trips and 303 (142 in; 161 out) PM peak hour trips. These trip projections were determined using the “Guidelines for the Analysis of the Traffic Impact of Development Proposal,” (Guidelines) as well as the *Trip Generation, 8th Edition* (Institute of Transportation Engineers).
- (2) The traffic generated by the proposed conceptual plan would impact the following intersections:
 - Westphalia Road and MD 4
 - Westphalia Road and D’Arcy Road
 - Westphalia Road and west site access
 - Westphalia Road and east site access
- (3) The subject property is located within the Developing Tier, as defined in the 2002 *Prince George’s County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized intersections: *The Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

- (4) The following intersections, when analyzed with the total future traffic as developed using the “*Guidelines*,” were *not* found to be operating at or better than the policy service level standards:

- Westphalia Road and MD 4
- Westphalia Road and D’Arcy Road*
- Westphalia Road and west site access*
- Westphalia Road and east site access*

** unsignalized intersections are marked with an asterisk*

- (5) None of the intersections identified above is programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation (MDOT) Consolidated Transportation Program (CTP) or the Prince George’s County Capital Improvement Program (CIP). The applicant shall therefore be responsible for providing intersection improvements to the unsignalized intersections determined to be warranted by the signal warrant studies and the appropriate operating agency. Under the provisions of CR-66-2010, the applicant has agreed to provide a commensurate share of the cost to construct an interchange at the intersection of MD 4 and Westphalia Road. This share will be determined at the time of the preliminary plan phase of this development.

The Planning Board finds that transportation facilities that are existing and will be provided by the applicant will be adequate to carry anticipated traffic for the proposed development.

8. **2007 Approved Westphalia Sector Plan and Sectional Map Amendment:** The subject site is located within the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.

This site was rezoned as part of the Sector Plan from the I-1 to the M-X-T, and was envisioned to include residential and industrial uses. The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* provides the following policies and strategies for the development of Residential Areas and Industrial Areas.

Policy 5–Residential Areas

- **Design new low- to medium-density residential neighborhoods that are varied in housing styles and architecture and promote best practices for residential design:**
 - **Feature the same quality design and treatments on the exposed façades as on the front façade of highly visible residences on corner lots and elsewhere.**

- **Create varied architecture and avoid flat façades by using bays, balconies, porches, stoops, and other projecting elements.**

The subject application shows a conceptual layout for a new medium-density residential neighborhood. Multifamily units are proposed in 13 three- and three and one-half story multifamily buildings with garages integrated into the ground level of each building. Three building templates appear to be provided on the CSP: one 13-unit building, six 22-unit buildings, and six 26-unit buildings. At time of detailed site plan a variety in building styles and architecture shall be demonstrated. Flat façades shall be avoided by using bays, balconies, and other projecting elements.

- **Design residential developments that connect and appropriately transition to pre-existing communities and neighboring commercial areas:**
 - **Discourage use of walls, gates, and other barriers that separate residential neighborhoods from the surrounding community and commercial areas.**

The subject proposal shall be design to effectively connect to existing communities and area amenities through the master plan trail and pedestrian network. Currently no pedestrian link appears to be proposed to the existing industrial building from either Westphalia Road or the multifamily proposal. Additional consideration shall also be paid to linking private recreational facilities to trails via a 10-foot-wide asphalt master planned trail along the Cabin Branch and 8-foot-wide trail connectors to the neighborhoods. A pedestrian and bikeway facilities plan shall be provided with the detailed site plan or preliminary plan of subdivision as an exhibit that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections.

The Planning Board finds that the proposal is an appropriate transition between industrial and residential land uses. The application does not indicate that walls or gates are proposed.

- **Design an efficient, safe, and interconnected residential street system:**
 - **Design or retrofit street systems to link individual subdivisions/projects to each other and the community.**
 - **Emphasize the provision of high-quality pedestrian and bikeway connections to transit stops/stations, village centers, and local schools.**
 - **Clarify neighborhood roadway intersections through the use of special paving and landscaping.**

The Westphalia Sector Plan identifies the construction of an elementary school (co-located with an existing neighborhood park) across the street from the subject property. A safe pedestrian connection to amenities located across Westphalia Road shall be provided. The use of specialty

paving and pavement markings to define neighborhood entrances, intersections, and pedestrian crossings is recommended, and shall be reviewed at time of detailed site plan.

Policy 6—Industrial Areas

- **Require interior acoustical buffering for all buildings in high noise impact areas related to flight operations at Joint Base Andrews.**

The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.

- **Separate industrial areas from residential areas by use of buffering designed and placed to minimize sight, sound and dust.**

The conceptual site plan also proposes buffering between the existing industrial building and the proposed multifamily development. The appropriate buffering treatment for this area will be evaluated at time of DSP.

- **Design access roads to industrial areas to border or pass around, not through, residential neighborhoods.**

The conceptual site plan complies with this strategy.

- **Provide access to industrial sites by means of pedestrian trails and public transit, as well as public roads.**

As previously discussed, a pedestrian connection to the existing industrial building is needed.

- **Redevelop existing industrial uses located within residential communities with redesigned or new uses that are highly compatible with a residential living environment:**
 - **Enclose, buffer, or otherwise modify business activities to reduce noise, traffic, or unattractive views.**
 - **Redevelop incompatible industrial uses with more compatible types of business land use.**
 - **Rezone incompatible industrial areas to allow for redevelopment with compatible nonindustrial land uses.**

While pursuant to CB-67-2013, uses permitted in the I-1 Zone are permitted on the subject site until July 1, 2014, the Planning Board encourages the applicant to consider future tenants for the existing industrial building that blend together harmoniously with proposed multifamily residential development. The Planning Board would strongly support an adaptive reuse of the existing

industrial building that promotes the purposes of the M-X-T Zone, such as integration of office, research, institutional, residential, and/or commercial uses.

9. ***Prince George's County Landscape Manual:*** Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the requirements of the 2010 *Prince George's County Landscape Manual* shall be determined when a more finalized plan of development is submitted for review. The following discussion is offered regarding the applicable provisions of the 2010 *Prince George's County Landscape Manual*, which will be further reviewed at time of detailed site plan.

- a. **Section 4.1—Residential Requirements**, requires that multifamily dwellings located in the Developing Tier include a minimum of one major shade tree per 1,600 square feet or fraction of green area provided.
- b. **Section 4.2**—For nonresidential uses in any zone and for all parking lots, Landscape Strips along Streets require the planting of shade trees and shrubs on the property abutting all public and private streets. For properties with frontage on a special roadway, such as a scenic or historic roadway, the requirements of Section 4.6(c)(2), Buffering Development from Special Roadways, supersede the requirements of this section. The requirements of Section 4.2 do not apply to Westphalia Road, which is a historic road, but they do apply to master planned roadway, MC-634, which is proposed through the subject property.

If at time of preliminary plan of subdivision the Planning Board decides that the right-of-way of MC-634 is required to be dedicated, then future detailed site plans for parcels that include the MC-634 shall provide the required landscape strips along the MC-634.

- c. **Section 4.3—Parking Lot Requirements**, specifies that any proposed parking lots larger than 7,000 square feet will be subject to Section 4.3, which requires that parking lots provide planting islands throughout the parking lot to reduce the impervious area. When these planting islands are planted with shade trees, the heat island effect created by large expanses of pavement may be minimized.
- d. **Section 4.4—Screening Requirements**, requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets.
- e. **Section 4.6(c)(2)**—Westphalia Road is a designated historic road. Therefore, compliance with Section 4.6, Buffering Development from Special Roadways, is required. In the Developing Tier, a minimum 20-foot-wide landscape buffer planted with 80 plant units per 100 linear feet of frontage, excluding driveway openings, is required.

Westphalia Road along the site's frontage is categorized as a collector; while Westphalia Road west of the subject property is categorized as a major collector. The yards of the multifamily development are not required to have additional buffering due to their proximity to a collector roadway. Historic road buffering in accordance with Section 4.6(c)(2) will provide protection of the multifamily development from the roadway while creating a scenic roadway treatment along the historic road. A minimum 20-foot-wide landscape buffer shall be provided outside of the public utility easement along Westphalia Road.

At time of preliminary plan of subdivision, and in accordance with the Sector Plan, the applicant will be required to submit an inventory of scenic and historic features because the application proposes work adjacent to the right-of-way of a designated historic roadway, Westphalia Road. Conservation and enhancement of the existing viewsheds of the historic road will be required to the fullest extent possible. The need to provide scenic easements or wider landscape buffers than those required by Section 4.6(c)(2), if it is necessary, shall also be evaluated at that time.

- f. **Section 4.7**—The site will be subject to Section 4.7, Buffering Incompatible Uses. More specific information regarding the bufferyard requirements along property lines adjoining other uses will be evaluated at time of detailed site plan. A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transitions between moderately incompatible uses.

The conceptual site plan proposes a 40-foot-wide area of retention of existing woodland along the eastern property line between the existing industrial building and single-family detached houses of the Smith Home Farm property.

The conceptual site plan also proposes buffering between the existing industrial building and the proposed multifamily development. The appropriate buffering treatment for this area will be evaluated in further detail at time of DSP.

- g. **Section 4.9**—The site will be subject to Section 4.9 of the 2010 *Prince George's County Landscape Manual*, which requires that a percentage of the proposed plant materials be native plants.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-011-12) was submitted with the CSP application. The application also requests the removal of specimen trees.

- a. **Type 1 Tree Conservation Plan TCP1-011-12**—The TCP1 as submitted shows multifamily dwelling units along the northern portion of the site. The CSP provides a

detailed layout for the multifamily portion of the site only. The remainder of the site, located outside of the regulated environmental features has been labeled as “existing industrial use.” The plans show the master planned right-of-way for road MC-634.

Because the current application has proposed new construction in the area of the multifamily portion of the site only, the TCP1 shall reflect the limits of disturbance associated with the multifamily development envelope.

The tree conservation plan (TCP1-011-12) has been reviewed and technical revisions are required in order to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance. The Woodland Conservation Threshold (WCT) for this 68.94-acre property is 15 percent of the net tract area or 9.84 acres. The total woodland conservation requirement based on the amount of clearing shown on the plan is 16.74 acres. The woodland conservation requirement is proposed to be satisfied with a combination of preservation, reforestation, and off-site mitigation. However, the required revisions to the plan and the worksheet may affect the amount of the woodland conservation requirement on the site.

- b. **Woodland Conservation Easement**—Section 25-122(d)(1)(B) requires that woodlands preserved, planted or regenerated in fulfillment of woodland conservation requirements on-site be placed in a woodland conservation easement recorded in the land records. This is in conformance with the requirements of the state Forest Conservation Act which requires that woodland conservation areas have long-term protection measures in effect at all times. This requirement applies to TCP2 applications approved after September 1, 2010 that do not have a TCP1 approved before September 1, 2010 (non-grandfathered projects).
- c. **Variance from Section 25-122(b)(1)(G)**—Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This State requirement was incorporated in the adopted Woodland and Wildlife Habitat Conservation Ordinance (WCO) on September 1, 2010.

The specimen tree table on the TCP1 shows 34 specimen trees in total; of which seven are located off-site, but have been included because the critical root zones are located on-site, or very close to the property boundary. The specimen tree table on the TCP1 and the statement of justification indicate that this development will remove 13 trees on-site and two off-site specimen trees. Two of the on-site specimen trees are shown on the TCP1 and included in the statement of justification as being located within the master planned right-of-way of MC-634.

The plans do not show any proposed development or grading on the southern portion of the site at this time. Because the current application is for the establishment of the multifamily portion of the site only, the TCP1 must reflect the limits of disturbance

associated with the multifamily development. All of the specimen trees are located on the southern portion of the site. No specimen trees will be affected by the multifamily development envelope proposed on the northern portion of the site.

The final alignment of the MC-634 right-of-way will be established as part of the preliminary plan of subdivision. Grading of the southern portion of the site for the proposed development as well as the installation of the road must be reflected on the TCP1 associated with the preliminary plan. All impacts to specimen trees shall be evaluated at that time.

11. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of the site to be covered by tree canopy for any development projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. The subject property is 68.91 acres in size, resulting in a tree canopy coverage requirement of 6.89 acres. The TCC requirement can be met in full through onsite woodland preservation, which totals 9.03 acres. Compliance with this requirement will be further evaluated at the time of DSP.

12. **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:

a. **Community Planning**—The Planning Board adopts the following findings:

- (1) This application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier.
- (2) This application is in conformance with the land use recommendations of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.

The sector plan recommends development of a commercially oriented neighborhood center and low density residential use mixed with industrial uses on the subject property. Parcel 1 is shown to be multifamily residential use and Parcel 3 is shown to be commercial/retail uses that satisfy the development of a commercially-oriented neighborhood center at the Westphalia Road frontage.

The sector plan locates a neighborhood center at the south-east quadrant of the proposed new intersection to the west of this property. The portion of this parcel west of the existing driveway could be combined with other properties to the east of the intersection in the future, to be developed as part of the center.

- (3) This application is within the Joint Base Andrews Interim Land Use Control (ILUC) impact area. The property is primarily within Imaginary Surface D (Inner Horizontal Surface) establishing a height limit of 150 feet above the runway

surface. A small sliver of the property is within Imaginary Surface G (Transitional Surface), and an even smaller sliver is in Imaginary Surface E, (Conical Surface) although no development is proposed within these areas. The property is located within multiple noise contours. The northern portion of the property is within the 65 dBA noise contour, while the remaining portions are in the 70 dBA, 75 dBA, and 80 dBA noise contours respectively. The property is not within an Accident Potential Zone. These categories need to be noted on the Conceptual Site Plan. Noise attenuation will be required in conformance with CB-3-2012. Noise contours and Imaginary Surface boundaries shall be shown on all plans.

Although the 75-80 dBA noise contours do not affect the buildings proposed in this Conceptual Site Plan, they will have an impact on the buildings in future development applications for the southern portion of the property. Based on the current noise contours, residential uses are not appropriate in the southern portion of this parcel. For the portion of the property located in the noise contour of 75 dBA and higher, residential dwelling units are not allowed per the ILUC.

b. **Transportation Planning**—The Planning Board adopts the following findings:

- (1) **Traffic Impact Study:** The subject property was re-zoned to the M-X-T Zone as part of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* approval process. Consequently, a traffic study is required for this conceptual site plan application. The applicant submitted a traffic study dated July 12, 2013. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, in accordance with the “Transportation Review Guidelines - Part 1- 2012”. The study identified the following critical intersections:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV/Delay)	(LOS/CLV/Delay)
1 – Westphalia Road and MD 4	D/1393	F/1649
2 – Westphalia Road and D’Arcy Road*	15.9 seconds	13.8 seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the Guidelines.		

The traffic study identified 32 background developments whose impact would affect some or all of the intersections in the study. A second analysis was done to

evaluate the impact of the background developments. By definition, a background analysis evaluates traffic by combining existing traffic with projected traffic from approved developments. The analysis revealed the following results:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV/Delay)	(LOS/CLV/Delay)
1 – Westphalia Road and MD 4	F/2424	F/2680
2 – Westphalia Road and D’Arcy Road*	>999 seconds	>999 seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the Guidelines.		

Using the trip rates from the “Guidelines”, the study has indicated that the proposed development will be adding 279 (129 in; 150 out) AM peak hour trips and 303 (142 in; 161 out) PM peak hour trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV/Delay)	(LOS/CLV/Delay)
1 – Westphalia Road and MD 4	D/1393	F/1649
2 – Westphalia Road and D’Arcy Road*	>999 seconds	>999 seconds
3 – Westphalia Road and West Site Access*	32.4 seconds	64.1 seconds
4 – Westphalia Road and East Site Access*	58.2 seconds	39.0 seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service “E” which is deemed acceptable corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the Guidelines.		

Based on the results shown above, the traffic study concludes that "all of the unsignalized intersections in the study area are projected to operate at unsatisfactory levels of service using the HCM Methodology". The results also showed failing levels of service for the signalized intersection of MD 4 at Westphalia Road. The study did cite provisions of CR-66-2010 which allow

developments impacting this intersection to pay a proportionate share towards the cost of building an interchange.

- (2) **Master Planned Right-of-Way (ROW):** The property is located in an area where the development policies are governed by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, as well as the 2009 *Approved Countywide Master Plan of Transportation*. One of the recommendations from the master plans was the construction of a major collector road (MC-634), whose terminal points are beyond the limits of this property. The subject proposal for development is located along the northern periphery of the subject property. While the current master plan alignment would not impact the section of the property being proposed for development, the alignment does bifurcate the property, and consequently, at the time of the preliminary plan of subdivision, a determination shall be made as to whether the requirements for reservation or dedication of the MC-634 ROW are satisfied. The property fronts on Westphalia Road which is a planned 80-foot collector (C-626). At the time of the preliminary plan of subdivision, the applicant will be required to dedicate additional ROW as depicted on the planning department's PGAtlas GIS system.
- (3) **Site Access:** The site plan shows two access points along the south side of Westphalia Road. On the north side of Westphalia Road, just opposite the subject property, is the intersection of Westphalia Road and Chester Grove Road. Based on the proposed site layout, it would appear that neither of the proposed access points is coincident with the existing intersection on the north side of Westphalia Road. The eastern proposed access point should be evaluated for relocation and possible alignment with the existing intersection, thereby creating a four-legged intersection.
- (4) **Trails:** A portion of the subject site is within the designated Corridor along Pennsylvania Avenue. Pursuant to Section 24-124.01(c), the subject site will be subject to the requirements and provisions of CB-2-2012 at the time of preliminary plan. The adequacy of bicycle and pedestrian facilities and the need for off-site improvements will be determined at that time.

The subject property has frontage on Westphalia Road (C-626) and MC-634. Both the Westphalia Sector Plan and the MPOT recommend that C-626 and MC-634 contain bikeways. The MPOT indicates that the master planned bikeways, and/or trails, will be in the form of shared use paths, which is consistent with the Westphalia Sector Plan recommendations for C-626 and MC-634.

The subject application indicates proposed "Bike and Pedestrian Pathway" locations along C-626 and MC-634, that are consistent with the Westphalia Sector Plan and the MPOT. The pathway locations indicated on the subject CSP appear to be adequate and are within the proposed ROW of C-626 and MC-634. Specific

sidewalk locations, widths, and other details on all roads will be reviewed in subsequent preliminary and detailed site plans review.

The plan conforms to the required findings for approval of a conceptual site plan from the standpoint of transportation as approved with conditions.

c. **Environmental Planning**—The Planning Board adopts the following findings:

- (1) **Site Description:** The subject property is located on the south side of Westphalia Road approximately one-half mile east of its intersection with Pennsylvania Avenue (MD 4). The site fronts on Westphalia Road, a master planned collector and a small portion of the road is designated as arterial west of the subject site. The arterial portion appears to be associated with the off-ramp from Pennsylvania Avenue (MD 4). A Master Planned Major Collector, MC-634, runs through the site. No roadway designated as arterial or higher is located close enough to the property to warrant concern regarding traffic generated noise. The property is located within the Air Installation Compatible Use Zone (AICUZ) of the Joint Land Use Study (JLUS). Westphalia Road is a designated historic road in the vicinity of the subject site. According to mapping research and as documented on the approved NRI, streams, non-tidal wetlands, and floodplain are found to occur on the property. The on-site streams are the headwaters of the Cabin Branch, which is located within the Western Branch drainage basin of the Patuxent River watershed. Several areas of steep slopes occur on the property. The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Urban land complex, Marr-Dodon complex, Potomac-Issue complex, Sassafras-Urban land complex, and Udorthents reclaimed clay and gravel pits. Marlboro and Christiana clays are not mapped on this property. According to information obtained from the Maryland Department of Natural Resources Natural (DNR) Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property; however, DNR has documented that an area of Acidic Seepage Swamp is located on-site, which is a watch list habitat. The site is located in the Developing Tier of the 2002 General Plan. According to the approved Countywide Green Infrastructure Plan, the site contains no Regulated Areas, Evaluation Areas or Network Gaps
- (2) **Natural Resource Inventory:** An approved Natural Resource Inventory (NRI) was submitted with the application, NRI-016-11, which was approved on November 4, 2011.
- (3) **Westphalia Road:** Westphalia Road was designated as an historic road in the Approved Countywide Master Plan of Transportation (November 2009), and has the functional classification of collector road. The Master Plan of Transportation

includes a section on Special Roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway:

“Policy 2:

Conserve and enhance the viewsheds along designated roadways.

“STRATEGIES:

- “1. Require submission of an inventory of scenic and historic features with all applications that propose work adjacent to the right-of-way of a designated roadway.
- “2. Require the conservation and enhancement of the existing viewsheds of designated roads to the fullest extent possible during the review of land development or permit applications, whichever comes first. Elements to be considered shall include views of structures from the roadway; design character and materials of constructed features; preservation of existing vegetation, slopes and tree tunnels; use of scenic easements; and limited access points.”

An inventory of scenic and historic features shall be provided at time of preliminary plan. Implementation of the strategies cited above requires the conservation and enhancement of the existing viewshed.

Any improvements within the right-of-way of an historic road are subject to approval by the county under the Design Guidelines and Standards for Scenic and Historic Roads.

The Landscape Manual addresses the requirements with regard to buffering of scenic and historic roads. These provisions will be evaluated at the time of the detailed site plan review.

- (4) **Stormwater Concept:** An approved Stormwater Management Concept Plan and an approval letter, dated December 12, 2011, were submitted with the subject application. The concept shows stormwater management requirements to be met through the use of bioretention, retention, infiltration, micro-bioretention, and porous paving.

The Westphalia Sector Plan includes several strategies focused on stormwater management; including an emphasis on shared public/private facilities designed as amenities, and on the use of low-impact development (LID) techniques. These strategies shall be incorporated into the stormwater management design to the fullest extent possible.

The proposed stormwater management shown on the TCP1 is in general conformance with the approved concept plan; however, the lot layout for the multifamily area shown on the TCP1 is different from what was shown on the concept plan. The TCP does not reflect the areas approved for use as porous pavement and shows a bioretention or small retention area within the limits of the proposed multifamily development envelope that was not shown on the concept plan. The concept plan also shows a small pond or retention area, bioretention, and porous pavement on the southern portion of the site. However, the TCP1 does not show any proposed site design, grading, or stormwater management on the southern portion of the site. Because the current application is specifically to establish the development envelope for the proposed multifamily use on the northern portion of the site, the plans do not need to reflect design information on the southern portion of the site.

At time of application for the preliminary plan of subdivision, the application shall contain an approved stormwater concept plan revised to reflect a layout that is consistently shown on all plans in the application with a focus on stormwater facilities designed as amenities using LID techniques.

- (5) **Erosion and Sediment Control Plan:** Prior to grading of the site, the county requires the approval of an Erosion and Sediment Control Plan. The Tree Conservation Plan must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including Erosion and Sediment Control measures. A copy of the Erosion and Sediment Control Concept Plan must be submitted at time of preliminary plan application so that the ultimate limits of disturbance for the project can be verified and shown on the TCP.

d. **Subdivision Review**—The Planning Board adopts the following findings:

- (1) The property is known as Parcel C, located on Tax Map 90 in Grid C-1, in the M-X-T Zone, and has 68.94 acres. Parcel C is currently developed with a 116,800-square-foot industrial/office building. The applicant has submitted a conceptual site plan, CSP-11003, for a mixed-used development of retaining the existing industrial/office building and adding 300-325 multifamily dwelling units onto the subject site.
- (2) Parcel C was recorded in Plat Book VJ 191-23 on December 15, 2000. The record plat has eight notes and the following notes (in bold) are pertinent to the review of this application:
 1. **Approval of this plat is predicated upon public water and sewer being available prior to construction (Parcel “C”).**

Based on PGAtlas, Parcel C is currently in water and sewer Category 3, Community System, which is ready for development.

2. This plat is prepared in accordance with Section 24-108(a)(3) of the Subdivision Regulations, Prince George’s County Code.

The plat was prepared in accordance with Section 24-108(a)(3) to adjust common boundary lines, which was exempt at that time from filing a preliminary plan of subdivision.

3. The total building gross floor area that can be constructed on Parcel “C” is an additional 5,000 square feet. Further development beyond this total will require a new preliminary plan that will address adequate public facilities.

Based on PGAtlas, the existing industrial/office building was constructed prior to the recording of the plat in 2000. Therefore Note 3 indicates that an additional development over 5,000 square feet on Parcel C will require a new preliminary plan. The CSP proposes to retain the existing office building and add 300-325 multifamily units onto Parcel C that will require a new preliminary plan pursuant to Section 24-107 and 24-111 of the Subdivision Regulations for the development of more than 5,000 square feet. The applicant has filed a preliminary plan, 4-11012, which has not yet been accepted.

e. **Archeology**—The Planning Board adopts the following:

A Phase I archeology survey was conducted on the subject property in January 2013. Based on the results of the Phase I survey, no cultural material was identified and no archeological sites were delineated. Due to the lack of cultural material or identified archeological sites, no further work was recommended on the Cambridge Place at Westphalia property. The Planning Board concurs that no further archeological investigations are necessary on the Cambridge Place at Westphalia property.

f. **Historic Preservation**—The subject application will have no effect on identified Historic Sites, Resources, or Districts.

g. **Department of Parks and Recreation (DPR)**—In a memorandum dated October 8, 2013, DPR provided comment on the subject application. The review considered the recommendations of the *Approved Prince George’s County General Plan, Approved Westphalia Sector Plan and Sectional Map Amendment* for Planning Area 78, The Land Preservation and Recreational Program for Prince George’s County, current zoning and subdivision regulations and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation facilities.

The subject property is adjacent to the Smith Home Farm project to the east. The Cabin Branch Stream Valley will provide for a stream valley pedestrian and hiker/biker connector trail from the project area to the future Westphalia Central Park.

The applicant's proposal includes a range of 300-325 multifamily, residential dwelling units and 116,800 square feet of commercial/office/industrial uses. Using current occupancy statistics for single family and multi family dwelling units, one would anticipate that the proposed development would result in a population between 840 and 940 residents in this new community.

The Planning Board adopts the following findings:

- (1) The Sector Plan introduced the concept of a "Central Park", a single major recreational complex to serve the entire Westphalia Area. The Westphalia Central Park will be located half of mile southeast from the southern boundary of this project. The central park will be accessible to the residents of this community through a system of roads and pedestrian and hiker/biker trails. A large urban park will serve as a unifying community destination and amenity for the entire Westphalia Sector Plan area. The Sector Plan recommends developing the central park with the following recreational amenities: a recreational lake or other water feature, active and passive recreational facilities, lawn areas and bandstands suitable for public events, a trail system, group picnic areas, and tennis facilities.
- (2) At time of preliminary plan of subdivision, conformance with the Subdivision Ordinance, Section-24-134, Mandatory Dedication of Parkland, will be required. The conceptual site plan application has been evaluated for conformance with the subdivision ordinance to determine the possible impact of the mandatory dedication requirement on the subject conceptual site plan. The statutory requirements of Subdivision Section 24-134 require that the applicant provide mandatory dedication of approximately 3 acres of land suitable for active recreation based on the density and acreage of this parcel. In the future, additional mandatory dedication of parkland will be required for the remaining property (Parcel 2) when this portion of the property will be developed with a mixed use of residential and commercial development. The applicant is not showing any future parkland dedication areas. Parkland dedication is not currently requested.
- (3) This property is located directly across the road from a 16.7 acre Westphalia Neighborhood Park/School Site. The current park facilities include a softball field, tennis court, half basketball court, playground and fitness cluster. In the spring of 2014, DPR plans construction of a Community Center and additional recreational facilities in the park. It is anticipated that an elementary school will be constructed on this park/school site in the future. The residents of this development will be able to walk to this park. A safe pedestrian crossing should be provided across Westphalia road at this project area, as feasible.

The applicant shall provide on-site, privately maintained recreational facilities and make a monetary contribution in the amount of \$3,500 per dwelling unit in 2006 dollars into a “park club” for the design, construction, and maintenance of the recreational facilities in the Central Park and the other parks that will serve the Westphalia Area, as recommended by the approved Westphalia Sector Plan and Sectional Map Amendment.

- h. **Research**—A healthy retail vacancy rate is considered to be three percent or less. For the past five years the vacancy rate for this area has never been below six percent and currently stands at eight percent. The addition of the proposed multifamily units on the site will have a minimal impact on increasing demand for retail.

Currently in the 3-mile trade area around the subject site there are approximately 2,620,556 square feet of retail space and 58,022 persons. This results in about 45 square feet of retail space per capita (person) in the trade area, while the national average is 22 square feet per person. For comparison purposes, the District of Columbia has 34 square feet of retail space per capita, Fairfax County, VA has 40 square feet per capita, and Montgomery County, MD has 43 square feet per capita. This creates a concern from a retail perspective, because there is more existing retail in the trade area than can be generally supported by the existing population.

Another concern from a retail perspective is projects that are currently in the pipeline and will provide additional retail space in the area. An example would be the Westphalia Town Center Project where the current owner intends to begin the project by developing the retail space (approximately 500,000 sq. ft.) at intersection of Woodyard Road and Route 4. With this amount of additional retail in the trade area, it is doubtful that additional retail is needed or supportable in the near term.

- i. **The Department of Public Works and Transportation (DPW&T)**—In a memorandum dated May 23, 2013, DPW&T provided standard discussion on issues such as right-of-way dedication, frontage improvement, sidewalks, street trees and lighting, storm drainage systems and facilities in order to be in accordance with the requirements of DPW&T. A summary of those comments is provided below:

- (1) Right-of-way dedication and frontage improvements in accordance with DPW&T’s urban 4-lane collector roadway standards are required for Westphalia Road.
- (2) Any Master Plan roadways that lie within the property limits must be addressed through coordination between M-NCPPC and DPW&T.

- (3) Sidewalks are required along all roadways within the property limits in accordance with the County Road Ordinance.

At time of preliminary plan of subdivision, DPW&T will be afforded an opportunity to provide comment on a revised traffic study for the proposal.

- j. **The Maryland State Highway Administration (SHA)**—In an August 26, 2013 memorandum to staff (*Foster to Burton*), SHA provided comments based on that agency's review. In that memorandum, SHA acknowledged that the property directly fronts on a county road, and that its comments were directed at the development's impact on roads maintained by the state. The following represents the salient issues that were raised by SHA followed by staff comment:

- (1) On page 8 of the document, traffic volume growth is only projected to the development's build out year of 2016. It is our recommendation that the analysis should take into consideration what the traffic volumes will be by 2030. This would be consistent with the traffic analysis done for the proposed Smith Home Farm development, which will be located just to the south of the Cambridge at Westphalia development. Additionally, an analysis that takes into consideration projected 2030 traffic volumes will better capture the growth in traffic that is likely to occur as the immediate area becomes more developed over time. Although not an SHA road, it is recommended that a more in-depth operational analysis of the proposed site access points from the proposed development to Westphalia Road should be conducted to determine what specific measures are necessary to ensure that this segment of Westphalia Road operates at an acceptable level of service.

Pursuant to the "Guidelines", a six-year horizon is the maximum growth period allowed for traffic studies for development proposals.

- (2) On page 31 in Exhibit 15 of the document, a table titled, "Westphalia Development Cost Allocation," shows the estimated cost of the proposed MD 4 & Westphalia Road interchange to be \$79.9 million. It also indicates that this figure is shown in the Prince George's County CR-66-2010. The cost of \$80 million for the interchange is significantly lower than SHA cost estimates. The SHA estimate for the design, right-of-way, and construction of the interchange is between \$150 million and \$170 million. This discrepancy between the SHA's cost estimate and the cost estimate from CR-66-2010 should be noted in future reports and reflected in the applicants proposed contribution to the interchange project.

Due to the relatively uncertain nature of the MD 4 & Westphalia Road Interchange project, SHA does not support the general contribution of money in-lieu of the developer providing specific, implementable improvements to

mitigate the impacts of this development. The TIS should suggest specific improvements to be funded by the Cambridge at Westphalia development in order to mitigate the development's impacts.

Council Resolution CR-66-2010 established the cost ceiling of \$80 million for the MD 4 and Westphalia Road Interchange. The concept of a fee-in-lieu has been supported by both the County Council and the Planning Board in previous cases.

- k. **Prince George's County Health Department**—In a memorandum dated October 26, 2012, the Health Department stated that the Environmental Engineering Program of the Prince George's County Health Department had completed a health impact assessment review of the conceptual site plan submission for Cambridge place at Westphalia and had the following recommendations:

- (1) Future plans should indicate that all exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.
- (2) As a water conservation measure, the developer should consider design for and implementation of water reuse practices for the proposed buildings and landscaping on the site.
- (3) Future plans should include details indicating how development of the site will provide for safe and easy onsite pedestrian circulation, and safe and easy pedestrian access to amenities within the community and to amenities in adjacent communities.
- (4) Future plans should indicate the location of and details regarding active recreational facilities within 0.25 mile of the proposed residence and offices.
- (5) The developer should identify and actively engage project stakeholders during the development review process.

These recommendations provided by the Prince George's County Health Department shall be considered by the applicant in their preparation of the detailed site plan and will be reviewed in detail.

- l. **Prince George's County Police Department**—In a memorandum dated May 21, 2013, the Prince George's County Police Department indicated that there are no concerns at this time related to Crime Prevention through Environmental Design (CPTED).
- m. **Fire**—The Prince George's County Fire/EMS Department reviewed the proposal and provided standard comments on May 20, 2013. Most notably, every building should be located within 500 feet of a fire hydrant.

n. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated October 26, 2012, WSSC provided an evaluation of the subject CSP, which includes the following comments:

- (1) Show existing well and septic for the existing facility.
- (2) Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.
- (3) Add the proposed pipeline alignment(s) with water house connection(s) to the plan.
- (4) Additionally, if easements are required, their limits and locations must be shown. WSSC facilities/structures cannot be located within a public utility easement (PUE); however, WSSC pipelines may cross over a PUE.

Comments provided by WSSC shall be addressed by the applicant on future detailed site plans for the subject development, as that is the time when more detailed project information, including final project layout and building locations, will be provided.

o. **Westphalia Sector Development Review Council**—Plan information was referred to the Westphalia Sector Development Review Council for review and comment. The review council verbally lent its support to the project on October 18, 2013.

13. As required by Section 27-276(b)(1) of the Zoning Ordinance, the Planning Board finds that the CSP will represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

14. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a conceptual site plan:

The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

Non-tidal wetlands, streams, and 100-year floodplain are found to occur on this property. These features and the associated buffers comprise the primary management area (PMA) on the subject property. The site also contains an isolated wetland along the northern property line, adjacent to Westphalia Road. Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for protection of public health, safety, or welfare.

The statement of justification and associated exhibits reflect two proposed impacts to regulated environmental features associated with the proposed multifamily development on the northern portion of the site. Three additional impacts were preliminarily shown on the submitted exhibits as well as on the TCP1. However, because the current application is only for the multifamily portion of the site, the two impacts associated with the multifamily development have been evaluated with the current CSP application. The site contains a total of 12.34 acres of PMA.

Impact 1 is a proposed impact of 37,790 square feet (0.86 acres) of isolated wetland and wetland buffer. This impact will affect the entire isolated wetland due to grading and the placement of structures and parking. The wetland report submitted with the NRI indicates that the isolated wetland (identified in the wetland report as wetland 'C') is isolated because there are no connecting culverts under Westphalia Road and no hydrologic connections throughout the site. The wetland appears to have been created from past earth moving practices, does not contain high quality species diversity, and is surrounded by an early successional upland pine stand. A portion of the existing wetland buffer is located within the existing Westphalia Road right-of-way. The wetland and buffer will be further affected by the required 10-foot public utility easement along Westphalia Road. Westphalia Road is a historic road along the site's frontage, which requires special roadway buffering. Additionally, there is a difference of approximately 26 feet in elevation from the wetland along Westphalia Road (290 feet) to the existing industrial building on-site (264 feet). Grading is necessary to balance the site between the existing building and the road. The Planning Board approves Impact 1, because the wetland does not contain high quality species diversity and impact is necessary for the orderly development of the project.

Impact 2 is a proposed impact of 1,652 square feet (0.04 acres) of PMA comprised of wetland and wetland buffer for the installation of a stormwater outfall. The outfall is necessary for the safe conveyance of stormwater as needed for reasonable use and orderly and efficient development of the subject property and as regulated by County Code for protection of public health, safety, or welfare. The Planning Board approves Impact 2 for the stormwater outfall, because the outfall is necessary infrastructure for the development.

The statement of justification and associated exhibits show three additional impacts associated with the location of the master planned right-of-way of MC-634. These impacts should be evaluated as part of the preliminary plan of subdivision. A revised statement of justification must be submitted with the preliminary plan application.

The current statement of justification notes that an on-site stream segment is severely eroded. The wetland report submitted with the NRI provides a very brief description of the regulatory status of the on-site stream system, but does not include a physical description of the stream valley. The site contains headwaters of the Cabin Branch, within the Western Branch watershed. The Cabin Branch is identified in the Westphalia Sector Plan as a primary environmental corridor that should be protected, preserved, and restored at the highest level possible. The Westphalia Sector Plan also identifies the need for stream corridor assessments using the Maryland DNR Stream Corridor Assessment protocol for each site as development is proposed. The Westphalia Sector Plan further

identifies the need for coordination of the road network between parcels to limit the need for stream crossings and other environmental impacts.

At time of preliminary plan application, a stream corridor assessment using the Maryland DNR Stream Corridor Assessment protocol is needed for the on-site stream system to document the health of the stream and to determine where, if any, restoration efforts should be focused. If stream restoration recommendations are appropriate, they shall be included in the report.

The statement of justification for impacts to regulated environmental features for the preliminary plan application must include an evaluation of the proposed master plan roadway alignment/crossing such that the environmental impacts are reduced as much as possible. The site design and statement of justification must incorporate any recommendations made in the stream corridor assessment.

In summary, the Planning Board finds that the CSP demonstrates the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. Two impacts to regulated environmental features are supported with this CSP application. Additional impacts will be evaluated at time of preliminary plan of subdivision. The need for additional restoration measures will also be evaluated at time of preliminary plan of subdivision.

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 the Type 1 Tree Conservation Plan (TCP1-011-12), and further APPROVED Conceptual Site Plan CSP-11003 for the above-described land, subject to the following conditions:

1. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made to the plans, or information shall be provided:
 - a. A note shall be added that the appropriate location of the access to the multifamily portion of the development shall be made at the time of preliminary plan of subdivision. Consideration shall be given to aligning the access with Chester Grove Road.
 - b. The allowable FAR of 1.4 shall be indicated on the CSP.
 - c. The plan shall note the property's position relative to the Joint Base Andrews Interim Land Use Controls (ILUC) Study area. The ILUC Imaginary Surface boundaries and height and development limits associated with those boundaries shall be shown on the plan.
 - d. Label the location of additional public spaces for use by the residents, with the location and number to be further developed at time of detailed site plan.

2. Prior to certification of the conceptual site plan (CSP), Type 1 Tree Conservation Plan TCP1-011-12 shall be revised as follows:
 - a. Revise the limits of disturbance (LOD) to reflect the disturbance necessary for the multifamily development only.
 - b. Provide labels for Joint Base Andrews noise contours on the cover sheet and add the noise contour symbol to the legend.
 - c. Label the bearings and distances for all boundary lines.
 - d. Revise the approval block to include the assigned TCP plan number (TCP1-011-12).
 - e. Show all proposed stormwater management and stormdrain structures necessary for the multifamily development only.
 - f. Show all existing stormwater management and stormdrain structures.
 - g. Revise all areas of woodland conservation to reflect the changes per the required revisions to the LOD.
 - h. Have the plan signed and dated by the qualified professional who prepared it.
3. Prior to the signature of the Type 2 Tree Conservation Plan for this site, the liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber _____ Folio_____. Revisions to this TCP2 may require a revision to the recorded easement.”
4. Prior to acceptance of a preliminary plan of subdivision, the following information shall be provided:
 - a. A statement of justification describing how the application meets each of the goals, policies, and strategies of the Environmental Infrastructure Section of the *2007 Approved Westphalia Approved Master Plan and Sectional Map Amendment*.
 - b. A detailed statement of justification for the proposed removal of any specimen trees. The statement of justification shall be based on a detailed site design, including grading and stormwater management, and shall show how each of the required findings have been met by the application.

- c. A stream corridor assessment using the Maryland Department of Natural Resources protocol shall be prepared for any on-site stream restoration efforts.
 - d. A statement of justification for proposed impacts to regulated environmental features that incorporates the findings of the required stream corridor assessment and the goals, policies, and strategies found in the Environmental Infrastructure section of the Westphalia Sector Plan.
 - e. An inventory of scenic and historic features along the site's frontage on Westphalia Road.
 - f. An approved stormwater concept plan with a focus on stormwater facilities designed as amenities using LID techniques. The concept plan shall show the same site layout as the preliminary plan and its associated TCPI.
 - g. A copy of the Erosion and Sediment Control Concept Plan.
5. At the time of the preliminary plan of subdivision the applicant shall:
- a. Demonstrate that rights-of-way for Westphalia Road, MC-634, are consistent with the recommendations of the *2007 Approved Westphalia Sector Plan and Sectional Map Amendment*.
 - b. Evaluate the feasibility of providing an access point into the multifamily portion of the development that is aligned with the existing intersection of Chester Grove Road and Westphalia Road.
6. At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:
- a. The multifamily development shall demonstrate adequate screening of all surface parking lots that are adjacent to Westphalia Road.
 - b. The multifamily development shall include public spaces for the benefit of future residents that include sitting areas and objectively attractive site and landscape features. These public spaces shall incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An objectively attractive mix of public spaces that include focal points, seating areas, specialty landscaping, and specialty paving materials shall be provided.
 - c. Adequate visitor parking spaces to serve the proposed multifamily development shall be provided.
 - d. The applicant shall propose and provide a written description of the proposed green development techniques for evaluation by staff and the Planning Board.

- e. The final landscape treatments for the frontage of Westphalia Road shall be determined. The landscape treatment shall provide an equivalent or better streetscape appearance than would be achieved under the strict application of Section 4.6, Buffering Development from Special Roadways.
 - f. The applicant shall allocate appropriate and developable areas for the private recreational facilities.
 - g. The applicant shall demonstrate to the Planning Board in writing that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate means and that such instrument is legally binding upon the subdivider and his heirs, successors, and assigns.
 - h. Access to existing or future bus routes shall be evaluated at time of detailed site plan, and facilities for a bus stop shall be shown if deemed appropriate by the Department of Public Works and Transportation (DPW&T).
 - i. The multifamily development shall utilize an appropriate balance of finish materials such as brick, stone, and cementitious siding. The cumulative area of all of the building elevations of all of the multifamily buildings should be no less than 40 percent brick or stone. A chart indicating the composition of the building materials shall be provided with the architectural elevations.
 - j. A variety in building styles and architecture shall be demonstrated. Flat façades shall be avoided by using bays, balconies, and other projecting elements.
7. The applicant shall submit three (3) original executed private Recreational Facilities Agreements (RFA) for the private recreational facilities on-site to the M-NCPPC Development Review Division for their approval three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Maryland.
8. The applicant shall submit to the M-NCPPC Development Review Division a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.
9. Prior to the issuance of any building permits within the subject property the evidence of the following certifications shall be provided:
- a. The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.

- b. A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in CB-3-2012.
10. Total development within the subject property shall be limited to uses which generate no more than 279 (129 in; 150 out) AM peak hour trips and 303 (142 in; 161 out) PM peak hour trips. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.
11. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Westphalia Road @ D'Arcy Road Intersection

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.
 - b. Westphalia Road @ West site access intersection

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.
 - c. Westphalia Road @ East site access Intersection

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.
12.
 - a. The applicant shall make a monetary contribution to the "park club", which is to be established and administered by the M-NCPPC Department of Parks and Recreation. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for construction, operation and maintenance of the recreational facilities in the central park and/or the other public parks that will serve the Westphalia Study Area. The park club shall be established and administered by the DPR.
 - b. Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into an account administered by the M-NCPPC. If not previously determined, the agreement shall also establish a schedule of payments and/or a schedule for park construction. The payment shall include a formula for any needed adjustments to account for inflation. The agreement shall be recorded among the Prince George's County Land Records by the applicant prior to final plat approval.

13. The applicant, his successors, and/or assigns, shall provide on-site private, recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.
14. A comprehensive and safe pedestrian network shall be provided. A pedestrian and bikeway facilities plan shall be provided with the preliminary plan or detailed site plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:
 - (a) Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.
 - (b) Additional consideration shall be paid to providing safe pedestrian route across Westphalia Road.
 - (c) Linkage of private recreational facilities to trails via a ten-foot-wide asphalt master planned trail along the Cabin Branch and eight-foot-wide trail connectors to the neighborhoods.
 - (d) Pedestrian connectivity from the existing industrial building to Westphalia Road and the proposed multifamily development.
 - (e) Connections to transit facilities including but not limited to bus stops.

The items evaluated within the connectivity plan are subject to modification by staff for final review by the Planning Board.

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 Shoaff, with Commissioners Washington, Shoaff, Bailey, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, October 24, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of November 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj

R E S O L U T I O N

WHEREAS, Cambridge Place at Westphalia is the owner of a 68.94-acre parcel of land known as Tax Map 90 in Grid C-1 and is also known as Parcel C, said property being in the 15th Election District of Prince George's County, Maryland, and being zoned Mixed Use–Transportation Oriented (M-X-T); and

WHEREAS, on February 12, 2014, Westphalia Bus Transit Partners, LLC filed an application for approval of a Preliminary Plan of Subdivision for 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-11012 for Cambridge Place at Westphalia was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on June 5, 2014, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on June 5, 2014, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type 1 Tree Conservation Plan (TCP1/011/12/01), and further APPROVED Preliminary Plan of Subdivision 4-11012, Cambridge Place at Westphalia, including a Variance from Section 25-122(b)(1)(G) for 2 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following corrections shall be made:
 - a. Revise General Note 25 to indicate that mandatory parkland dedication is met by on-site private recreational facilities.
 - b. Clearly label the dimension of the master-planned right-of-way of MC-634 on Parcel 2.
 - c. Revise General Note 22 with the updated stormwater management concept plan approval number and date.
 - d. Update the revision block.

- e. Submit a revised and approved stormwater management concept plan that shows the same site layout as the preliminary plan and its associated Type 1 tree conservation plan.
 - f. Show a concept location for the pedestrian trail connecting Parcel 1 to Deer Stream Drive.
2. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Revise the TCP approval block to include the previous approval information (Megan K. Reiser on March 14, 2014) and to provide an additional column reflecting the conceptual site plan case number it was approved with.
 - b. Revise the PPS approval block on the TCP1 to reflect the standard Development Review Division approval block.
 - c. Show all of the proposed stormwater management and stormdrain structures necessary for the multifamily development.
 - d. Show all of the existing stormwater management and stormdrain structures on-site.
 - e. Have the plan signed and dated by the qualified professional who prepared it.
3. Prior to signature approval of the preliminary plan of subdivision (PPS), the PPS and the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Unless the JLUS Interim Land Use Controls have expired, delineate the Joint Base Andrews Naval Air Facility Washington imaginary surfaces, and noise contour established in County Council Bill CB-3-2012 and add a note that states the following:

“This property lies within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012).”
 - b. Show a minimum a 20-foot-wide scenic buffer, outside of the ultimate right-of-way and the ten-foot-wide public utility easement, along the site’s frontage. The TCP1 shall be revised to remove all of the proposed buildings from the 20-foot scenic buffer.
4. Development of this subdivision shall be in conformance with approved Type 1 Tree Conservation Plan TCP1-011-12-01. The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-011-12-01 or most recent revision), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and

Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

5. At the time of final plat, a conservation easement (Parcel 2) shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed. Future impacts within the conservation easements may be approved pursuant to a new preliminary plan of subdivision or detailed site plan under applicable regulations."
6. The Detail Site Plan and Type 2 tree conservation plan for Parcels 1 and 2 shall be designed to accommodate the appropriate landscape and signage treatments for the frontage of historic Westphalia Road in accordance with the 2010 *Prince George's County Landscape Manual*.
7. Westphalia Road improvements shall be carried out in accordance with the 1994 *Prince George's County Design Guidelines and Standards for Scenic and Historic Roads*, unless modified by the Department of Permitting, Inspections and Enforcement (DPIE).
8. Development of this site shall be in conformance with Stormwater Management Concept Plan 15908-2011-00 and any subsequent revisions.
9. Prior to approval of the Detailed Site Plan, the private on-site recreational facilities for Parcel 1 shall be reviewed for adequacy and proper siting. An appropriate mix of recreational facilities shall be specified at that time and triggers for their construction determined.
10. Prior to approval of the final plat(s), the applicant and the applicant's heirs, successors, and/or assignees shall submit three original executed recreational facilities agreements (RFA) to The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department, Development Review Division (DRD), for the construction of private recreational facilities on-site. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the liber/folio indicated on the record plat.
11. Prior to a recommendation for approval of building permits by The Maryland-National Capital Park and Planning Commission (M-NCPPC), the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by the Development Review Division for the construction of private on-site recreational facilities.

12. Prior to the approval of the final plat for Parcel 1, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original, executed agreements for participation in the "park club" to DPR for their review and approval, prior to the submission of the first final plat of subdivision (not infrastructure). Upon approval by DPR, the agreement shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland, and the liber folio reflected on the final plat.

The agreement with the Department of Parks and Recreation (DPR) establishing a mechanism for payment of the applicant's fees into an account administered by M-NCPPC shall note that the value of the in-kind services shall be determined at the sole discretion of DPR. If not previously determined, the agreement shall establish a schedule of payments and/or a schedule for park construction. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. The monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia study area. The specifics to accomplish this will be specified in the agreement.

13. At the time of Detailed Site Plan for Parcel 1 and/or Parcel 2, the applicant and the applicant's heirs, successors, and/or assignees shall address the following:
 - a. Evaluate the feasibility of providing an access point into the multifamily on Parcel 1 that is aligned with the entrance of Westphalia Neighborhood Park/School Site to the north of the site, if permitted by DPIE.
 - b. Provide a trail connection from Parcel 1 through Parcel 2 to the terminus of Deer Stream Drive on the adjacent Smith Home Farms property consistent with the conceptual alignment reflected on the Pedestrian and Bikeway Facilities Plan. The nature and design of this connection shall be determined at the time of detailed site plan.
 - c. Evaluate the feasibility of a location and treatments for the pedestrian crossings of Westphalia Road in coordination with DPW&T/DPIE. Treatments may include high visibility crosswalks, lighting, warning signage, and hazard beacons. The exact location and design will be determined at the time of detailed site plan.
 - d. Unless the JLUS Interim Land Use Controls have expired, ensure that the structures do not exceed the Imaginary Surfaces established in County Council Bill CB-3-2012.
14. The applicant and the applicant's heirs, successors, and/or assignees shall construct the following frontage improvement listed in order of priority, unless modified by the Department of Public Works and Transportation (DPW&T):
 - a. Construct a sidepath and a bike lane, minimum, in conjunction with a "Bike Lane" sign (MUTCD R3-17) along the entire subject property frontage on Westphalia Road consistent with DPW&T STD 100.03.

- b. Provide the installation of the “SHARE THE ROAD” sign (MUTCD W16-1P combined with W11-1 sign assembly) along the property frontage.
15. Prior to the approval of the final plat for Parcel 2, the applicant, their heirs, successors, and assignees shall submit to M-NCPPC for approval a draft trail access easement, benefitting Parcel 1, which extends from Parcel 1 through Parcel 2 connecting to Deer Stream Drive to the east, as reflected on the Bike and Pedestrian Facilities Plan submitted with the approved PPS or subsequent DSP.
- a. The final plat shall delineate the final alignment of the easement with bearings and distances.
 - b. The easement document shall set forth the rights, responsibilities and liabilities of the parties and liber/folio of the easement, shall include the rights of M-NCPPC and will be reflected on the plat prior to recordation.
16. At the time of final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:
- a. Grant a ten-foot-wide public utility easement (PUE) along the public right-of-way as delineated on the approved preliminary plan of subdivision.
 - b. Dedicate public right-of-way of 40 feet from the centerline of Westphalia Road (approximately 28,314 square feet) along the property frontage, as shown on the approved preliminary plan of subdivision.
 - c. Unless the JLUS Interim Land Use Controls have expired, add a note that states the following:
 - “This property lies within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012)”
17. The total development within Parcel 1 of the subject property shall be limited to uses which generate no more than 157 AM peak-hour trips, 181 PM peak-hour trips, and 1,957 daily trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.
18. The total development within Parcel 2 of the subject property shall be limited to uses which generate no more than 122 AM peak-hour trips, 122 PM peak-hour trips, and 682 daily trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

19. Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

At the Westphalia Road/D'Arcy Road intersection, conduct a signal warrant study and install the signal pursuant to the Department of Public Works and Transportation (DPW&T) specifications if a signal is deemed warranted and approved by DPW&T.

20. Prior to approval of the final plat for Parcel 1, the applicant and the applicant's heirs, successors, and/or assignees shall, pursuant to the provisions of County Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation Program (PFFIP), provide a copy of the recorded Memorandum of Understanding (MOU) and reflect the liber/folio on final plat.
21. Prior to issuance of each building permit for Parcel 1, the applicant and the applicant's heirs, successors, and/or assignees shall, pursuant to the provisions of Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation Program (PFFIP), pay to Prince George's County (or its designee) a fee of \$4,991.15 per residential dwelling unit, pursuant to the Memorandum of Understanding (MOU) required by CR-66-2010. The MOU shall be recorded in the Prince George's County Land Records. This unit cost will be adjusted based on an inflation cost index factor to be determined by the Department of Public Works and Transportation at the time of issuance of each permit.
22. A substantial revision to the mix of uses on the subject property that significantly affects Subtitle 24 (Prince George's County Code) adequacy findings may require approval of a new preliminary plan of subdivision prior to approval of any building permits. The redevelopment of Parcel 2 which includes residential development, the razing of the existing building or additional gross floor area of more than 1,000 square feet, shall require a new preliminary plan of subdivision.
23. Prior to approval of any grading permit, the failing riser structure in the on-site stormwater management pond on Parcel 2 shall be maintained and/or repaired to allow water to exit the pond properly.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Setting**—The property is located on the south side of Westphalia Road, less than one-half mile east of its intersection with Pennsylvania Avenue (MD 4), and less than one-half mile east of the

Capital Beltway (I-95/495). The neighboring properties to the south and west of the site are zoned Light Industrial (I-1) and are currently developed with industrial uses. The neighboring properties to the east are zoned Residential Medium Development (R-M) and are currently undeveloped. The neighboring properties to the northwest of the site are zoned Multifamily Medium Density Residential (R-18) and are developed with multifamily buildings. The property directly across Westphalia Road to the northeast is zoned Rural Residential (R-R), is owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC), and is to be developed as the Westphalia neighborhood park and school site.

3. **Background**—The subject site is located on Tax Map 90 in Grid C-1 and is known as Parcel C. The property consists of 68.94 acres and is within the Mixed Use–Transportation Oriented (M-X-T) Zone. The site is currently improved with a 142,500-square-foot industrial building and parking, which are proposed to remain. Parcel C was recorded in Plat Book VJ 191-23 on December 25, 2000. The plat was prepared in accordance with Section 24-108(a)(3) of the Subdivision Regulations to adjust the common boundary lines, for which a preliminary plan of subdivision (PPS) was not required. A note on the plat indicates that the total building gross floor area that can be constructed on existing Parcel C is an additional 5,000 square feet, and any development beyond this total will required a new PPS. Pursuant to Section 24-107(c)(7) of the Subdivision Regulations, any subdivision of land, or proposed additional development, over 5,000 square feet that occurred after January 1, 1982 would require a PPS, saving certain exemptions.

There are two existing stormdrain easements (Liber 6129 Folio 465) and one Washington Suburban Sanitary Commission (WSSC) easement (Liber 6078 Folio 738) on the northern portion of the site. The TCP shows proposed multifamily buildings on the WSSC easement and one of the stormdrain easements on proposed Parcel 1. If the easements have not been abandoned or relocated prior to approval of the final plat, then the easements will be reflected on the plat as an encumbrance on the subject property.

4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Industrial (142,500 sq. ft.) (to remain)	Residential (301 multifamily units) Industrial (142,500 sq. ft.)
Acreage	68.94	68.94
Lots	0	0
Outlots	0	0
Parcels	1	2
Dwelling Units	0	301
Public Safety Mitigation Fee	No	No
Variance	No	Yes
Variation	No	Section 25-122(b)(1)(G) No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on February 28, 2013.

5. **Community Planning**—The 2002 *Prince George’s County Approved General Plan* (General Plan) designates the subject property within the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment centers that are increasingly transit serviceable. The PPS is consistent with the General Plan Development Pattern policies for the Developing Tier by proposing residential and industrial development. The approval of this application does not violate the General Plan’s growth goals for the year 2025, upon review of Prince George’s County’s current General Plan Growth Policy Update.

The land use proposed by this PPS conforms to the land use recommendations of the Westphalia Sector Plan and SMA for a commercially-oriented neighborhood center and a mix of uses on the subject property. The Westphalia SMA placed the subject property in the M-X-T Zone, and the proposed land uses are in conformance with the zoning.

The property is located within the Joint Base Andrews Naval Air Facility Washington Interim Land Use Control (ILUC) impact area. The property is within Imaginary Surface D, establishing a height limit of 150 feet above the runway surface, which will be evaluated at the time of DSP.

The property is within the 65 to 79 dBA Ldn noise contours. The proposed multifamily units on Parcel 1 are located within the lower noise contours (65 to 75 dBA Ldn), where the interior noise level can be mitigated with building materials. For the southern portion of the property, Parcel 2, the existing industrial building is located within the higher noise contours (70 to 80 dBA Ldn). However, noise attenuation is not required for industrial uses. These categories do not prevent the

conceptual land uses proposed with the CSP and PPS. The ILUC noise contours should be delineated and noted on the PPS and any future plans of development.

The property is located in the Westphalia Sector Development Review area. This PPS has been referred to the Westphalia Sector Development Review Advisory Council (WSDRAC) for review and comment. This PPS was reviewed during the WSDRAC meeting on April 09, 2014. The Council submitted written comments dated May 15, 2014 (Duke to Nguyen) stating that the Council is in support of the PPS and recommends approval of the application.

6. **Previous Approvals**—On October 24, 2013, the Planning Board reviewed and approved Conceptual Site Plan CSP-11003 for the subject property. The CSP was approved with 14 conditions and the following conditions in bold are related to the review of this PPS:
 1. **Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made to the plans, or information shall be provided:**
 - a. **A note shall be added that the appropriate location of the access to the multifamily portion of the development shall be made at the time of preliminary plan of subdivision. Consideration shall be given to aligning the access with Chester Grove Road.**
 - b. **The allowable FAR of 1.4 shall be indicated on the CSP.**
 - c. **The plan shall note the property’s position relative to the Joint Base Andrews Interim Land Use Controls (ILUC) Study area. The ILUC Imaginary Surface boundaries and height and development limits associated with those boundaries shall be shown on the plan.**
 - d. **Label the location of additional public spaces for use by the residents, with the location and number to be further developed at time of detailed site plan.**
 2. **Prior to certification of the conceptual site plan (CSP), Type 1 Tree Conservation Plan TCP1-011-12 shall be revised as follows:**
 - a. **Revise the limits of disturbance (LOD) to reflect the disturbance necessary for the multifamily development only.**
 - b. **Provide labels for Joint Base Andrews noise contours on the cover sheet and add the noise contour symbol to the legend.**
 - c. **Label the bearings and distances for all boundary lines.**

- d. **Revise the approval block to include the assigned TCP plan number (TCP1-011-12).**
- e. **Show all proposed stormwater management and stormdrain structures necessary for the multifamily development only.**

The CSP is currently in the process of being certified. Condition 1a relates to Condition 9 of the CSP and is further addressed below.

- 3. **Prior to the signature of the Type 2 Tree Conservation Plan for this site, the liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:**

**“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber ____ Folio ____.
Revisions to this TCP2 may require a revision to the recorded easement.”**

This condition will be addressed prior to certification of a Type 2 tree conservation plan (TCP2).

- 4. **Prior to acceptance of a preliminary plan of subdivision, the following information shall be provided:**
 - a. **A statement of justification describing how the application meets each of the goals, policies, and strategies of the Environmental Infrastructure Section of the 2007 Approved Westphalia Approved Master Plan and Sectional Map Amendment.**
 - b. **A detailed statement of justification for the proposed removal of any specimen trees. The statement of justification shall be based on a detailed site design, including grading and stormwater management, and shall show how each of the required findings have been met by the application.**
 - c. **A stream corridor assessment using the Maryland Department of Natural Resources protocol shall be prepared for any on-site stream restoration efforts.**
 - d. **A statement of justification for proposed impacts to regulated environmental features that incorporates the findings of the required**

stream corridor assessment and the goals, policies, and strategies found in the Environmental Infrastructure section of the Westphalia Sector Plan.

- e. **An inventory of scenic and historic features along the site's frontage on Westphalia Road.**
- f. **An approved stormwater concept plan with a focus on stormwater facilities designed as amenities using LID techniques. The concept plan shall show the same site layout as the preliminary plan and its associated TCP1.**
- g. **A copy of the Erosion and Sediment Control Concept Plan.**

The applicant has submitted the above information with this PPS. The Environmental Planning Section has evaluated the above information and is discussed further in the Environmental finding.

5. At the time of the preliminary plan of subdivision the applicant shall:

- a. **Demonstrate that rights-of- way for Westphalia Road, MC-634, are consistent with the recommendations of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment.**

The PPS delineates the rights-of-way for Westphalia Road and MC-634 as consistent with the Westphalia Sector Plan and SMA. The PPS proposes approximately 28,314 square feet of dedication along Westphalia Road.

In regard to MC-634, it was determined that a nexus cannot be found for the dedication of the right-of-way that was proportional to the development proposed. Therefore, a request for reservation was sent to DPW&T, as discussed further in the Transportation finding. Prior to signature approval of the PPS, the dimensions of the right-of-way for MC-634 should be clearly labeled.

- b. **Evaluate the feasibility of providing an access point into the multifamily portion of the development that is aligned with the existing intersection of Chester Grove Road and Westphalia Road.**

The Transportation Planning Section has evaluated the possibility of the access point of the multifamily development on Parcel 1 to be aligned with Chester Grove Road, to the northwest of site. Transportation Planning found that the curve in the Westphalia Road right-of-way at that location may not have the best sight distance for an access driveway. However, the DPW&T general standard is to align vehicular access driveways whenever feasible to reduce traffic conflict on

the roadway. It was determined that the access driveway to Parcel 1 should be further evaluated at the time of DSP, where the site layout of multifamily development will be more defined. Parcel E to northeast of site, directly across Westphalia Road, is planned to be developed as the Westphalia neighborhood park and school site (M-NCPPC). There should be an evaluation of the feasibility of aligning the vehicular access for Parcel 1 with the access for Parcel E, the Westphalia neighborhood park and school site, at the time of DSP for Parcel 1.

- 6. At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:**
 - a. The multifamily development shall demonstrate adequate screening of all surface parking lots that are adjacent to Westphalia Road.**
 - b. The multifamily development shall include public spaces for the benefit of future residents that include sitting areas and objectively attractive site and landscape features. These public spaces shall incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An objectively attractive mix of public spaces that include focal points, seating areas, specialty landscaping, and specialty paving materials shall be provided.**
 - c. Adequate visitor parking spaces to serve the proposed multifamily development shall be provided.**
 - d. The applicant shall propose and provide a written description of the proposed green development techniques for evaluation by staff and the Planning Board.**
 - e. The final landscape treatments for the frontage of Westphalia Road shall be determined. The landscape treatment shall provide an equivalent or better streetscape appearance than would be achieved under the strict application of Section 4.6, Buffering Development from Special Roadways.**
 - f. The applicant shall allocate appropriate and developable areas for the private recreational facilities.**
 - g. The applicant shall demonstrate to the Planning Board in writing that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate**

means and that such instrument is legally binding upon the subdivider and his heirs, successors, and assigns.

- h. Access to existing or future bus routes shall be evaluated at time of detailed site plan, and facilities for a bus stop shall be shown if deemed appropriate by the Department of Public Works and Transportation (DPW&T).**
- i. The multifamily development shall utilize an appropriate balance of finish materials such as brick, stone, and cementitious siding. The cumulative area of all of the building elevations of all of the multifamily buildings should be no less than 40 percent brick or stone. A chart indicating the composition of the building materials shall be provided with the architectural elevations.**
- j. A variety in building styles and architecture shall be demonstrated. Flat façades shall be avoided by using bays, balconies, and other projecting elements.**

This condition will be addressed at the time of DSP.

- 7. The applicant shall submit three (3) original executed private Recreational Facilities Agreements (RFA) for the private recreational facilities on-site to the M-NCPPC Development Review Division for their approval three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Maryland.**
- 8. The applicant shall submit to the M-NCPPC Development Review Division a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**

Conditions 7 and 8 will be carried forward with this PPS and will be addressed at the time of final plat.

- 9. Prior to the issuance of any building permits within the subject property the evidence of the following certifications shall be provided:**
 - a. The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.**

- b. A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in CB-3-2012.**

Condition 9 of the CSP requires that the interiors of new residential construction be certified to 45 dBA Ldn or less by an acoustical engineer or a qualified professional of competent expertise, and that a registered engineer or a qualified professional of competent expertise shall certify that structures do not exceed the imaginary surfaces established in CB-3-2012; however, the delineation of the imaginary surfaces has not been shown on any plans with the current application. Prior to signature approval of the PPS, the PPS and TCP1 needs to be revised to show the imaginary surfaces established in CB-3-2012.

Condition 9 will be carried forward with this PPS as appropriate. Condition 9b should be addressed at the time of DSP.

- 10. Total development within the subject property shall be limited to uses which generate no more than 279 (129 in; 150 out) AM peak hour trips and 303 (142 in; 161 out) PM peak hour trips. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.**

A traffic study was submitted with this PPS. The proposed development with this PPS will generate trips within the trip limit of the CSP. The evaluation of the traffic study and findings of adequacy of transportation facilities is discussed further in the Transportation finding.

- 11. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

- a. Westphalia Road @ D'Arcy Road Intersection**

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

- b. Westphalia Road @ West site access intersection**

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

c. Westphalia Road @ East site access Intersection

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

Based on the traffic study analysis with this PPS, Condition 11a will be carried forward with this PPS as part of transportation adequacy, while Condition 11b and c are not required to meet transportation adequacy and are therefore not included as conditions of this PPS.

12. a. **The applicant shall make a monetary contribution to the “park club”, which is to be established and administered by the M-NCPPC Department of Parks and Recreation. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for construction, operation and maintenance of the recreational facilities in the central park and/or the other public parks that will serve the Westphalia Study Area. The park club shall be established and administered by the DPR.**
- b. **Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into an account administered by the M-NCPPC. If not previously determined, the agreement shall also establish a schedule of payments and/or a schedule for park construction. The payment shall include a formula for any needed adjustments to account for inflation. The agreement shall be recorded among the Prince George’s County Land Records by the applicant prior to final plat approval.**

The monetary contribution to the park club is discussed further in the Park and Recreation finding. Condition 12 requirements will be carried forward with this PPS.

13. **The applicant, his successors, and/or assigns, shall provide on-site private, recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.**

Condition 13 will be carried forward with this PPS and will be addressed at the time of final plat.

- 14. A comprehensive and safe pedestrian network shall be provided. A pedestrian and bikeway facilities plan shall be provided with the preliminary plan or detailed site plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:**
- (a) Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.**
 - (b) Additional consideration shall be paid to providing safe pedestrian route across Westphalia Road.**
 - (c) Linkage of private recreational facilities to trails via a ten-foot-wide asphalt master planned trail along the Cabin Branch and eight-foot-wide trail connectors to the neighborhoods.**
 - (d) Pedestrian connectivity from the existing industrial building to Westphalia Road and the proposed multifamily development.**
 - (e) Connections to transit facilities including but not limited to bus stops.**

The items evaluated within the connectivity plan are subject to modification by staff for final review by the Planning Board.

A pedestrian and bikeway facilities plan that addresses the above conditions has been submitted with this PPS. The pedestrian and bikeway facilities plan has been reviewed by the Transportation Planning Section and is discussed further in the Trail finding.

The PPS conforms to Conceptual Site Plan CSP-11003 if the application is approved with conditions.

7. **Urban Design**—The 2010 *Prince George's County Landscape Manual* (Landscape Manual) and the Zoning Ordinance contain the site design guidelines and requirements that are applicable to the review of this PPS.

Conformance with the Zoning Ordinance

The subject application is in conformance with the requirements of Section 27-547, Uses Permitted, of the Zoning Ordinance. The proposed uses, multifamily, residential, and industrial, are permitted uses in the M-X-T Zone. Pursuant to County Council Bill CB-61-2013, uses permitted in the I-1 Zone are also permitted in the M-X-T Zone until July 1, 2015, at which time the uses will be deemed as nonconforming in accordance with part 3, Division 6 of Subtitle 27.

The M-X-T Zone requires approval of a conceptual site plan (CSP) and a detailed site plan (DSP) for all uses and improvements. The Conceptual Site Plan, CSP-11003 for the subject property was approved by the Planning Board on October 24, 2013 (PGCPB 13-122). The Prince George's County District Council did not request to hear the CSP. The CSP was approved for proposed multifamily residential use on Parcel 1 and existing industrial use on Parcel 2. The proposed multifamily buildings on Parcel 1 will require approval of a DSP.

With the approval of CSP-11003 for the subject site, the Planning Board encouraged the applicant to consider future tenants for the existing industrial building that blend together harmoniously with the proposed multifamily residential development. The Planning Board indicated that it would strongly support an adaptive reuse of the existing industrial building that promotes the purposes of the M-X-T Zone, such as integration of office, research, institutional, residential, and/or commercial uses. If the applicant chooses an adaptive reuse, the existing building with no modification, a detailed site plan may not be required. With this PPS no new improvements are being proposed on Parcel 2, therefore, Parcel 2 could move forward to plat and occupy the existing building with a use permitted in the M-X-T Zone.

The proposed floor area ratio (FAR) is provided on the site plan. A bonus of 1.0 FAR is permitted because residential development is proposed. However, the overall FAR for the site is 0.19, which is much lower than the maximum allowed FAR of 1.4.

Development in the M-X-T Zone is required to have direct vehicular access to a public street in accordance with Section 27-548(g), as noted below:

- (g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

This PPS application is to subdivide the subject property into Parcels 1 and 2. Parcel 1 is proposed to have frontage and direct vehicular access to Westphalia Road, a public right-of-way. Parcel 2 is proposed to retain its existing direct vehicular access to Westphalia Road. Parcels 1 and 2 have frontage on and access to a public right-of-way in accordance with Section 27-548(g).

Conformance with the requirements of Section 27-546, Site Plans in the M-X-T Zone; Part 11, Off-Street Parking and Loading; and Part 12, Signs, of the Zoning Ordinance is required for the proposed development and will be evaluated at the time of DSP.

Conformance with the 2010 Prince George's County Landscape Manual

In accordance with Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. The following discussion is offered regarding the applicable provisions of the Landscape Manual. Conformance with the requirements of the Landscape Manual will be determined at the time of DSP review.

- a. **Section 4.1**—Residential Requirements, require that multifamily dwellings located in the Developing Tier include a minimum of one major shade tree per 1,600 square feet or fraction of green area provided.
- b. **Section 4.2**—Requirements for Landscape Strips along Streets, require the planting of shade trees and shrubs on the property abutting all public and private streets. For properties with frontage on a special roadway, such as a scenic or historic roadway, the requirements of Section 4.6(c)(2), Buffering Development from Special Roadways, supersede the requirements of this section. The requirements of Section 4.2 do not apply to Westphalia Road, which is a historic roadway.
- c. **Section 4.3**—Parking Lot Requirements, specifies that any proposed parking lots larger than 7,000 square feet will be subject to Section 4.3(2), Parking Lot Interior Planting Requirements, which requires that parking lots provide interior planting islands throughout the parking lot to reduce the impervious area. When these planting islands are planted with shade trees, the heat island effect created by large expanses of pavement would be minimized.
- d. **Section 4.4**—Screening Requirements, require that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets.
- e. **Section 4.6(c)(2)**—Westphalia Road is a designated historic road. Therefore, compliance with Section 4.6, Buffering Development from Special Roadways, is required. In the Developing Tier, a minimum 20-foot-wide landscape buffer planted with 80 plant units per 100 linear feet of frontage, excluding driveway openings is required.

Westphalia Road along the site’s frontage is categorized as a collector, while Westphalia Road west of the subject property is categorized as an arterial roadway. The yards of the multifamily development are not required to have additional buffering due to their proximity to a collector roadway. Historic road buffering in accordance with Section 4.6(c)(2) will be required. A minimum 20-foot-wide landscape buffer should be provided outside of the public utility easement along Westphalia Road. Whether this buffer should be placed within an easement will be determined at the time of DSP.
- f. **Section 4.7**—The site will be subject to Section 4.7, Buffering Incompatible Uses. More specific information regarding the bufferyard requirements along property lines adjoining other uses will be evaluated at the time of DSP.
- g. **Section 4.9**—The site will be subject to Section 4.9 of the Landscape Manual, which requires that a percentage of the proposed plant materials be native plants.

Other Urban Design Issues

The following issues are identified now for informational purposes, as final design review will be done at the time of DSP when additional information is available.

- a. Buildings should be designed to front internal streets.
- b. On-site private recreational facilities is recommended for the proposed development on Parcel 1. The site is located within Joint Base Andrews (JBA) Interim Land Use Control (ILUC) impact area, specifically Parcel 1 is located within 65 to 75 dBA Ldn noise contours. Therefore, it is recommended that private recreational facilities for proposed multifamily residential development on Parcel 1 should be located indoors. Appropriate mix of recreational facilities and proper siting should be evaluated at the time of DSP.
- c. Pedestrian improvements, such as but not limited to, sidewalk connections, bus shelters, benches, trash receptacles, bike racks, and pedestrian-scaled lighting fixtures should be incorporated into the site design and will be reviewed at the time of DSP.
- d. Green building techniques should be employed in this development to the extent practical.

Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. The subject property is 68.94 acres in size and has a tree canopy coverage (TCC) requirement of 6.89 acres. The TCC requirement can be met in full through on-site woodland preservation, which totals 9.03 acres. Compliance with this requirement will be further evaluated at the time of DSP. If a DSP is submitted separately for each parcel, then each DSP will need to be evaluated for conformance to the TCC requirement individually.

8. **Environmental**—A Type 1 Tree Conservation Plan, TCP1-011-12-01, and an approved Natural Resources Inventory, NRI-016-11, are required and have been reviewed. The subject application is not grandfathered with respect to Subtitle 24, Subtitle 25, or Subtitle 27 of the County Code because the current application is a new PPS.

Master Plan Conformance

The current master plan for this area is the Westphalia Master Plan and SMA. The Environmental Infrastructure section of the master plan contains goals, policies, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on the plan conformance.

Policy 1. Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area.

Strategies:

- **Use the sector plan designated green infrastructure network to identify opportunities for environmental preservation and restoration during the review of land development proposals.**

According to the 2005 *Approved Countywide Green Infrastructure Plan* (Green Infrastructure Plan), the site contains no regulated areas, evaluation areas or network gaps.

- **Preserve 480 or more acres of primary management area (PMA) as open space within the developing areas.**

The proposed impacts to regulated environmental features and the PMA have been evaluated under the Primary Management Area finding below.

- **Protect primary corridors (Cabin Branch) during the review of land development proposals to ensure the highest level of preservation and restoration possible. Protect secondary corridors (Back Branch, Turkey Branch, and the PEPCO right-of-way) to restore and enhance environmental features, habitat, and important connections.**

The site contains headwaters of Cabin Branch, within the Western Branch watershed. Preservation and restoration of the on-site stream system has been evaluated under the Environmental Review section below.

- **Limit overall impacts to the primary management area to those necessary for infrastructure improvements, such as road crossings and utility installations.**

Impacts to the PMA are discussed in detail in the Primary Management Area finding below.

- **Evaluate and coordinate development within the vicinity of primary and secondary corridors to reduce the number and location of primary management area impacts.**

Impacts to the PMA are discussed in detail in the Primary Management Area finding below.

- **Develop flexible design techniques to maximize preservation of environmentally sensitive areas.**

Impacts to the PMA are discussed in detail in the Primary Management Area finding below.

Policy 2. Restore and enhance water quality of receiving streams that have been degraded and preserve water quality in areas not degraded.

Strategies:

- **Remove agricultural uses along streams and establish wooded stream buffers where they do not currently exist.**

The site does not contain agricultural uses.

- **Require stream corridor assessments using Maryland Department of Natural Resources protocols and include them with the submission of a natural resource inventory as development is proposed for each site. Add stream corridor assessment data to the countywide catalog of mitigation sites.**

A stream corridor assessment using the Maryland Department of Natural Resources protocol was stamped as received on March 14, 2014. Discussion regarding the stream corridor assessment is provided in detail in the Environmental Review section below.

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

Stormwater management is discussed in detail in the Stormwater Management finding below.

- **Use low-impact development (LID) techniques such as green roofs, rain gardens, innovative stormwater outfalls, underground stormwater management, green streets, cisterns, rain barrels, grass swales, and stream restoration, to the fullest extent possible during the development review process with a focus on the core areas for use of bioretention and underground stormwater facilities under parking structures and parking lots.**

Stormwater management is discussed in detail in the Stormwater Management finding below.

Policy 3. Reduce overall energy consumption and implement more environmentally sensitive building techniques.

Strategies:

- **Use green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental**

technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.

The use of green building techniques and energy conservation techniques should be encouraged for the residential portion of the development (Parcel 1). The commercial/industrial redevelopment in the southern portion of the site will require an evaluation as part of a development application for that portion of the site.

- **Use alternative energy sources such as solar, wind and hydrogen power. Provide public examples of uses of alternative energy sources.**

The use of alternative energy sources is encouraged.

Policy 4. Plan land uses appropriately to minimize the effects of noise from Andrews Air Force Base and existing and proposed roads of arterial classification and higher.

Strategies:

- **Limit the impacts of aircraft noise on future residential uses through the judicious placement of residential uses.**
- **Restrict uses within the noise impact zones of Andrews Air Force Base to industrial and office use.**
- **Evaluate development proposals using Phase I noise studies and noise models.**
- **Provide for adequate setbacks and/or noise mitigation measures for projects located adjacent to existing and proposed noise generators and roadways of arterial classification or greater.**
- **Provide for the use of appropriate attenuation measures when noise issues are identified.**

Policy 4 above is specific to noise associated with Joint Base Andrews Naval Air Facility Washington (JBA). The subject property is located within the Air Installation Compatible Use Zone (AICUZ) of the Joint Land Use Study (JLUS). Based on the most recent Air Installation Compatible Use Zone (AICUZ) study released to the public in 2007 by JBA, aircraft-generated noise in the vicinity is significant. The PPS proposes multifamily residential uses on Parcel 1 (northern portion of the site), which is mapped within the 65 to 70 dBA Ldn zones. Parcel 2 is proposed to retain its existing industrial uses (southern portion of the site), which is mapped in the 70 to 80 dBA Ldn zones. Noise attenuation is not required for industrial uses. The AICUZ guidelines discourage

residential uses in the 65 to 69 and 70 to 74 dBA Ldn zones, and consider residential incompatible in zones with noise levels exceeding 75 dBA Ldn. The AICUZ guidelines indicate that, during the development review process, if it is determined that residential uses are appropriate in the 65 to 74 dBA Ldn zone, measures to achieve outdoor to indoor noise level reduction should be incorporated into building codes and considered in individual development approvals. Condition 9 of the approved CSP for the subject site requires that interiors of new residential construction be certified to 45 dBA Ldn or less by an acoustical engineer.

Council Bills CB-3-2012 and CB-4-2012 were adopted on November 20, 2012 which established the Interim Land Use Controls (ILUC) for JBA. Council Bill CB-47-2013 was adopted on July 24, 2013 which extended the ILUC until June 6, 2014. Because the ILUC is currently in effect, the current application must be evaluated for conformance. The ILUC affects properties that are located within the mapped impact area; these include properties located within the mapped accident potential zone (APZ), the noise contours, and the imaginary runway surface. The subject site is not mapped within an APZ, but is located within the mapped noise contours and is within the imaginary runway surface.

Section 27-1807(b)(1) of the Zoning Ordinance, established in CB-3-2012, requires:

- (1) At the time of construction permit, interiors of new residential construction must be certified to 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.**

Section 27-1806(b), established in CB-3-2012, requires:

- (b) The issuance of permits authorizing any construction within the boundaries established in Figure [height] shall be subject to the following additional restrictions:**
 - (1) No permit shall be issued for construction in the boundaries shown in Figure [height] that exceeds the height of the Imaginary Surfaces**
 - (2) At the time of permit, a registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces shown in Figure [height].**

The entire property is mapped as imaginary runway surface. A majority of the property is mapped as inner horizontal surface (D). A small area on the northeastern corner is mapped as conical surface (E). Another small portion of the property along the western boundary is mapped as transitional surface (G). The delineation of these mapped surfaces must be shown and labeled on the plans.

Policy 4 above also discusses traffic-generated noise. The site fronts on Westphalia Road, a master-planned collector along the sites frontage, and a small portion is designated as arterial west of the subject site. The arterial portion, which is regulated for noise, is associated with the off-ramp from Pennsylvania Avenue (MD 4). A master-planned right-of-way designated as a major collector, MC-634, runs through the site. No roadway designated as arterial or higher classification is located along the property's frontage.

Conformance with the Countywide Green Infrastructure Plan

The subject property is not located within the designated network of the Countywide Green Infrastructure Plan.

Conformance with the Water Resources Functional Master Plan

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection, and preservation of drinking water, stormwater, and wastewater systems within the county, on a countywide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, county ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by the Prince George's County Department of Permitting, Inspections & Enforcement (DPIE), the Prince George's County Health Department, the Prince George's County Department of Environmental Resources, the Prince George's Soil Conservation District, M-NCPPC, and the WSSC are also deemed to be consistent with this master plan.

Environmental Review

An approved Natural Resources Inventory, NRI-016-11, was submitted with the application which was approved on November 4, 2011. There is PMA on-site comprised of streams and wetlands, associated buffers, 100-year floodplain, and adjacent steep slopes. The site also contains an isolated wetland along the northern property line adjacent to Westphalia Road. The on-site streams are the headwaters of Cabin Branch, which is located within the Western Branch drainage basin of the Patuxent River watershed. The floodplain information shown on the plan is from Floodplain Study No. 201010 dated February 2011.

Several areas of steep slopes occur on the property. The predominant soils found to occur on-site, according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include the Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Urban land complex, Marr-Dodon complex, Potomac-Issue complex, Sassafras-Urban land complex, and Udorthents reclaimed clay and gravel pits. Marlboro and Christiana clays are not mapped on this property.

According to information obtained from the Maryland Department of Natural Resources (DNR), Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on

or in the vicinity of this property; however, DNR has documented that an area of acidic seepage swamp is located on-site, which is a watch-list habitat.

The forest stand delineation indicates the presence of two forest stands totaling 45.95 acres and 33 specimen trees. Stand 1 is a mid-successional mixed hardwood forest and Stand 2 is a pine stand.

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. Type 1 Tree Conservation Plan TCP1-011-12-01 was submitted with the PPS application.

The TCP1 as submitted shows multifamily dwelling units along the northern portion of the site. The PPS shows the creation of two parcels; one for the proposed multifamily use (Parcel 1) and the second for the remainder of the property containing the existing industrial building (Parcel 2). Because the application proposes new development of multifamily on the northern portion of the site, and the remainder of the site is to remain as it exists today, the TCP1 has been designed to reflect the limits of disturbance associated with the multifamily development envelope only.

Type 1 Tree Conservation Plan TCP1-011-12-01 has been reviewed and requires technical revisions to be in conformance with the WCO. The woodland conservation threshold for this 68.94-acre property is 15 percent of the net tract area, or 9.84 acres. The total woodland conservation requirement based on the amount of clearing shown on the plan is 13.58 acres. The woodland conservation requirement is proposed to be satisfied with on-site preservation.

The TCP1 approval block must be revised to type-in the previous approval information (Megan K. Reiser on March 14, 2014) and to provide an additional column reflecting the CSP number it was approved with. The Development Review Division standard approval block must be shown on the plan for signature approval of the PPS. All proposed stormwater and stormdrain structures must be shown on the plan for the multifamily development envelope. All existing stormwater and stormdrain structures must be shown on the plan; specifically, the existing culvert pipe running under the entrance driveway. After all revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions made.

A stream corridor assessment using the DNR protocol was submitted on March 14, 2014 pursuant to Condition 4(c) of the CSP-11003. The stream corridor assessment report indicates that there are six problem areas in the on-site stream system; however, all of the problems that were identified are located on the southern portion of the site (Parcel 2), which is proposed to remain as it exists today and is not within the scope of the proposed multifamily development in the northern portion of the site (Parcel 1).

At the time of a DSP for the southern portion of the site (Parcel 2), the problem areas identified in the assessment must be addressed. However, it should be noted that the stream corridor assessment report identified a failing riser structure in the existing in-stream stormwater management pond in

the southern portion of the site. This is a concern for the current application because the approved stormwater management concept plan shows all drainage from the northern portion of the site entering the stream system that feeds the in-line pond. Prior to signature approval of the PPS, the stormwater management concept plan and approval letter must be revised to address the issue of the on-site failing riser structure, which is not allowing the water to exit the pond properly.

Conceptual Site Plan CSP-11003, Condition 4(f), required the submittal of an approved stormwater management concept plan using low-impact development (LID), now commonly referred to as environmental site design (ESD). Per the condition, the CSP was to show the same site layout as the PPS and TCP1. An approved stormwater management concept plan and letter, dated December 12, 2011, were submitted with the subject application. This is the same stormwater management concept approval that was submitted with the CSP.

The concept shows stormwater management requirements to be met through the use of bioretention, retention, infiltration, micro-bioretention, and porous paving. The proposed stormwater management shown on the TCP1 is in general conformance with the approved concept plan; however, the lot layout for the multifamily area shown on the TCP1 continues to be shown differently than what was shown on the concept plan. The TCP does not reflect the areas approved for use as porous pavement or the numerous areas of micro-bioretention that are shown on the concept plan. The concern with the differing designs is that the current site design may not provide the same water quality controls that were approved on the concept plan.

Prior to signature approval of the PPS, the stormwater management concept plan shall be revised and approved to show a site design layout that is consistently shown on all plans in the package with a focus on stormwater facilities designed as amenities using LID/ESD techniques.

Prior to grading of the site, the county requires approval of an erosion and sediment control plan. The TCP must reflect the ultimate limits of disturbance (LOD) not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including erosion and sediment control measures. An unapproved copy of the erosion and sediment control concept plan was stamped as received on April 17, 2014. The LOD shown on the erosion and sediment control plan is the same LOD shown on the TCP1. Prior to signature approval of the PPS, a copy of the erosion and sediment control concept plan approved by the Soil Conservation District must be submitted.

The site fronts on Westphalia Road, a master-planned collector along the site's frontage, and a small portion is designated as arterial west of the subject site. A master-planned right-of-way designated as a major collector, MC-634, runs through the site. No roadway designated as arterial or higher classification exists that would require noise mitigation.

Westphalia Road was designated a historic road in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). An inventory of scenic and historic features along the site's frontage on Westphalia Road was submitted on March 24, 2014 pursuant to Condition 4(e) of the CSP-11003

approval. The inventory includes a plan with photos along the site's frontage on Westphalia Road; however, no written evaluation was provided.

The MPOT includes a section on special roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway as follows:

Policy 2: Conserve and enhance the viewsheds along designated roadways.

STRATEGIES:

- 1. Require submission of an inventory of scenic and historic features with all applications that propose work adjacent to the right-of-way of a designated roadway.**
- 2. Require the conservation and enhancement of the existing viewsheds of designated roads to the fullest extent possible during the review of land development or permit applications, whichever comes first. Elements to be considered shall include views of structures from the roadway; design character and materials of constructed features; preservation of existing vegetation, slopes and tree tunnels; use of scenic easements; and limited access points.**

Any improvements within the right-of-way of a historic road are subject to approval by the county under the 1994 *Prince George's County Design Guidelines and Standards for Scenic and Historic Roads*.

The Landscape Manual addresses the requirements with regard to buffering of scenic and historic roads. These provisions will be evaluated at the time of review of the DSP. Adjacent to a historic road, the Landscape Manual requires a Section 4.6 landscape buffer (Buffering Development from Special Roadways) based on the development tier. In the Developing Tier, the required buffer along a historic road is a minimum of 20 feet wide to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings. The 20-foot-wide scenic buffer is required to be provided behind the public utility easement. Landscaping is a cost-effective treatment which provides a significant visual enhancement to the appearance of a historic road.

When a roadway is designated as historic, it is because it is located in its historic alignment and there is an expectation that historic features will be found along its length, although not on every property. Roadways are a linear element, and the intention of the scenic buffer is to preserve or enhance the extent of the roadway and enhance the travel experience if scenic qualities or historic features have not been preserved.

The site design shown on the TCP1 shows a proposed building within the 20-foot scenic buffer. At the time of DSP, the site design shall be revised to remove all proposed buildings from the 20-foot

scenic buffer, which must be located behind the ten-foot-wide public utility easement. The PPS and TCP1 shall be revised to show the location of the 20-foot-wide scenic and historic buffer.

9. **Primary Management Area (PMA)**—This site contains regulated environmental features that are required to be protected under Section 24-130 of the Subdivision Regulations. The on-site regulated environmental features include non-tidal wetlands, streams, 100-year floodplain, and their associated buffers. The site also contains an isolated wetland along the northern property line adjacent to Westphalia Road. These regulated environmental features are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5), which states:

- (5) **Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. Any lot or parcel proposed for development shall provide a minimum of one acre of contiguous land area exclusive of any land within regulated environmental features in a configuration that will support the reasonable development of the property. This limitation does not apply to open space and recreational parcels. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.**

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing, or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code. Impacts to regulated environmental features must first be avoided and then minimized if necessary. The statement of justification must address how each impact has been avoided and/or minimized.

A statement of justification, including impact exhibits, was stamped as received on January 22, 2014, and reviewed as part of this application. The statement of justification submitted with the current application is identical to the statement of justification that was submitted for the Conceptual Site Plan, CSP-11003. The impacts to the PMA were approved with the CSP. The statement of justification and associated exhibits reflect the same two impacts to regulated environmental features that are associated with the proposed multifamily development on Parcel 1,

and no additional impact is requested with this PPS. The site contains a total of 12.34 acres of PMA.

Impact 1 is an impact of 37,790 square feet (0.86 acre) of isolated wetland and wetland buffer for development of a building, parking, and frontage improvements along Westiphalia Road.

Impact 2 is an impact of 1,652 square feet (0.04 acre) of PMA comprised of wetland and wetland buffer for the installation of a stormwater outfall.

The proposed site design and the statement of justification show that the impacts proposed will provide the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. The proposed two impacts on Parcel 1, one impact for development of a building, parking, and frontage improvements along Westiphalia Road and a second impact for installation of a stormwater outfall, totaling 39,442 square feet, were approved with CSP-11003.

10. **Variance to Section 25-122(b)(1)(G)**—Type 1 tree conservation plan applications are required to meet all of the requirements of Subtitle 25, Division 2, Section 25-122(b)(1)(G), which includes the preservation of specimen trees. Every effort should be made to preserve the trees considering the different species' ability to withstand construction disturbance. The applicant should refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances.

If, after careful consideration has been given to the preservation of the specimen trees, there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the Woodland and Wildlife Habitat Conservation Ordinance (WCO)) provided all of the required findings in Section 25-119(d) can be met and the request is not less stringent than the requirements of the applicable provisions of the Code of Maryland Regulations (COMAR). An application for a variance must be accompanied by a letter of justification stating the reasons for the request and how the request meets each of the required findings.

A variance application to Section 25-122(b)(1)(G) of the WCO, a statement of justification dated March 12, 2014 in support of a variance, and tree removal exhibits were received. The specimen tree table on the TCP1 shows 33 specimen trees total; seven are located off-site, but have been included because the critical root zones are located on-site, or are very close to the property boundary. The statement of justification and the specimen tree table indicate the need to remove three specimen trees for the current application. Tree 33 is located on-site and Trees 27 and 28 are located off-site. All three trees are tulip poplars and are in good condition.

The plans do not show any proposed development or grading on the southern portion of the site (Parcel 2) at this time. However, an off-site sewer connection is proposed to the south of the property. All of the specimen trees are located on the southern portion of the site. The proposed design shows the sewer line running along the eastern property boundary and connecting to the

existing line to the south. All three trees that are proposed to be removed are for the installation of the sewer connection.

Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The evaluation of a variance for the removal of three trees for the installation of a sewer connection is provided below.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

The proposed development is located on the northern portion of the site on Parcel 1. An existing sewer line is located to the south of the subject site. The proposed design shows the sewer line running along the eastern property boundary and connecting to the existing line to the south. No impacts to regulated environmental features and only minimal impacts to specimen trees are proposed for the sewer connection, which is needed for purposes of health, safety, and welfare.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

If other properties encounter similar species, in similar locations on a site, in similar condition, the same considerations would be provided during the review of the required variance application.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;

The sewer connection is needed for purposes of health, safety, and welfare for the proper disposal of sewage.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

The existing conditions or circumstances are not the result of actions by the applicant.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and

The request to remove the trees does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality.

All proposed land development activities will require sediment control and stormwater management measures to be reviewed and approved by the county.

Based on the preceding analysis, the required findings of Section 25-119(d) have been adequately addressed and the removal of Specimen Trees 27, 28, and 33 is approved.

11. **Stormwater Management**—The Department of Permitting, Inspections and Enforcement (DPIE) has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 15908-2011-00, for the site was approved with conditions on December 12, 2011, and is valid until December 12, 2014. The approval letter states that the applicant will pay a fee-in-lieu of providing on-site attenuation/quality control measures. The submitted concept plan shows stormwater management requirements to be met through the use of bioretention, retention, infiltration, micro-bioretention, and porous paving. However, the lot layout for the multifamily area shown on the TCPI continues to be shown differently than what was shown on the concept plan. The concern with the differing designs is that the current site design may not provide the same water quality controls that were approved on the concept plan. Prior to signature approval of the PPS, the stormwater management concept plan shall be revised and approved to show the conceptual site design layout that is consistently shown on the TCPI. Development must be in accordance with the approved plan or any subsequent revisions, as well as the approved PPS.

The approved stormwater management plan is required to be designed in conformance with any approved watershed management plan pursuant to Subtitle 32, Water Resources and Protection; Division 3, Stormwater Management Plan; and Section 172, Watershed Management Planning, of the Prince George's County Code. As such, the requirement of Section 24-130(b)(4) of the Subdivision Regulations, which requires that a subdivision be in conformance with any watershed management plan, has been addressed with the approval of the stormwater management concept plan by DPIE.

12. **Parks and Recreation**—This PPS has been reviewed by the Department of Parks and Recreation (DPR) for conformance to the Subdivision Regulations, the General Plan, the 2007 Westphalia Sector Plan and SMA for Planning Area 78, Conceptual Site Plan CSP-11003, the Land Preservation and Recreational Program for Prince George's County, current subdivision regulations, and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreational facilities.

The subject property is adjacent to the Smith Home Farm project to the east. A network of hiker/biker trails approved in the Westphalia Sector Plan will connect this subdivision to the Westphalia Central Park and surrounding public recreational facilities. Using current occupancy statistics for multifamily dwelling units, one would anticipate that the proposed development would result in a population of 842 residents in this new community.

The Westphalia Sector Plan and SMA anticipates that the major recreational needs of the residents of the sector plan will be addressed by the contribution of funds for the development of the 124-acre central park, a single major recreational complex to serve the entire Westphalia area. The

Westphalia Central Park will be located half a mile southeast from the southern boundary of this project. The central park will be accessible to the residents of this community through a system of roads and pedestrian and hiker/biker trails. This large urban park will serve as a unifying community destination providing recreational amenities for the entire Westphalia Sector Plan area. The sector plan recommends developing the central park with the following recreational amenities: a recreational lake or other water feature, active and passive recreational facilities, lawn areas and bandstands suitable for public events, a trail system, group picnic areas, and tennis facilities.

At the time of CSP-11003 approval, the applicant agreed to contribute to the construction of the central park for conformance with the sector plan recommendation. Condition 12 of CSP-11003 established the trigger for the monetary contribution to a park club:

- 12. a. The applicant shall make a monetary contribution to the “park club”, which is to be established and administered by the M-NCPPC Department of Parks and Recreation. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for construction, operation and maintenance of the recreational facilities in the central park and/or the other public parks that will serve the Westphalia Study Area. The park club shall be established and administered by the DPR.**
- b. Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into an account administered by the M-NCPPC. If not previously determined, the agreement shall also establish a schedule of payments and/or a schedule for park construction. The payment shall include a formula for any needed adjustments to account for inflation. The agreement shall be recorded among the Prince George’s County Land Records by the applicant prior to final plat approval.**

The central park site is suitable for providing major recreational facilities as envisioned by the sector plan. The dedicated parkland and monetary contribution for the construction of the recreational facilities in the park will provide the resources to create a unique focal area in the planned community with surrounding developments overlooking the parkland, roads, and trails connecting to the park.

The statutory requirements of Section 24-134 of the Subdivision Regulations applicable to the residential portion of development located on Parcel 1 require that the applicant provide mandatory dedication of approximately 2.5 acres of land suitable for active and passive recreation. Mandatory dedication requirement for Parcel 1 should be met by the provision of on-site private recreational facilities. The requirement of Section 24-134 are independent of Condition 12 of the CSP.

This property is located directly across the road from the 16.7-acre Westphalia neighborhood park/school site. The current park facilities include a softball field, a tennis court, a half basketball court, a playground, and a fitness cluster. In the spring of 2014, DPR plans to begin construction of a community center and additional recreational facilities in the park. It is anticipated that an elementary school will be constructed on this park/school site in the future. The residents of this development should be able to walk to this park. Safe pedestrian crossing should be provided across Westphalia Road at this project area. This crossing is proposed by the applicant in their Pedestrian and Bikeway Facility Plan.

13. **Trails**—This PPS has been reviewed for conformance with Section 24-123 of the Subdivision Regulations, previous approvals, the MPOT, and the appropriate area master plan in order to implement planned trails, bikeways, and pedestrian improvements.

The subject site is bound by Westphalia Road to the north and the master plan road, MC-634, runs roughly north to south through the site. The property abuts the approved Smith Home Farm development immediately to the east.

Both the MPOT and area master plan identify two master plan trails issues in the vicinity of the subject property. Sidepaths are recommended along both Westphalia Road and MC-634. Text for these recommendations as copied from the MPOT and area plan are as follows:

Westphalia Road (C-626) Shared-Use Side path: A shared-use side path should be provided as part of the planned improvements to Westphalia Road if practical and feasible. On-road bicycle facilities may also be appropriate (MPOT, page 36).

Presidential Parkway Extended (MC-634) Side Path: The Westphalia Sector Plan recommends extending the existing side path along Presidential Parkway and along the entire length of MC-634 and A-66. This facility will provide access to the town center, Little Washington, and several park facilities. On-road bicycle facilities may also be appropriate (MPOT, page 36).

Regarding the master plan trail along Westphalia Road, an eight-foot wide sidepath or wide sidewalk should be constructed along the frontage of the subject site, unless modified by DPW&T. However, it should be noted that Westphalia Road is a designated scenic and historic road in the vicinity of the subject site, and this may ultimately impact the cross section that DPW&T decides to utilize for the road. If an open section scenic and historic road standard is used for the frontage improvements, bicycles may be accommodated with a six-foot wide paved shoulder.

Regarding the master plan trail along MC-634, this trail will be provided at the time of road construction. However, no road dedication or construction of this major collector is required at this time.

The MPOT also includes a Complete Streets element which lays out specific policies and recommendations for providing roads that accommodate all modes as development occurs and as

frontage improvements are made. The MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

The Trails, Bikeways, and Pedestrian Mobility chapter of the MPOT also includes the following policy regarding pedestrian connections between and within communities.

Policy 9: Provide trail connections within and between communities as development occurs, to the extent feasible and practical.

Related to Policy 9, the adjacent residential community (Smith Home Farm) includes a stub street (Deer Stream Drive) that terminates along the southeastern boundary of the site (Parcel 2). Consideration should be given to providing a trail and pedestrian connection at this location. This will provide access between the two developments and provide for the more connected and integrated community envisioned in the Westphalia Sector Plan. This vehicular connection will also more directly connect the subject site with the future Westphalia Town Center.

Condition 14 of CSP-11003 requires submission of a pedestrian and bikeway facilities plan at the time of PPS or DSP. This pedestrian and bikeway facilities plan has been submitted by the applicant and it addresses points (a) through (e) of Condition 14. The plan reflects the proposed on-site sidewalk network; the master plan sidepath along Westphalia Road; the future master plan sidepath along MC-634; potential pedestrian crossings of Westphalia Road; and future connections to the adjacent Smith Home Farm property. The trail along MC-634 should be relabeled as a master plan sidepath on the pedestrian and bikeway facilities plan. This exhibit adequately addresses Condition 14 of the CSP and the design details and specific treatments can be determined at the time of DSP. Also, the details regarding the sidewalks provided within the residential portion of the site will be made at the time of DSP.

It should be noted that the master plan trail along Cabin Branch ends to the southeast of the subject site, per prior approvals for the Smith Home Farm development. Access to this stream valley trail should be considered to the site via the pedestrian connection to Smith Home Farm, as well as the master plan trail along Westphalia Road. The conceptual alignment of the trail from Parcel 1 through Parcel 2 to connect to the Smith Home Farm development at Deer Stream Drive as reflected on the Pedestrian and Bikeway Facilities Plan submitted by the applicant is acceptable. The nature and design of this connection should be reviewed further and determined at the time of DSP. At the time of DSP for Parcel 1, the design of the trail head should be integrated with the sidewalk on the multifamily development and terminate at the southeast of Parcel 1 abutting Parcel

2. If the applicant chooses to reuse the existing building with no modification on Parcel 2, a detailed site plan may not be required if no new improvement is being proposed. Therefore, prior to final plat of Parcel 2, a private trail easement to the benefit of Parcel 1 should be required. The easement should delineate the alignment of the trail as reflected on the Pedestrian and Bikeway Facilities Plan submitted with this PPS or subsequent DSP and set forth the rights, responsibilities, and liabilities of the parties and the liber and folio of the easement should be reflected on the plat prior to recordation. The alignment of this easement may be modified upon the redevelopment of Parcel 2 to accommodate a new development layout.

Applicability of Section 24-124.01, Adequate Public Pedestrian and Bikeway Facilities (CB-2-2012)

A small portion of the subject site lies within the MD 4 Corridor. According to information on PGAtlas, approximately 60 square feet of the subject site lies within this corridor. As defined in the General Plan, the corridor is defined as follows:

Corridors: The land within one-quarter mile of both sides of designated high-volume transportation facilities, such as arterial roads. If the designated transportation facility is a limited access highway, the Corridor extends one-quarter mile from the interchanges (General Plan, page 104).

The applicability of CB-2-2012 (Section 24-124.01 of the Subdivision Regulations) to the subject site is noted in section of Section 24-124.01(b), which is copied below:

(b) Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.

It should be noted that the portion of the subject site within the center is not proposed to be developed and is within a woodland conservation area. After discussions with the M-NCPPC Legal Department, it was determined that Section 24-124.01 is not applicable to the subject application due to the extremely small portion of the site within the corridor and the lack of development proposed within this portion of the site, and as stated “the required nexus (Nollan v. California Coastal Commission, 483 U.S. 825 (1987)), and proportionality (Dolan v. City of Tigard, 512 U.S. 374 (1994)) are completely lacking.”

Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities would exist to serve the proposed subdivision as required under Section 24-123 of the Subdivision Regulations.

14. **Transportation**—The property is located on the south side of Westphalia Road, approximately 3,000 feet east of the intersection of Pennsylvania Avenue (MD 4) and Westphalia Road. The

subject application proposes the construction of 301 apartment dwelling units on proposed Parcel 1 and to retain the existing 142,500 square feet of industrial space on proposed Parcel 2.

Growth Policy—Service Level Standards

The subject property is located within the Developing Tier as defined in the General Plan. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Analysis of Traffic Impacts

Based on trip rates from the “Guidelines for the Analysis of the Traffic Impact of Development Proposals,” the proposed new development consisting of 301 apartment dwelling units on Parcel 1 will be adding 157 (31 in; 126 out) AM peak-hour trips, 181 (118 in; 63 out) PM peak-hour trips, and 1,957 daily trips to the transportation network.

Proposed Parcel 2 of the site is currently improved with a 142,500-square-foot building which is currently dormant, but once functioned as a light industrial facility. In the traffic study, this facility was included as background with a trip generation of 122 (98 in; 24 out) trips during the AM peak hours and 122 (24 in; 98 out) trips during the PM peak hours. In light of this inclusion in the background traffic analyses, the existing building on Parcel 2 could therefore, be occupied as any allowable uses provided those uses do not exceed 122 trips in either peak period.

The traffic generated by the proposed PPS would impact the following intersections:

- Westphalia Road and MD 4

- Westphalia Road and D’Arcy Road
- Westphalia Road and Site Access

The applicant submitted a traffic study dated March, 2014. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the Transportation Planning Section, consistent with the “Transportation Review Guidelines, Part 1” (Guidelines). The study identified the following intersections as critical:

EXISTING CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Westphalia Road and MD 4	D/1343	F/1587
Westphalia Road and D’Arcy Road*	15.4 seconds	13.5 seconds
Westphalia Road and Site Access	Future	Future
*In analyzing unsignalized intersections, the average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.		

The traffic study identified 33 background developments whose impact would affect some or all of the study intersections. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

BACKGROUND CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Westphalia Road and MD 4	F/2369	F/2716
Westphalia Road and D’Arcy Road*	>999 seconds	>999 seconds
Westphalia Road and Site Access	Future	Future
*In analyzing unsignalized intersections, the average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.		

Using the trip rates from the Guidelines, the study has indicated that the proposed development of 301 garden apartments will generate 157 (31 in; 126 out) AM peak-hour trips, 181 (118 in; 63 out) PM peak-hour trips, and 1,957 daily trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Westphalia Road and MD 4	F/2412	F/2736
Westphalia Road and D'Arcy Road* When analyzed as a signalized intersection	>999 seconds A/925	>999 seconds A/823
Westphalia Road and Site Access* When analyzed as a signalized intersection	50.8 seconds A/975	36.0 seconds A/883
<small>*In analyzing unsignalized intersections, the average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.</small>		

When analyzed with the total future traffic as developed using the Guidelines, the critical intersections were not found to be operating at or better than the policy service level.

None of the intersections are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program (CTP) or the Prince George's County Capital Improvement Program (CIP).

Based on the results shown above, the following represents a summary of the traffic study's conclusions:

- One of the movements at the proposed site access exceeds the 50-second delay threshold; however, signalization is not necessary, as discussed below.
- The intersection of Westphalia Road and D'Arcy Road will operate adequately when signalized.
- With monetary contributions towards the construction of the planned interchange at the MD 4/Westphalia Road intersection, the development would meet the requirements for transportation adequacy, pursuant to Subtitle 24 of the County Code.

The Transportation Planning Section is in general agreement with the findings and conclusions of the traffic study.

The two unsignalized intersections are projected to operate with delays in excess of 50 seconds; consequently, the intersection of Westphalia Road and D'Arcy Road will be subject to a signal warrant study to determine the need for signalization. However, the intersection at the site access will not be the subject of any additional analyses. A CLV analysis was done by staff that resulted

in a CLV that is less than 1,150 in both peak hours. Per the Guidelines, this intersection is deemed to be adequate.

The applicant's traffic study concludes that with monetary contributions towards the construction of the planned interchange at the MD 4/Westphalia Road intersection, the development would meet the requirements for transportation adequacy, pursuant to Subtitle 24 of the County Code. The Planning Board concurs.

Westphalia Public Facilities Financing and Implementation Program (PFFIP)

On October 26, 2010, the County Council approved Council Resolution CR-66-2010 establishing a Public Facilities Financing and Implementation Program (PFFIP) district for the financing and construction of the MD 4/Westphalia Road interchange. Pursuant to CR-66-2010 (Sections 6, 7, and 8), a cost allocation table has been prepared that allocates the estimated \$79,990,000 cost of the interchange to all of the properties within the Westphalia PFFIP district. County Council Resolution CR-66-2010 also established \$79,990,000 as the maximum cost on which the allocation can be based. The allocation for each development is based on the proportion of average daily trips (ADT) contributed by each development passing through the intersection, to the total ADT contributed by all of the developments in the district passing through the same intersection. The ratio between the two sets of ADT becomes the basis on which each development's share of the overall cost is computed.

However, under the provisions of CR-66-2010, the applicant has agreed to provide a commensurate share of the cost to construct an interchange at the intersection of MD 4/Westphalia Road. Based on the applicant's proposed density of 301 dwelling units, the projected daily trip generation would be 1,957 trips. The traffic study assigned 90 percent of the site traffic ($1,957 \times 0.9$), or 1,761, daily trips towards the intersection of MD 4/Westphalia Road. Consequently, the applicant's share of the cost was computed as **\$1,502,336.34**. Assuming the subject application is approved for 301 dwelling units, the unit share will be **\$4,991.15** ($\$1,502,336.34 / 301$).

It is worth mentioning that, should this application be approved with a density other than 301 dwelling units, the applicant's cost share will need to be recalculated, which must occur prior to approval of the PPS.

In the traffic study, the existing a 142,500-square-foot building on proposed Parcel 2 was included as background traffic. This PPS proposes to retain the existing building and propose no new development on Parcel 2, therefore, there is no new trips being generated by the existing development on Parcel 2. Since the Parcel 2 generated no new trips and no need for the interchange at the MD 4 and Westphalia Road intersection, Parcel 2 is not subject to PFFIP at this time. If in the future Parcel 2 redevelops that include residential development, the razing of the existing building or additional gross floor area of more than 1,000 square feet a new PPS is recommended, a traffic study and PFFIP will be revisited with the new PPS application.

SHA & DPW&T Comments

The traffic study was referred out to the Maryland State Highway Administration (SHA), as well as DPW&T, for review and comments. In a memorandum dated April 17, 2014 (Issayans to Masog), the following represents the issues that were raised by DPW&T:

- “The developer shall provide a right turn lane at Westphalia Road and the site entrance along eastbound (EB) Westphalia Road as part of the frontage improvement to accommodate the high evening (PM) peak hour right turning movement.”

This is supported.

- “The Highway Capacity Manual (HCM) 2018 total traffic intersection analysis methodology at Westphalia Road and the site entrance shows a failing morning (AM) peak hour level of service (LOS) for the northbound (NB) movement. Additionally, the approach delay at the intersection exceeds 50.0 seconds with the NB movement volumes exceeding 100 vehicles per hour (vph) during the AM peak period. Conduct a critical lane analysis (CLV) analysis at the intersection of Westphalia Road and the Site Entrance using the requirements set forth in the Prince George’s County Transportation Review Guidelines to further assess the operation of the intersection.”

This analysis was done by the Transportation Planning Section with the results shown in the preceding table depicting “Total” conditions.

- “It should be noted, if the Cambridge Place at Westphalia development is implemented prior to the Smith Home Farm project, the developer for Cambridge Place at Westphalia shall place all necessary roadway improvement at the intersection of Westphalia Road and D’Arcy Road to increase the EB movement storage lengths and improve the LOS at the intersection. The developer for Cambridge Place at Westphalia should not rely on the signalization of Westphalia Road and D’Arcy Road to improve the intersections’ LOS operationally.”

The applicant’s justification for adequacy was predicated on this intersection being signalized. Consequently, the applicant (and all others for whose development the intersection is critical) will be required to do a signal warrant study, and will be responsible for all of the preparatory improvements needed to prepare the intersection for signalization if warranted by the approving agency.

Master Plan Right-of-Way

With regard to the master plan for the site, the property is subject to the Westphalia Sector Plan and SMA, as well as the MPOT.

The property fronts on Westphalia Road, which is a master-planned 80-foot collector (C-626). The PPS proposes 28,314 square feet of dedication along Westphalia Road, which is consistent with the master plan recommendation.

The planned MC-634 facility as shown on the Westphalia Sector Plan and the MPOT, MC-634 is planned as a major collector with a 100-foot-wide right-of-way to connect from Dower House Road to White House Road. The current master plan alignment shows MC-634 to be located at the southwestern portion of the site on Parcel 2 and aligning along the southern property line.

The PPS proposes a new development of 301 multifamily dwellings on proposed Parcel 1 with one direct access to Westphalia Road. The PPS also proposes Parcel 2, which is to retain the existing 142,500 square feet of industrial space and its existing access to Westphalia Road. The current alignment of the MC-634 facility does not impact the residential development on proposed Parcel 1. However the MC-634 alignment does bifurcate the southern portion of Parcel 2 with a minor impact to the parking area of the existing industrial space. Since the proposed development has no impact or need for access onto MC-634, it was concluded that no nexus exists between the development and the use of MC-634 at this time. Consequently, it was more appropriate to seek reservation of the right-of-way for MC-634, rather than dedication.

The PPS is required to conform to the sector plan. Making an appropriate determination of dedication or reservation is a significant part of demonstrating that conformance. In the case of MC-634, Section 24-139(b) of the Subdivision Regulations states, "If a reservation appears desirable, the Planning Board shall refer the preliminary plan to the public agency concerned with acquisition for its consideration and report; and to the County Executive, County Council, and any municipality within which such property is located, for their comments." That section goes on to state that, "the Planning Board may propose alternate areas for such reservation and shall allow thirty (30) days for reply."

On March 20, 2014, a letter was sent to DPW&T officially requesting comments on the proposed reservation of right-of-way for MC-634 pursuant to Section 24-139(b) of the Subdivision Regulations. A letter dated April 24, 2014 from DPW&T (Mobley to Masog) was received. In that letter, there was no indication that DPW&T will commit funds to acquire the reserved area within a three year period. In order for the Planning Board to place property in reservation, an agency must demonstrate (with good faith) a willingness to acquire said property within a three year period. Citing a lack of commitment by DPW&T to acquire the area of the future MC-634, reservation or dedication for this planned roadway was not recommended.

The Department of Public Works and Transportation (DPW&T) general standard is to align vehicular access driveways whenever feasibility to reduce traffic conflict on the roadway. Transportation Planning staff has evaluated the possibility of aligning the access driveway of the multifamily development on Parcel 1 with Chester Grove Road, to the northwest of site. The curve in the Westphalia Road right-of-way at Chester Grove Road does not have the best sight distance for an access driveway on Parcel 1. Parcel E to northeast of site, directly across Westphalia Road is planned to be developed as the Westphalia neighborhood park and school site (M-NCPPC). There

should be an evaluation of the feasibility of aligning the vehicular access for Parcel 1 with the future access for Parcel E, the Westphalia neighborhood park and school site, at the time of detailed site plan for Parcel 1. The location of the access driveway to Parcel 1 should be further evaluated at the time of detailed site plan, where the site layout of multifamily development will be more established.

The subject property abuts to the Smith Home Farm Development (4-05080, PGCPB Resolution No. 06-64(A/2)(C)). The approved Specific Design Plan SDP-1003-04 for Smith Home Farm Development shows Deer Stream Drive, a proposed public right-of-way that has not been to record plat, terminus to the east boundary of proposed Parcel 2. The extension of Deer Stream Drive would provide more vehicular access and connectivity between the site and the Smith Home Farm Development and ultimately to the Westphalia Town Center. However, Parcel 2 proposes to retain the existing use and access to Westphalia Road and proposes no new development. Since the existing development on Parcel 2 has no impact or need for vehicular access onto Deer Stream Drive, therefore, it is not required for the extension of Deer Stream Drive onto Parcel 2 at this time. If in the future Parcel 2 redevelops that include residential development, the razing of the existing building or additional gross floor area of more than 1,000 square feet a new PPS should be required, an extension of Deer Stream Drive to connect to Smith Home Farm Development will be revisited with the new PPS application.

Based on the preceding findings, the Planning Board determined that adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations if the application is approved with conditions.

15. **Schools**—The residential portion of this PPS was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and Council Resolution CR-23-2003, and concluded the following:

Residential

Impact on Affected Public School Clusters
 Multi-Family Units

Affected School Clusters #	Elementary School Cluster	Middle School Cluster	High School Cluster
Dwelling Units	301	301	301
Pupil Yield Factor	0.042	0.039	0.033
Subdivision Enrollment	13	12	10
Actual Enrollment	3,383	4,599	11,684
Total Enrollment	3,396	4,611	11,694
State Rated Capacity	4,399	5,540	13,106
Percent Capacity	77%	83%	89%

Source: Prince George’s County Planning Department, M-NCPPC, January 2007

Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between the Capital Beltway (I-95/495) and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority (WMATA); or \$12,000 per dwelling for all other buildings. Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation, and the current amounts are \$8,858 and \$15,020 to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

Nonresidential

The commercial portion of this PPS (Parcel 2) has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the “Adequate Public Facilities Regulations for Schools” (CR-23-2001 and CR-38-2002), and the Planning Board concluded that this portion of the subdivision is exempt from a review for schools because it is a nonresidential use.

- Fire and Rescue**—The proposed mixed-use development has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations and is within the recommended response times.

Section 24-122.01(e)(1)(E) states that, “a statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7)

minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Forestville Fire/EMS, Company 23, a first due response station located at 8321 Old Marlboro Pike. The proposed development is within the seven-minute required response time for the first due fire station using the *Seven-Minute Travel Times and Fire Station Locations Map* provided by the Prince George’s County Fire/EMS Department.

Prince George’s County Capital Improvement Program (CIP)

The CIP for Fiscal Years 2014–2019 provides funding for replacing existing Forestville Fire/EMS Station, Company 23, at 8321 Old Marlboro Pike.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure.”

- 17. **Police Facilities**—The subject property is located in Police District II, Bowie. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the Planning Department on February 12, 2014.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 2/12/2014	2/2013-1/2014	7 minutes	14 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of ten minutes for emergency calls and the 25 minutes for nonemergency calls were met on February 19, 2014.

The Police Chief has reported that the Prince George’s County Police Department has adequate equipment to meet the standards stated in CB-56-2005. Pursuant to CR-69-2006, the County Council and the County Executive temporarily suspended the provisions of Section 24-122.01 (e)(1)(A) and (B) regarding sworn police personnel staffing levels.

Nonresidential

The proposed development is within the service area of Police District II, Bowie, Maryland. There is 267,660 square feet of space in all of the facilities used by the Police Department, and the July 1, 2009 (U.S. Census Bureau) county population estimate is 834,560. Using 141 square feet per

1,000 residents, it calculates to 117,672 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

18. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System, and within Tier 1 under the Sustainable Growth Act, the site will therefore be served by public systems.

An eight-foot water line in Westphalia Road and an eight-foot sewer line extending from Oak Street abuts the site via Westphalia Road. Water and sewer line extensions and/or an on-site system may be required to service the proposed mixed-use development and must be approved by the Washington Suburban Sanitary Commission (WSSC).

19. **Health Department**—The PPS was referred to Prince George’s County Health Department for evaluation. The Health Department has not offered any comments.
20. **Public Utility Easement**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The PPS correctly delineates a ten-foot-wide public utility easement along the public rights-of-way as requested by the utility companies which will be required to be reflected on the final plat prior to approval.

21. **Historic**—A Phase I archeology survey was conducted on the subject property in January 2013. Based on the results of the Phase I survey, no cultural material was identified and no archeological sites were delineated. Due to the lack of cultural material or identified archeological sites, no further work was recommended on the Cambridge Place at Westphalia property.
22. **Use Conversion**—The PPS proposes a mixed of residential and industrial use for the subject property consistent with the approved Conceptual Site Plan CSP-11003. If a substantial revision to the mix of uses on the subject property is proposed, that significantly affects Subtitle 24 adequacy findings, that revision may require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.

The PPS propose 301 multifamily dwelling units on Parcel 1 and to retain the existing 142,500 square feet for industrial uses on Parcel 2. The focus of the analysis of this PPS has been on the

new residential development on Parcel 1. Since Parcel 2 proposes no new development, it was reviewed as existing and some of the analysis such as road and trail connections, traffic impact, and stream assessment were deferred. Parcel 2 can move forward with occupying the existing building with a use permitted in the M-X-T Zone and within the background trip analysis of PPS. However, if in the future the existing building on Parcel 2 proposes to be redeveloped which includes residential development, the razing of the existing building or additional gross floor area of more than 1,000 square feet, then a new preliminary plan of subdivision is required for Parcel 2.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Shoaff, with Commissioners Washington, Shoaff and Hewlett voting in favor of the motion, and with Commissioners Bailey and Geraldo absent at its regular meeting held on Thursday, June 5, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of June 2014.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:QN:arj

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 July 30, 2015 regarding Detailed Site Plan DSP-14021 for Cambridge Place at Westphalia (Parcels 1 and 2), the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for 301 multifamily units on Parcel 1, and proposed grading for installation of a sewer line on Parcel 2 in the M-X-T (Mixed Use–Transportation Oriented) Zone.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant Industrial/Office Building	Residential
Acreage	68.94	68.94
100-year floodplain	3.33 acres	3.33 acres
Net Tract Area	65.61 acres	65.61 acres
Proposed Parcel 1		16.67 acres
Number of Unit(s)	0	301 Multifamily Units
Proposed Parcel 2		52.27 acres
Gross Floor Area (sq. ft.)		
Existing Industrial	142,500	142,500
Multifamily	0	407,500
Recreational	0	5,915
TOTAL		555,915 Sq. Ft.

Floor Area Ratio (FAR) in the M-X-T Zone

Base Density:	0.4 FAR
Total FAR Permitted:	1.4 FAR (including 1.0 residential bonus)
Total FAR Proposed:	.20

OTHER DEVELOPMENT DATA

Multifamily Bedroom Distribution and Parking Required

Building Type	No. of Buildings	Units per Building	Total Units
Type 1	6	22	132
Type 2	6	26	156
Type 3	1	13	13
Total	13	N/A	301

PARKING DATA

	REQUIRED	APPROVED
Total parking spaces (301 multifamily units/13 buildings)	740	581*
Handicapped spaces	15	27 (all van-accessible)
Loading spaces	0	0**

*The applicant is requesting a departure from parking and loading standards (DPLS) to reduce the number of required parking spaces. The applicant is also requesting a departure from design standards (DDS) to allow tandem spaces. Refer to DPLS-418 and DDS-629 for a detailed discussion on the departures.

**Section 27-582 requires one loading space for a multifamily building with between 100 to 300 total units. None of the 13 buildings contain more than 26 units per building.

3. **Location:** The subject property is located on the south side of Westphalia Road, approximately one-half mile east of its intersection with Pennsylvania Avenue (MD 4) in Planning Area 78, Council District 6.
4. **Surrounding Uses:** The site is bounded to the north by Westphalia Road. Further north of Westphalia Road is M-NCPPC-owned property located in the Rural Residential (R-R) Zone, and residential development in the Multifamily Medium-Density Residential (R-18) and R-R Zones. West and south of the subject property is Light Industrial (I-1)-zoned development. The subject property is bounded to the east by the single-family development, known as the Smith Home Farm in the Residential Medium-Development (R-M) Zone.
5. **Previous Approvals:** On June 18, 1979, the District Council approved Zoning Map Amendment A-9198, for Light Industrial (I-1) zoning on the subject site, with a site plan, on approximately 139 acres of land, located on south side of Westphalia Road, east of Pennsylvania Avenue (MD 4).

The subject property is Parcel C of the Penn-East Park subdivision. The site is developed with an existing 142,500-square-foot office and industrial building that was constructed in 1983, pursuant to Detailed Site Plan DSP-83045. The building was designed for the repair of turbine engines used at power plants then owned by the Potomac Electric Power Company (PEPCO). The subject site was later rezoned from the Light Industrial (I-1) Zone to the M-X-T Zone through the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* which was approved by the District Council on February 6, 2007. The existing industrial building remains vacant today.

Conceptual Site Plan CSP-11003 was approved for the subject property October 24, 2013 (PGCPB Resolution No. 13-122) with 14 conditions. The CSP approved a square footage range for industrial/retail uses and up to 325 multifamily units. Preliminary Plan 4-11012 was approved on June 5, 2014 (PGCPB Resolution No.14-52) to subdivide existing Parcel C into two parcels, Parcels 1 and 2, with 23 conditions.

6. **Design Features:** The applicant proposes 13 three -to-four-story multifamily buildings on Parcel 1 with a total of 301 one, two and three-bedroom units and a clubhouse. Ten garages are integrated into the ground level of each building with the exception of one building that has only five garages, though surface parking lots are proposed to serve the bulk of the multifamily development. Access into the development is proposed from Westphalia Road via a divided entrance drive. A gateway sign is featured at the entrance to the development, although it appears to be blocked by a proposed bus shelter. Either the proposed bus shelter or sign must be relocated so as not to interfere visually with the other.

The interiors of the multifamily buildings are not designed as traditional multifamily buildings where a central lobby is typically proposed; instead, the buildings are designed so that residents park either in a garage or adjacent surface parking and enter an open hallway or breezeway of the building, to either directly access their unit, or a stairwell to their unit, which may be in the basement, or on the second or third floor of the building. There does not appear to be an elevator in the building. It is unclear if the hallways are heated and air-conditioned. The plans should be clarified and/or revised to incorporate an elevator into the area adjacent to the stairwell of each building so residents, especially children and those with accessibility challenges can enjoy safe and convenient access to their units. In addition, the buildings should be revised to incorporate heated and air-conditioned hallways. Details and specifications of the design of the interior hallways should be provided, prior to certification of the plan.

A 5,915-square-foot clubhouse and pool are also proposed to serve the multifamily community. The clubhouse will include a leasing office, manager's office, conference room, a lounge with a fireplace, a billiard area, exercise room, media room and ancillary pool facilities including men and women's changing rooms. An outdoor 30-foot by 80-foot dog run is provided that includes benches, a pet waste station, trash receptacle, grooming table and pet play equipment and water fountain. Additional recreational facilities are warranted, which are discussed in Finding 7.

The applicant is proposing three building types; the proposed building types are designated as 'Building 1' (six buildings), 'Building 2' (six buildings), and 'Building 3' (one building).

Each building presents a varied gabled roofline with an attractive predominately stone façade balanced with cementitious siding on the upper level of each elevation. The applicant should provide the percentage of stone and masonry for each elevation in the architectural elevations. Each elevation avoids a flat façade by the provision of bump-outs, recessed entryways and balconies with pilasters and aluminum railings in addition to double and single windows. In general, the placement of windows is well-balanced, though the right-side elevation of Building 3 has an area that lacks the rhythm of the other elevations. The elevation faces an entrance into Parcel 2 from Westphalia Road and is highly visible due to the existing topography. However, the applicant is showing landscaping that will sufficiently screen the elevation. The front elevations for all three building types have an area of wall that is blank. These areas should be landscaped with a combination of trees and shrubs to soften the blank area.

The clubhouse is proposed as an attractive one-story building with a varied roofline and off-sets that contribute to its visual appeal. Stone veneer is the primary material, accented with cementitious siding. Design elements include cementitious flat panels, columns and wide trim, a variety of window types, a covered entryway, cupola and decorative lattice. The architectural elevations of the clubhouse reflect and complement the high-quality design and exterior building materials of the multifamily buildings.

The inclusion of Parcel 2 is for the purpose of providing a sewer line extension to serve the multifamily development and trail connection from Parcel 1 through Parcel 2. The design of a recommended trailhead for the proposed trail is discussed in Finding 12, specifically in regard to Condition 13 of Preliminary Plan 4-11012.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The requirements of the Zoning Ordinance:** The subject detailed site plan has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-547, Uses Permitted, of the Zoning Ordinance. The proposed uses in this application are permitted uses in the M-X-T Zone.

Section 27-547 provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:

- (d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone.... The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purpose of the zone:**

- (1) **Retail business;**
 - (2) **Office, research, or industrial uses;**
 - (3) **Dwellings, hotel, or motel.**
- (e) **For property placed in the M-X-T Zone by a Sectional Map Amendment approved after October 1, 2006, and recommended for mixed-use development in the General Plan, and a Master Plan, or Sector Plan for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, a Conceptual Site Plan submitted for any property located in the M-X-T Zone may include only one (1) of the above categories, provided that it conforms to the visions, goals, policies, and recommendations of the plan for that specific portion of the M-X-T Zone.**

The M-X-T Zone generally requires a mix of uses on the conceptual site plan. Section 27-547(e) applies to the subject site as the site was placed in the M-X-T Zone pursuant to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan SMA), for which a comprehensive land use planning study was conducted by technical staff prior to the plan's initiation. The approved conceptual plan indicates three of the above use categories are to be provided on proposed Parcels 1 and 2: residential, industrial and potential retail. Each use is indicated on a separate proposed parcel on the CSP. Although greater integration of proposed uses within the M-X-T Zone is generally sought, the Planning Board found that the separation of the industrial and residential uses was appropriate in this case, due to the large size of the existing industrial/office building, the variety of light industrial uses that may be permitted within the building, and the potentially large number of employees and users associated with the future use.

- b. The subject application has also been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a detailed site plan 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 purposes of the M-X-T Zone as stated in Section 27-542(a) include the following:

- (1) **To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

The subject site is in the vicinity of a major interchange of Westphalia Road and Pennsylvania Avenue (MD 4) and is located along one of the primary routes into the Westphalia community. Development on the subject site will provide an expanding source of employment and residential opportunities for the area.

- (2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The site was placed in the M-X-T Zone to implement the mixed-use recommendations of the Westphalia Sector Plan SMA. Specifically the proposal will implement the residential land use recommendation for the subject site contained in the Westphalia Sector Plan.

- (3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

The proposal will conserve the value of land and buildings by maximizing the development potential on this site.

- (4) To promote the effective and optimum use of transit and other major transportation systems;**

The subject property, located along an existing collector road and with a master-planned major collector road bisecting it, is easily accessed by automobiles. The sector plan further identifies Westphalia Road as a bikeway corridor. Pedestrian and bike connectivity have been evaluated in the review of this DSP. Access to existing and future bus routes has also been evaluated. See Findings 11 and 16(f) for further discussion of these points.

- (5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

The subject site is within the boundaries of a conceptual site plan and preliminary plan that contain multiple uses, as there is office and light-industrial space (currently vacant) within the existing building on Parcel 2. By providing residential uses during the first phase of the project, the proposal encourages a 24-hour environment.

- (6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;**

The Planning Board encourages the applicant to consider future tenants for the existing industrial building on Parcel 2 that will blend harmoniously with the proposed multifamily residential development.

- (7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**

The proposal demonstrates that architecture and site design will create an attractive and a distinctive visual identity for the project.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**

As multiple uses/users are envisioned adjacent to the site and have been considered in the evaluation of the proposal, cost and energy saving will be realized with the subject proposal.

- (9) To permit a flexible response to the market; and**

The subject application, with 13 multifamily buildings, will allow the applicant to respond to the market with more flexibility.

- (10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The applicant has been afforded freedom of architectural design to provide an exemplary multifamily project. Buildings have been designed with interesting and objectively attractive architectural features to promote a sense of place, and utilize materials and finishes that reinforce a sense of quality and permanence. Vinyl siding is not proposed, and the use of cementitious siding has been limited and provided in balance with the primary finish material which is stone veneer.

- (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 property was placed in the M-X-T Zone by the Westphalia Sector Plan SMA approved after October 1, 2006. The DSP generally conforms to the standards intended to implement the development concept contained in the Sector Plan as discussed in Finding 8.

- (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 site layout has been designed to have an outward orientation that fronts Westphalia Road. The proposed buildings are well-designed with high-quality materials and incorporate attractive amenities to serve the residents of the development. The project may serve as a catalyst for future community improvements and development within the Westphalia planning area.

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

The subject site is bordered to the west by an existing industrial use (recycling facility), to the south by a vacant industrial building that is approved for office/retail, and to the east by residential uses. The subject site incorporates bufferyards that will further create a transition from industrial uses to residential uses along Westphalia Road. The proposal is compatible with existing and the proposed development in the vicinity.

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

The subject proposal conforms to this requirement. If approved with conditions, the detailed site plan will reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.

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

Development of the multifamily units will not be staged.

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

The DSP provides safe-pedestrian connections throughout the site and to key area amenities located on-and off-site. The Westphalia Sector Plan SMA identifies the construction of an elementary school co-located with an existing neighborhood park across

the street from the subject property. The applicant submitted site-line analyses to the Department of Permitting, Inspections and Enforcement (DPIE) in an effort to provide a safe pedestrian connection to amenities located across Westphalia Road. The analyses are currently being evaluated by DPIE to determine whether or not safe access across Westphalia Road from the subject site to the park is feasible. In addition, a private trail is proposed from the subject property that will connect to sidewalks on the Smith Home Farm property that will ultimately connect to the 150-acre central park for the Westphalia 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 DSP has been evaluated with regard to the above design considerations. See discussion in Finding 7(d)(5) below.

- (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 is not applicable to the proposed development as Preliminary Plan 4-11012 was approved on June 5, 2014.

- c. The DSP is consistent with Section 27-548, Regulations, as follows:
Section 27-548(a) states the following regarding the FAR in the M-X-T Zone:

- (a) Maximum floor area ratio (FAR):**

- (1) Without the use of the optional method of development -- 0.40 FAR;
and**
- (2) With the use of the optional method of development - 8.00 FAR.**

The proposed floor area ratio (FAR) is provided on the site plan. The subject application uses the optional method of development contained in Section 27-545. A bonus of 1.0 FAR is permitted because residential development is proposed. The overall FAR for

the site is .20, which is much less than the maximum FAR of 1.4 that is allowed. The allowable FAR of 1.4 should be indicated on the DSP.

Developments in the M-X-T Zone are required to have vehicular access to a public street in accordance with Section 27-548(g) noted below.

- (g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The subject site fronts on Westphalia Road, 80-foot-wide collector road.

- d. If approved with conditions, the DSP will be in conformance with the applicable detailed site plan Site Design Guidelines contained in Section 27-274 as follows:

- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. The subject DSP is in general conformance with this requirement. In instances where surface parking lots are adjacent to Westphalia Road, they will sufficiently screened by a combination of topography and landscaping.
- (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive. Loading areas are not required or indicated on the DSP, as all 13 buildings contain less than 100 units.
- (3) In accordance with Section 27-274(a)(6)(i), Site and streetscape amenities, the coordination of the design of light fixtures, benches, trash receptacles, bike racks and other street furniture are required. These are generally shown on the plans and details have been provided. The location of the bike racks should be shown on the plans. In addition, a note on sheet L7-1 should indicate full cut-off light fixtures are proposed.
- (4) Public spaces are provided to enhance the multifamily development, in accordance with Section 27-274(a)(9), Public spaces. Sitting areas and specialty landscape features are integrated into a well-designed pedestrian system. A mix of public spaces includes a community building with pool, seating areas, dog run, lighting, specialty landscaping, and specialty paving materials.
- (5) Passive and active on-site recreational facilities are provided for the future residents of the multifamily development which is estimated at approximately 876 residents. The focal point of the community is a 5,915-square-foot clubhouse and pool. The clubhouse includes men and women's changing rooms and lavatories, an exercise room, media room, lounge, billiard table, and a powder

room. Approximately thirty percent of the clubhouse is comprised of a leasing area, manager office, conference room, storage area and a 1,114-square-foot model unit (Unit C). Adjacent outdoor recreation facilities include sitting areas and an outdoor kitchen with grills. More active recreational uses should be provided for the future residents of this community, including indoor and outdoor facilities for children. The Planning Board approval includes a condition that the applicant provide an outdoor pre-teen play area and tot-lot (or combination of the two), and additional interior facilities in the club house by redesigning the media room as a multipurpose room.

- e. The number of parking spaces required in the M-X-T Zone is to be calculated by the applicant in accordance with Section 27-574 of the Zoning Ordinance and submitted for Planning Board approval at the time of detailed site plan. Instead, the applicant is requesting a Departure from Parking and Loading Standards (DPLS-418) from Section 27-568 to reduce the number of required parking spaces by 159 from 740 to 581 spaces.

In addition, the applicant is requesting a Departure from Design Standards (DDS-629) from Section 27-551(e)(1) to allow 125 tandem spaces adjacent to provided garages.

- f. The applicant is proposing a landscaped gateway entrance sign 11 feet high and 12 feet wide. The lettered area is approximately 36 square feet with a trellis and window details above the sign area which in turn rests atop a stone veneer base almost five feet high. The stone base includes a paneled area for leasing information. According to Section 27-614(e), Mixed-Use Zones, the DSP sets the standard for the design of the sign. However, residential gateway signs for typical subdivisions are generally limited to six feet in height with a 12-square-foot maximum lettered area. In this case, the sign is set back farther than is typically required due to the scenic easement required along Westphalia Road. The stone base will improve the visibility of the sign. Because the proposed multifamily buildings are only three to four stories, and because the sign will be located along a historic scenic road, the height of the sign as proposed appears excessive. The applicant must reduce the overall height of the sign to approximately nine feet by removing the window details above the sign area to provide a more appropriate scale for the development and its location along a scenic road. The general design and materials proposed should be retained.
8. **2007 Approved Westphalia Sector Plan and Sectional Map Amendment:** The subject site is located within the *2007 Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan SMA).

This site was rezoned as part of the Sector Plan from the I-1 to the M-X-T, and was envisioned to include residential and industrial uses. The *2007 Approved Westphalia Sector Plan and Sectional Map Amendment* provided the following policies and strategies for the development of Residential Areas.

Policy 5–Residential Areas

- **Design new low- to medium-density residential neighborhoods that are varied in housing styles and architecture and promote best practices for residential design:**
 - **Feature the same quality design and treatments on the exposed façades as on the front façade of highly visible residences on corner lots and elsewhere.**
 - **Create varied architecture and avoid flat façades by using bays, balconies, porches, stoops, and other projecting elements.**

The subject application shows a site layout for a medium-density residential neighborhood. Thirteen three- and three and one-half story multifamily buildings are provided with garages integrated into the ground level of each building. Three building templates are proposed: one 13-unit building, six 22-unit buildings, and six 26-unit buildings. The DSP presents a uniform building style and architecture. Flat façades are avoided by using balconies and other projecting elements.

- **Design residential developments that connect and appropriately transition to pre-existing communities and neighboring commercial areas:**
 - **Discourage use of walls, gates, and other barriers that separate residential neighborhoods from the surrounding community and commercial areas.**

The subject proposal is designed to effectively connect to existing communities and area amenities through the public sidewalk, master plan trail and pedestrian network. The Planning Board finds that the proposal provides an appropriate transition between industrial and residential land uses. The application does indicate that a retaining wall is proposed along a portion of the eastern boundary adjacent to Smith Home Farms; however, no gates are proposed that would preclude or inhibit access to surrounding properties and uses.

- **Design an efficient, safe, and interconnected residential street system:**
 - **Design or retrofit street systems to link individual subdivisions/projects to each other and the community.**
 - **Emphasize the provision of high-quality pedestrian and bikeway connections to transit stops/stations, village centers, and local schools.**
 - **Clarify neighborhood roadway intersections through the use of special paving and landscaping.**

The DSP provides an efficient, safe, and interconnected street system. A proposed eight-foot-wide trail with connection to the Smith Home Farm property and ultimately the Town Center park is proposed.

9. **Conceptual Site Plan CSP-11003:** Conceptual Site Plan CSP-11003 for 325 multifamily units, 175,200 square feet of industrial uses, and 68,221 square feet of commercial uses was approved and the resolution adopted by the Planning Board on November 14, 2013 (PGCPB Resolution No. 13-122). The resolution contains 14 conditions of approval. The following conditions in **bold text** are relevant to the DSP:

3. **Prior to the signature of the Type 2 Tree Conservation Plan for this site, the liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:**

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber ____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”

The above condition is carried forward in the approval.

6. **At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:**

- a. **The multifamily development shall demonstrate adequate screening of all surface parking lots that are adjacent to Westphalia Road.**

Landscaping should be revised to include a hedge planting along the parking compounds located along Westphalia Road in addition to the requirements of the 2010 *Prince George’s County Landscape Manual*.

- b. **The multifamily development shall include public spaces for the benefit of future residents that include sitting areas and objectively attractive site and landscape features. These public spaces shall incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An objectively attractive mix of public spaces that include focal points, seating areas, specialty landscaping, and specialty paving materials shall be provided.**

The DSP provides public spaces for the future residents of the development including two sitting areas, but additional private recreation facilities should be provided for children where families can congregate and socialize. Landscaping is provided throughout the

development. The applicant is proposing high-quality design details and a comprehensive pedestrian network. Public spaces, such as the pool and clubhouse/recreation facility, will include decorative paving.

c. Adequate visitor parking spaces to serve the proposed multifamily development shall be provided.

The applicant is requesting a Departure from Parking and Loading requirements resulting in a total of 581 parking spaces for 301 units. The applicant is further requesting a Departure from Design Standards to allow 125 tandem spaces to abut the provided garages. If additional compact parking spaces are provided as required in the approval, adequate parking for visitors will be provided.

d. The applicant shall propose and provide a written description of the proposed green development techniques for evaluation by staff and the Planning Board.

The applicant has submitted a description of the green development techniques that include energy efficient windows and roof and wall insulation, framing techniques to improve insulation, use of low or no volatile organic compound (VOC) paints and finishes, energy efficient lighting and appliances, a construction waste management program, native plantings, and reduced impervious area.

e. The final landscape treatments for the frontage of Westphalia Road shall be determined. The landscape treatment shall provide an equivalent or better streetscape appearance than would be achieved under the strict application of Section 4.6, Buffering Development from Special Roadways.

The applicant has provided plantings that exceed the requirements of Section 4.6-2, Buffering Developments from Special Roadways in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional discussion of the Landscape Manual requirements is presented in Finding 11.

f. The applicant shall allocate appropriate and developable areas for the private recreational facilities.

The applicant is providing areas for private recreational facilities as described more fully in Finding 6.

g. The applicant shall demonstrate to the Planning Board in writing that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate means and that such

instrument is legally binding upon the subdivider and his heirs, successors, and assigns.

The private on-site recreational facilities will be the subject of a recreational facilities agreement (RFA) that ensures the proper development of proposed recreational facilities for the community.

- h. Access to existing or future bus routes shall be evaluated at time of detailed site plan, and facilities for a bus stop shall be shown if deemed appropriate by the Department of Public Works and Transportation (DPW&T).**

No bus routes exist or are planned in the vicinity of the subject property.

- i. The multifamily development shall utilize an appropriate balance of finish materials such as brick, stone, and cementitious siding. The cumulative area of all of the building elevations of all of the multifamily buildings should be no less than 40 percent brick or stone. A chart indicating the composition of the building materials shall be provided with the architectural elevations.**

The primary finish material proposed by the applicant is stone, balanced with cementitious siding and flat panels. A condition is included requiring the applicant to provide an analysis indicating the percentage of stone on the architectural elevations.

- j. A variety in building styles and architecture shall be demonstrated. Flat façades shall be avoided by using bays, balconies, and other projecting elements.**

The proposed architecture avoids flat facades by the use of off-sets and balconies.

- 7. The applicant shall submit three (3) original executed private Recreational Facilities Agreements (RFA) for the private recreational facilities on-site to the M-NCPPC Development Review Division for their approval three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Maryland.**
- 8. The applicant shall submit to the M-NCPPC Development Review Division a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**

Conditions 7 and 8 remain in effect and will be addressed at the time of final plat.

9. **Prior to the issuance of any building permits within the subject property the evidence of the following certifications shall be provided:**
- a. **The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.**

The above condition remains in effect and will be addressed at time of building permit.

- b. **A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in CB-3-2012.**

CB-3-2012, the Interim Land Use Controls (ILUC) expired June 30, 2015.

10. **Total development within the subject property shall be limited to uses which generate no more than 279 (129 in; 150 out) AM peak hour trips and 303 (142 in; 161 out) PM peak hour trips. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.**

The above condition was ultimately superseded by Conditions 17 and 18 of the Preliminary Plan of Subdivision. See Finding 12 for further discussion.

11. **Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

- a. **Westphalia Road @ D'Arcy Road Intersection**

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

- b. **Westphalia Road @ West site access intersection**

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

- c. **Westphalia Road @ East site access Intersection**

Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.

The above condition remains in effect and will be addressed at time of building permit.

12.
 - a. **The applicant shall make a monetary contribution to the “park club”, which is to be established and administered by the M-NCPPC Department of Parks and Recreation. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for construction, operation and maintenance of the recreational facilities in the central park and/or the other public parks that will serve the Westphalia Study Area. The park club shall be established and administered by the DPR.**
 - b. **Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into an account administered by the M-NCPPC. If not previously determined, the agreement shall also establish a schedule of payments and/or a schedule for park construction. The payment shall include a formula for any needed adjustments to account for inflation. The agreement shall be recorded among the Prince George’s County Land Records by the applicant prior to final plat approval.**

The above conditions remain in effect.

13. **The applicant, his successors, and/or assigns, shall provide on-site private, recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.**

The applicant should provide additional recreational facilities on the site, both indoor (multi-purpose room) and outdoor (tot-lot and pre-teen play areas). These facilities should be in accordance with the *Parks and Recreational Facilities Guidelines*. Once the final package of the recreational facilities is determined, the plans should be evaluated prior to signature approval for conformance.

14. **A comprehensive and safe pedestrian network shall be provided. A pedestrian and bikeway facilities plan shall be provided with the preliminary plan or detailed site plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:**
 - (a) **Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.**
 - (b) **Additional consideration shall be paid to providing safe pedestrian route across Westphalia Road.**

- (c) **Linkage of private recreational facilities to trails via a ten-foot-wide asphalt master planned trail along the Cabin Branch and eight-foot-wide trail connectors to the neighborhoods.**
- (d) **Pedestrian connectivity from the existing industrial building to Westphalia Road and the proposed multifamily development.**
- (e) **Connections to transit facilities including but not limited to bus stops.**

The items evaluated within the connectivity plan are subject to modification by staff for final review by the Planning Board.

Condition 14 requires the submission of the pedestrian and bikeway facilities plan at the time of preliminary plan or DSP. This exhibit was submitted at the time of preliminary plan and reflected the following facilities: (1) the proposed sidewalk network on the site; (2) the master plan sidepath along Westphalia Road; (3) the future master plan sidepath along MC-634; (4) potential pedestrian crossings of Westphalia Road; and (5) future connections to the adjacent Smith Home Farms property. The exhibit should be updated to reflect the more detailed information (sidewalk and trail locations) included in the DSP.

It is noted that the master plan trail along Cabin Branch ends to the east of the subject site, per prior approvals for the Smith Home Farms development. Access to this stream valley trail will be provided to the site via the pedestrian connection to Smith Home Farms, as well as the master plan trail along Westphalia Road. The trail connection required from the site to Deer Stream Drive will ensure that the future residents of the subject site have access to the area's trail network and the facilities at the Central Park.

With regard to bus service, the subject case was discussed at the April 14, 2015 DPW&T/DPIE/M-NCPPC coordination meeting. There is currently no bus service along Westphalia Road in the vicinity of the subject site.

10. **Preliminary Plan of Subdivision 4-11012:** The site is the subject of the approved Preliminary Plan of Subdivision 4-11012 and the resolution was adopted by the Planning Board on June 26, 2014 (PGCPB Resolution No. 14-52). The preliminary plan is valid until June 26, 2016. The resolution of approval (PGCPB Resolution No. 14-52) contains 23 conditions. The following conditions in **bold text** relate to the review of this application:

- 5. **At the time of final plat, a conservation easement (Parcel 2) shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed. Future impacts within the conservation easements may be approved pursuant to a new preliminary plan of subdivision or detailed site plan under applicable regulations.”

The conservation easement will be reviewed at time of the final plat.

- 6. The Detail Site Plan and Type 2 tree conservation plan for Parcels 1 and 2 shall be designed to accommodate the appropriate landscape and signage treatments for the frontage of historic Westphalia Road in accordance with the 2010 *Prince George’s County Landscape Manual*.**

Landscaping has been provided in accordance with Section 4.6, Buffering from Special Roadways of the Landscape Manual. A minor encroachment into the landscape area is proposed for a drive aisle, but this will have minimal impact.

- 7. Westphalia Road improvements shall be carried out in accordance with the 1994 *Prince George’s County Design Guidelines and Standards for Scenic and Historic Roads*, unless modified by the Department of Permitting, Inspections and Enforcement (DPIE).**

This condition will be enforced by DPIE.

- 8. Development of this site shall be in conformance with Stormwater Management Concept Plan 15908-2011-00 and any subsequent revisions.**

The site had an approved stormwater management (SWM) concept approval, but that approval expired on December 12, 2014. The applicant is in the process of obtaining approval of a new SWM concept plan. The recommendation of detailed site plan approval with conditions is contingent upon the applicant providing evidence of the approval prior to the Planning Board hearing.

- 9. Prior to approval of the Detailed Site Plan, the private on-site recreational facilities for Parcel 1 shall be reviewed for adequacy and proper siting. An appropriate mix of recreational facilities shall be specified at that time and triggers for their construction determined.**

The DSP has been reviewed for private recreational facilities. As stated in the discussion relating to the fulfillment of Section 27-274, Site Design Guidelines, of the Zoning Ordinance, additional recreational facilities should be provided to serve a range of age groups. A condition that addresses timing is included in the approval.

- 10. Prior to approval of the final plat(s), the applicant and the applicant's heirs, successors, and/or assignees shall submit three original executed recreational facilities agreements (RFA) to The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department, Development Review Division (DRD), for the construction of private recreational facilities on-site. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the liber/folio indicated on the record plat.**
- 11. Prior to a recommendation for approval of building permits by The Maryland-National Capital Park and Planning Commission (M-NCPPC), the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by the Development Review Division for the construction of private on-site recreational facilities.**
- 12. Prior to the approval of the final plat for Parcel 1, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original, executed agreements for participation in the "park club" to DPR for their review and approval, prior to the submission of the first final plat of subdivision (not infrastructure). Upon approval by DPR, the agreement shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland, and the liber folio reflected on the final plat.**

The agreement with the Department of Parks and Recreation (DPR) establishing a mechanism for payment of the applicant's fees into an account administered by M-NCPPC shall note that the value of the in-kind services shall be determined at the sole discretion of DPR. If not previously determined, the agreement shall establish a schedule of payments and/or a schedule for park construction. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. The monetary contributions may be used for the design, construction, operation and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia study area. The specifics to accomplish this will be specified in the agreement.

Conditions 10–12 remain in full force and effect.

- 13. At the time of Detailed Site Plan for Parcel 1 and/or Parcel 2, the applicant and the applicant's heirs, successors, and/or assignees shall address the following:**
 - a. Evaluate the feasibility of providing an access point into the multifamily on Parcel 1 that is aligned with the entrance of Westphalia Neighborhood Park/School Site to the north of the site, if permitted by DPIE.**

The subject case was discussed at the April 14, 2015 DPW&T/DPIE/M-NCPPC coordination meeting. Due to sight-distance constraints and operational issues, it is not feasible to locate the proposed entrance so that it is aligned with Chester Grove Road located on the north side of Westphalia Road, to provide a standard four-legged intersection.

- b. Provide a trail connection from Parcel 1 through Parcel 2 to the terminus of Deer Stream Drive on the adjacent Smith Home Farms property consistent with the conceptual alignment reflected on the Pedestrian and Bikeway Facilities Plan. The nature and design of this connection shall be determined at the time of detailed site plan.**

The plans have been revised to show the required trail connection. However, it should be noted that this trail is not a public master plan trail, but a private trail, intended as an internal pedestrian connection serving the future residents of the subject site to connect them with future trails in the Westphalia Town Center and the future Central Park. Given that the trail will be on privately-owned open space, and not public parkland, it is recommended that the northern end of the trail be terminated internal to the subject site, rather than at Westphalia Road, as currently proposed. The trail should be designed as a private internal connection serving the subject site and not as public trail access through the site. A condition is included addressing the northern trailhead connection and possible trail-related amenities to be located in proximity to the trailhead. A suggested location for the trailhead and the northern limits of the trail are indicated on the attached plan sheet (Staff Exhibit A). Sheets 6 and 8 of the DSP should be revised to indicate the "Private Trail" and delete "Future Trail Connection." It should be noted that the timing of the construction of the trail through Parcel 2 will be determined at the time of Detailed Site Plan for Parcel 2.

- c. Evaluate the feasibility of a location and treatments for the pedestrian crossings of Westphalia Road in coordination with DPW&T/DPIE. Treatments may include high visibility crosswalks, lighting, warning signage, and hazard beacons. The exact location and design will be determined at the time of detailed site plan.**

The topic of a pedestrian crossing has been discussed with DPIE. The applicant was required to provide a site distance analysis along the site's frontage of Westphalia Road for review by DPIE. A response to the analysis was not provided at the time this report was written.

- d. Unless the JLUS Interim Land Use Controls have expired, ensure that the structures do not exceed the Imaginary Surfaces established in County Council Bill CB-3-2012.**

The JLUS Interim Land Use Controls (ILUC) expired on June 30, 2015.

- 14. The applicant and the applicant’s heirs, successors, and/or assignees shall construct the following frontage improvement listed in order of priority, unless modified by the Department of Public Works and Transportation (DPW&T):**
- a. Construct a sidepath and a bike lane, minimum, in conjunction with a “Bike Lane” sign (MUTCD R3-17) along the entire subject property frontage on Westphalia Road consistent with DPW&T STD 100.03.**
 - b. Provide the installation of the “SHARE THE ROAD” sign (MUTCD W16-1P combined with W11-1 sign assembly) along the property frontage.**

Designated bike lanes are required along the frontage of the subject site. The bike lanes should be striped and signed consistent with Condition 14(a). As the road will not be a “shared use roadway,” the signage required in Condition 14(b) is not necessary.

- 15. Prior to the approval of the final plat for Parcel 2, the applicant, their heirs, successors, and assignees shall submit to M-NCPPC for approval a draft trail access easement, benefitting Parcel 1, which extends from Parcel 1 through Parcel 2 connecting to Deer Stream Drive to the east, as reflected on the Bike and Pedestrian Facilities Plan submitted with the approved PPS or subsequent DSP.**
- a. The final plat shall delineate the final alignment of the easement with bearings and distances.**
 - b. The easement document shall set forth the rights, responsibilities and liabilities of the parties and liber/folio of the easement, shall include the rights of M-NCPPC and will be reflected on the plat prior to recordation.**

This condition remains in full force and effect. The documentation and recordation of the easement for the trail connection will be provided at the time of final plat.

- 16. At the time of final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:**
- a. Grant a ten-foot-wide public utility easement (PUE) along the public right-of-way as delineated on the approved preliminary plan of subdivision.**
 - b. Dedicate public right-of-way of 40 feet from the centerline of Westphalia Road (approximately 28,314 square feet) along the property frontage, as shown on the approved preliminary plan of subdivision.**

A ten-foot-wide PUE along Westphalia Road and 40 feet of right-of-way dedication have been provided on the DSP.

- c. **Unless the JLUS Interim Land Use Controls have expired, add a note that states the following:**

“This property lies within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012)”

The interim land use controls expired June 30, 2015.

- 17. The total development within Parcel 1 of the subject property shall be limited to uses which generate no more than 157 AM peak-hour trips, 181 PM peak-hour trips, and 1,957 daily trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The trip cap established at the time of the Preliminary Plan of Subdivision has not been exceeded with this proposal.

- 18. The total development within Parcel 2 of the subject property shall be limited to uses which generate no more than 122 AM peak-hour trips, 122 PM peak-hour trips, and 682 daily trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The uses are limited to Parcel 1; therefore, the condition does not apply to this application.

- 19. Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

At the Westphalia Road/D’Arcy Road intersection, conduct a signal warrant study and install the signal pursuant to the Department of Public Works and Transportation (DPW&T) specifications if a signal is deemed warranted and approved by DPW&T.

- 20. Prior to approval of the final plat for Parcel 1, the applicant and the applicant’s heirs, successors, and/or assignees shall, pursuant to the provisions of County Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation Program (PFFIP), provide a copy of the recorded Memorandum of Understanding (MOU) and reflect the liber/folio on final plat.**
- 21. Prior to issuance of each building permit for Parcel 1, the applicant and the applicant’s heirs, successors, and/or assignees shall, pursuant to the provisions of Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities**

Financing and Implementation Program (PFFIP), pay to Prince George's County (or its designee) a fee of \$4,991.15 per residential dwelling unit, pursuant to the Memorandum of Understanding (MOU) required by CR-66-2010. The MOU shall be recorded in the Prince George's County Land Records. This unit cost will be adjusted based on an inflation cost index factor to be determined by the Department of Public Works and Transportation at the time of issuance of each permit.

Conditions 19–21 are still in full force and effect.

11. **2010 Prince George's County Landscape Manual:** Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The following discussion is offered regarding the applicable provisions of the 2010 *Prince George's County Landscape Manual*.

- a. **Section 4.1**—Residential Requirements, requires that multifamily dwellings located in the Developing Tier include a minimum of one major shade tree per 1,600 square feet or fraction of green area provided.

The applicant has provided 45 shade trees in fulfillment of this requirement. However, one additional shade tree is required.

- b. **Section 4.3**—Parking Lot Requirements, specifies that any proposed parking lots larger than 7,000 square feet will be subject to Section 4.3, which requires planting islands throughout the parking lot to reduce the impervious area. When these planting islands are planted with shade trees, the heat island effect created by large expanses of pavement may be minimized.

The submitted landscape plan and schedule are in conformance with this requirement. It is noted that the schedule provided for 4.3-1, Parking Lot Perimeter Planting is not required and may be deleted.

- c. **Section 4.4**—Screening Requirements, requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets.

A trash compactor is located adjacent to the eastern property line. Details including the height, dimensions, and screening materials including the gate, should be provided. The screening materials should be the same as or complementary to the main building materials proposed.

- d. **Section 4.6(c)(2)**—Westphalia Road is a designated historic road; therefore, compliance with Section 4.6, Buffering Development from Special Roadways is required. In the Developing Tier, a minimum 20-foot-wide landscape buffer planted with 80 plant units per 100 linear feet of frontage, excluding driveways, is required.

The landscape plan shows a portion of a parking area encroaching into the required bufferyard. The applicant indicated that the right-of-way line will be adjusted to provide the entire bufferyard. The DSP does not show the encroachment. All required plantings are provided.

- e. **Section 4.7**—The site is subject to Section 4.7, Buffering Incompatible Uses. A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transitions between moderately incompatible uses.

The applicant has filed a request for Alternative Compliance Section 4.7, Buffering Incompatible Uses, along the southern and eastern property lines for encroachments of the proposed buildings into the required building setbacks and for the location of retaining walls and a hiker/biker trail within the landscaped yard.

The subject site is located on the south side of Westphalia Road, approximately one-half mile east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4); and is within the geography previously designated as the Developing Tier and reflected on Attachment H(5) of the *Plan Prince George’s 2035 Approved General Plan* (Plan Prince George’s 2035), as found in Prince George’s County Planning Board Resolution No. 14-10 (see County Council Resolution CR-26-2014, Revision No. 31).

REQUIRED: 4.7 Buffering Incompatible Uses, along the southern property line, adjacent to vacant industrial building.

Length of bufferyard	1,239 feet
Minimum building setback	50 feet
Landscape yard	40 feet
Fence or wall	Yes, 6-foot high white vinyl opaque
Percent with Existing Trees	10%
Plant Units (80 per 100 l. f.)	558 (with an opaque fence)

PROVIDED: 4.7 Buffering Incompatible Uses, along the southern property line, adjacent to vacant industrial building.

Length of bufferyard	1,239 feet
Minimum building setback	40 feet
Landscape yard	40 feet
Fence or wall	Yes, 6-foot high white vinyl opaque
Percent with Existing Trees	10%
Plant Units (80 per 100 l. f.)	905

REQUIRED: 4.7 Buffering Incompatible Uses, along the eastern property line, adjacent to vacant single-family detached.

Length of bufferyard	590 feet
Minimum building setback	30 feet
Landscape yard	20 feet
Fence or wall	Yes
Percent with Existing Trees	0%
Plant Units (80 per 100 l. f.)	472

PROVIDED: 4.7 Buffering Incompatible Uses, along the eastern property line, adjacent to vacant single-family detached.

Length of bufferyard	590 feet
Minimum building setback	4–30 feet
Landscape yard	4–10 feet
Fence or wall	Yes
Percent with Existing Trees	0%
Plant Units (80 per 100 l. f.)	472

Justification

The applicant is requesting Alternative Compliance from Section 4.7, Buffering Incompatible Uses, along the southern property line, adjacent to a vacant building previously housing industrial uses with outside storage. A Type “D” landscape buffer, inclusive of a 50-foot-wide building setback and a 40-foot-wide landscape yard, would normally be required to buffer the proposed multifamily residential use from an adjacent industrially used property. The applicant is proposing to provide a 40-foot building setback and landscaped yard and 347 plant units above the minimum plant units required, in combination with a six-foot-high screen, by the Landscape Manual. The building on the adjacent property to the south is currently vacant and proposed to be redeveloped under Conceptual Site Plan CSP-11003 with residential and/or commercial uses consistent with the M-X-T zoning which will likely reduce the bufferyard requirement. Given that the adjacent property to the south is currently vacant and proposed to be redeveloped, the Alternative Compliance Committee finds the proposed alternative compliance measures to be equally effective as normal compliance with Section 4.7 of the Landscape Manual along the southern property line.

The applicant is also requesting Alternative Compliance from Section 4.7, Buffering Incompatible Uses, along the eastern property line, adjacent to an R-M-zoned vacant property, which is proposed to be developed with single-family detached lots under Specific Design Plan SDP-1003, Smith Home Farm. Since the adjacent Smith Home Farm development was approved with no required buffer, the subject property is required to wholly provide a Type “B” landscape buffer inclusive of a 30-foot-wide building setback and a 20-foot-wide landscape yard to buffer the proposed multifamily residential use from the future adjacent single-family detached uses. The site layout includes a 10-foot encroachment of the corner of a proposed building into the required

30-foot building setback for a total distance of approximately 35 linear feet. Retaining walls reaching over six feet in height in some areas are also proposed within the required bufferyard, along with a hiker/biker trail that is proposed along the entire eastern property line within the required landscaped yard, which will provide trail connectivity through the adjacent Smith Home Farm development. The proposed trail and retaining walls are located 10 feet from the eastern property line, except for an approximate 100-foot distance where the trail curves closer toward the shared property line. The applicant is proposing to provide all of the required plant material between the location of the proposed trail and retaining walls and the eastern property line in order to provide the maximum buffering from the future single-family detached residential uses. Given that the adjacent eastern property is currently vacant, that the encroachments into the required bufferyard are largely comprised of structures that are intended to provide pedestrian connectivity through the adjacent development, and that the applicant is proposing to provide all of the required plant material, the Alternative Compliance Committee finds the proposed alternative compliance measures to be equally effective as normal compliance with Section 4.7 of the Landscape Manual along the eastern property line.

The landscape plans provided incorrectly reflect shared bufferyards with the southern and eastern properties. The adjacent southern and eastern properties do not have approved landscape plans with bufferyards; therefore, the subject landscape plans should be revised to remove indications of a shared buffer and reflect the landscape requirements and alternative compliance request as outlined in this report.

On July 16, 2015, the Planning Director recommended approval of Alternative Compliance from Section 4.7, along the southern and eastern property lines, of the 2010 *Prince George's County Landscape Manual*, for Cambridge Place at Westphalia, Parcel 1, subject to conditions.

At its public hearing on July 30, 2015, the Planning Board approved the request for Alternative Compliance subject to conditions, which are included in the approval.

f. **Section 4.9**—The site is subject to Section 4.9 of the 2010 *Prince George's County Landscape Manual*, which requires that a percentage of the proposed plant materials be native plants. The applicant has provided a 4.9 schedule in accordance with the requirements of this section; however, the plant schedule should be revised to indicate the native species proposed.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan (TCP2-002-15) was submitted with the DSP application.

The Type 2 tree conservation plan (TCP2) as submitted, shows multifamily dwelling units along the northern portion of the site, in conformance with the approved TCP1. The preliminary plan created two parcels; one for the proposed multifamily use and the second for the remainder of the property containing the existing industrial building.

Because the current application is for the multifamily portion of the site and the associated infrastructure only, and the remainder of the site is to remain as it exists today, the TCP2 has been designed to reflect the limits of disturbance associated with the multifamily development envelope only, in conformance with the approved TCP1. The plans show the master planned right-of-way for road MC-634, which is shown on the TCP2 as woodland preserved but not counted as credits toward the woodland conservation requirement; in conformance with the approved TCP1.

The tree conservation plan (TCP2-002-15) has been reviewed and requires technical revisions to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance. The Woodland Conservation Threshold (WCT) for this 68.94-acre property is 15 percent of the net tract area or 9.84 acres. The total woodland conservation requirement based on the amount of clearing shown on the plan is 13.51 acres. The woodland conservation requirement is proposed to be satisfied with on-site preservation. The worksheet shown on the plan must be updated to the current standard worksheet.

TCP applications are required to meet all of the requirements of Subtitle 25, Division 2 which includes the preservation of specimen trees, Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance. A variance from Section 25-122(b)(1)(G) was granted with the Preliminary Plan for the removal of three (3) existing specimen trees. The required findings of Section 25-119(d) were adequately addressed for the removal of specimen trees with Preliminary Plan 4-11012. A variance from Section 25-122(b)(1)(G) was granted with Preliminary Plan 4-11012 for the removal of three existing specimen trees. The required findings of Section 25-119(d) were adequately addressed for the removal of specimen trees with Preliminary Plan.

Conditions to address technical deficiencies on the TCP2 are included in the approval.

13. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of the site covered by tree canopy for any development projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. The gross tract area of Parcel 1 is 16.17 acres in size, resulting in a tree canopy coverage requirement of 1.62 acres. The TCC requirement can be met in full through on-site woodland preservation and landscape plantings; however, the applicant will need to revise the TCC schedule and calculations to reflect tree canopy coverage for Parcel 1 only.

14. **Further Planning Board Findings and Comments from Other Entities:**

a. **Community Planning—**

- (1) This application is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) future land use category of Mixed-Use.
- (2) This application is in conformance with the land use recommendations of the *2007 Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan SMA). The sector plan recommends development of a commercially-oriented neighborhood center and low-density residential mixed with industrial uses on the subject property. Parcel 1, the subject of this DSP is shown to be multifamily and Parcel 2 is shown to be commercial/retail, satisfying the development of a commercially-oriented neighborhood center at the Westphalia Road frontage.
- (3) Pedestrian and bicycle safety is a concern for residents of this community accessing the existing park and future community center directly across Westphalia Road, and ultimately the planned elementary school north of the Community Center on Chester Grove Road. It is recommended that plans and construction details for adequate crosswalk infrastructure and signage be provided during the detailed site plan. In addition, due to the width of the right-of-way, it is further recommended that a pedestrian refuge be provided within the median to facilitate safe crossing.

The Department of Permitting, Inspections and Enforcement (DPIE) is evaluating the safety and feasibility of a pedestrian crossing at this location, and what requirements may necessary should the crossing be feasible.

- (4) The bicycle and trail recommendations in the Westphalia Sector Plan have been superseded by the recommendations in the *2009 Approved Countywide Master Plan of Transportation* (MPOT). The Transportation Plan calls for a shared-use side path and on-road bicycle facilities between Ritchie Marlboro Road and MC-634.

The trails coordinator provided comments on bicycle and trail requirements.

- (5) The applicant is proposing 581 parking spaces where 740 are required by the Zoning Ordinance. Concern was expressed that the applicant may be requesting too large of a parking reduction.

The Planning Board included a condition in the approval for the applicant to provide the maximum number of compact parking spaces to ensure that adequate parking is provided for residents and their guests.

- b. **Subdivision Review**—The subject property comprises Parcel C – Penn-East Business Park, recorded in Plat Book VT 191-23 on December 25, 2000, in the County Land Records. The property is located on Tax Map 90 in Grid C-1, and is approximately 68.95 acres. The site is the subject of Preliminary Plan of Subdivision (PPS) 4-11012 for Cambridge Place at Westphalia. The Prince George’s County Planning Board adopted the resolution of approval (PGCPB Resolution No. 14-52) on June 26, 2014. This approval is valid for two years and ends on June 26, 2016. The preliminary plan has not been approved for signature and should be prior to certificate approval of the DSP. A final plat for the subject property must be accepted by M-NCPPC before the PPS expires or a new PPS is required.

Detailed Site Plan DSP-14021 is in substantial conformance with the approved Preliminary Plan 4-11012, subject to conformance with the conditions of approval. Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time. Conditions have been included in the approval to address the required technical revisions.

- c. **Environmental Planning**—The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012 because the project has a new preliminary plan (4-11012).
- (1) This 68.94-acre site in the M-X-T Zone is located on the south side of Westphalia Road approximately one-half mile east of its intersection with Pennsylvania Avenue (MD 4). The site fronts on Westphalia Road, a master planned collector along the sites frontage, and a small portion is designated as arterial west of the subject site. The arterial portion appears to be associated with the off-ramp from Pennsylvania Avenue (MD 4). A master planned right-of-way designated as a Major Collector, MC-634, runs through the site. No roadway designated as arterial or higher is located close enough to the property to warrant concern regarding traffic generated noise. The property is located within the Air Installation Compatible Use Zone (AICUZ) of the Joint Land Use Study (JLUS). Interior residential noise levels may require attenuation. Westphalia Road is a designated historic road in the vicinity of the subject site. According to mapping research and as documented on the approved NRI, streams, non-tidal wetlands, and floodplain are found to occur on the property. The on-site streams are the headwaters of the Cabin Branch, which is located within the Western Branch drainage basin of the Patuxent River watershed. Several areas of steep slopes occur on the property. The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service

(NRCS) Web Soil Survey (WSS) include the Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Urban land complex, Marr-Dodon complex, Potomac-Issue complex, Sassafras-Urban land complex, and Udorthents reclaimed clay and gravel pits. Marlboro and Christiana clays are not mapped on this property. According to information obtained from the Maryland Department of Natural Resources Natural (DNR) Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property; however, DNR has documented that an area of Acidic Seepage Swamp is located on-site, which is a watch list habitat. The site is located in the Developing Tier of the 2002 *Prince George's County Approved General Plan*. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains no Regulated Areas, Evaluation Areas or Network Gaps.

- (2) An approved Natural Resources Inventory was submitted with the application, NRI-016-11, which was approved on November 4, 2011. There is Primary Management Area comprised of streams and wetlands, associated buffers, 100-year floodplain and adjacent steep slopes. The site also contains an isolated wetland along the northern property line, adjacent to Westphalia Road. The floodplain information shown on the plans is from the Floodplain Study dated February 2011. According to information obtained from the Maryland Department of Natural Resources Natural (DNR) Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property; however, DNR has documented that an area of Acidic Seepage Swamp is located on-site, which is a watch list habitat. The Forest Stand Delineation indicates the presence of two forest stands totaling 45.95 acres and 33 specimen trees. Stand 1 is a mid-successional mixed hardwood forest and Stand 2 is a pine stand. No revisions are required for conformance to the NRI.

Section 27-285(b)(4) of the Zoning Ordinance requires the following finding: "The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5)." A statement of justification was submitted and reviewed as part of the Preliminary Plan 4-11012. No new impacts are being proposed with the current application.

- (3) The County requires the approval of an Erosion and Sediment Control Plan. The Tree Conservation Plan must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including Erosion and Sediment Control measures. A copy of the Erosion and Sediment Control Technical Plan should be submitted prior to issuance of a grading permit so that the ultimate limits of disturbance for the project can be verified and shown on the TCP.

A condition to address the submittal of a Final Erosion and Sediment Control Technical Plan is included in the approval.

- d. **Transportation Planning**—In reviewing the travel aisles and general on-site circulation, the Planning Board finds that adequate circulation of vehicular traffic can be adequately accommodated based on the proposed site layout. In addition, sight distances from the site entrance were well within required limits.

The Planning Board concludes that the proposed site plan is deemed acceptable as required by Section 27-285 of the Zoning Ordinance.

- e. **Historic Preservation**—The subject application will have no effect on identified historic sites, resources, or districts.
- f. **Trails**—

Master Plan Compliance

Both the 2009 *Approved Master Plan of Transportation* (MPOT) and area master plan identify two master plan trails issues in the vicinity of the subject property. Sidepaths are recommended along both Westphalia Road and MC-634:

Westphalia Road (C-626) Shared-Use Side path: A shared-use side path should be provided as part of the planned improvements to Westphalia Road if practical and feasible. On-road bicycle facilities may also be appropriate (MPOT, page 36).

The Planning Board approval includes the provision of an eight-foot-wide sidepath or wide sidewalk along the frontage of the subject site, unless modified by DPW&T. However, it should be noted that Westphalia Road is a designated scenic and historic road in the vicinity of the subject site, and this may ultimately impact the cross section that DPW&T decides to utilize for the road. If an open section, scenic and historic road standard is used for the frontage improvements, bicycles may be accommodated with a six-foot-wide paved shoulder.

Presidential Parkway Extended (MC-634) Side Path: The Westphalia Sector Plan SMA recommends extending the existing side path along Presidential Parkway and along the entire length of MC-634 and A-66. This facility will provide access to the town center, Little Washington, and several park facilities. On-road bicycle facilities may also be appropriate (MPOT, page 36).

This trail will be provided at the time of road construction. However, no road construction of this major collector is necessary or warranted for the Phase 1 development currently under consideration, and the road improvements will either be completed through future development phases or the capital improvement program.

- g. **Permits**—Comments on parking spaces, the provision of architectural templates, and signage have either been addressed in revised plans or by conditions.
- h. **Department of Parks and Recreation (DPR)**—On February 25, 2015, DPR provided a “no comment” response to the referral request. DPR previously provided detailed comments on the previously approved CSP and PPS applications.
- i. **The Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated July 15, 2015 DPIE provided detailed comments on the coordination of right-of-way reservation, dedication and/or construction of the roadway with the appropriate agencies for MC-634; the timing of the pedestrian crossing technical review; emergency vehicle maneuverability; and, stormwater management in addition to standard comments on issues such as sidewalks, soils and utilities to ensure compliance with DPIE requirements.
- j. **Prince George’s County Health Department**—No response was received from the Health Department at the time this report was written.
- k. **Prince George’s County Fire/EMS Department**—The Prince George’s County Fire/EMS Department reviewed the proposal and provided standard comments dated February 23, 2015 regarding the width of private roads, fire lanes, and the location of fire hydrants.
- l. **Prince George’s County Police Department**—In a memorandum dated February 6, 2015 the Prince George’s County Police Department raised one concern related to Crime Prevention through Environmental Design (CPTED). The Police Department requests that the applicant allow adequate spacing between the trees and the light fixtures to prevent shadowed and dark areas resulting from future tree canopy encroachment upon the light fixtures.
- m. **The Maryland State Highway Administration (SHA)**—No response was received from SHA at the time this report was written.
- n. **Potomac Electric Power Company (PEPCO)**—No response was received from PEPCO at the time of the writing of this report.
- o. **Verizon**—No response was received from Verizon at the time of the writing of this report.
- p. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum received February 18, 2015, WSSC provided an evaluation of the subject DSP, which includes a number of standard comments. The following revision should be made to the DSP:
 - (1) Allow adequate separation between Pond and Sewer. The sewer should not be located within 50 feet of the embankment.

- q. **Westphalia Sector Development Review Council**—Plan information was referred to the Westphalia Sector Development Review Council for review and comment. As of the writing of this report the Westphalia Advisory Committee has not provided comment on this DSP.
15. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
16. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a detailed site plan:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

The site contains an isolated wetland along the northern property line, adjacent to Westphalia Road and another area in the southwest corner of the site adjacent to a stormwater management outfall. Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for protection of public health, safety, or welfare. These two impacts to regulated environmental features were evaluated and approved as part of the previous CSP application.

In summary, the DSP demonstrates the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. Additional impacts will be evaluated at time of preliminary plan of subdivision. The need for additional restoration measures will also be evaluated at time of preliminary plan of subdivision.

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 the Type 2 Tree Conservation Plan (TCP2-002-15), and APPROVED Alternative Compliance No. AC-15010, and further APPROVED Detailed Site Plan DSP-14021 for the above-described land, subject to the following conditions:

1. Prior to certificate of approval of the detailed site plan (DSP), the following revisions shall be made to the plans, or information shall be provided:
- a. The General Notes shall be revised to indicate:
- (1) The site development data outlined in Finding 2.

- (2) The height of buildings measured from the top of slab to the peak of the roof.
- (3) Any previous approvals for the site including variances.
- b. Remove the word “Existing” from the labels for the PUE.
- c. Revise the plan to show the bearings and distances for Parcels 1 and 2.
- d. Label the centerline for Westphalia Road.
- e. Provide ownership information for adjacent property across Westphalia Road.
- f. Provide details and specifications for the screening and gate of the trash compactor.
- g. Provide the lot-layout for the adjacent Smith Home Farms development (Section 3) per the final plats, within 50 feet of the subject property’s eastern boundary, if such lots are platted prior to certification.
- h. Identify all features and materials on the architectural elevations.
- i. The height of the buildings shall be provided on the building footprints.
- j. Obtain certificate of approval of the Preliminary Plan of Subdivision.
- k. Relocate either the proposed bus shelter or entrance sign so they do not interfere visually with one another.
- l. Delineate the drive aisle widths.
- m. Revise the label on Sheets 6 and 8 for the “Future Trail Construction” to “Private Trail.”
- n. Provide all bearings and distances, as well as proposed square footage and acreage, for the area of conservation easement to be located on Parcel 1.
- o. Modify the required private trail connection from Parcel 1 through Parcel 2 to the terminus of future Deer Stream Drive so that the northern limits of the trail are internal to the subject site and not at Westphalia Road. The northern terminus shall be designed as an attractive trailhead with benches, landscaping, and information board (which shall include trail information leading from the site to the Westphalia Central Park).
- p. Provide bicycle racks accommodating a minimum of 25 bicycle parking spaces at locations scattered throughout the subject site, including a minimum of ten bicycle parking spaces at the proposed recreational facility.

- q. Provide interior bicycle storage for residents in each building, if feasible.
 - r. A combination one-half tot-lot and pre-teen lot shall be provided in accordance with the *Park and Recreation Facilities Guidelines* and located per Applicant's Exhibits 4 and 5.
 - s. The clubhouse floorplan shall be revised to re-designate the media room as a multipurpose room with amenities listed for the multipurpose room and fitness room.
2. Prior to approval of the detailed site plan (DSP), the landscape plan shall be revised to show the following:
- a. A note shall be provided on Sheet L-7 to indicate full-cut-off fixtures are proposed.
 - b. All light fixtures shall be located so as not to conflict with landscaping.
 - c. Revise the tree canopy coverage (TCC) schedule and calculations to reflect the TCC for Parcel 1 only.
 - d. Revise the plant schedule to identify native species.
 - e. Reduce the height of the entrance sign to approximately nine feet by removing the window details above the sign area. The materials as submitted shall be retained.
 - f. The landscape plan and the Section 4.1 schedule shall be revised to provide one additional shade tree.
 - g. Provide a hedge planting along the parking compounds visible from Westphalia Road.
 - h. Provide additional landscaping to soften the visual impact of blank walls on the multifamily buildings.
 - i. Remove the notations on the plan sheets indicating a shared buffer with the adjacent southern and eastern properties.
 - j. Reflect the required 30-foot building setback and 20-foot landscape yard along the eastern property line wholly on the subject property.
 - k. Reflect the required 50-foot building setback and 40-foot landscape yard along the southern property line wholly on the subject property.
 - l. Revise the Section 4.7 schedule for the eastern property line to remove the text indicating a shared landscape yard, reflect the provided building setback as 4–30 feet, and reflect the provided landscape yard as 4–10 feet. Indicate in the schedule that alternative compliance has been requested.

- m. Revise the Section 4.7 schedule for the southern property line to remove the text indicating a shared landscape yard and revise the total number of required plant units to be 558 plant units (taking into account 10 percent existing woodland and a 50 percent reduction for the provided fence). Indicate in the schedule that alternative compliance has been requested.
3. Prior to certification of the detailed site plan (DSP), the Type 2 Tree Conservation Plan, TCP2-002-15, shall be revised as follows:
 - a. The woodland conservation worksheet must be updated to the current standard worksheet.
 - b. The approval block shall be updated to the current standard and to type-in the assigned plan number (TCP2-002-15).
 - c. Add the standard owner's awareness signature block to the plan and have the property owner sign it.
 - d. Show the floodplain line with a darker more distinct line type.
 - e. Show temporary tree protection devices along all proposed clearing edges.
 - f. Show preservation signs at a spacing of 50 feet on center along the edge of all preservation areas.
 - g. Revise the TCP2 notes as follows:
 - (1) Revise note 6 to state: "The property is within the Environmental Strategy Area (ESA 2) of *Plan Prince George's 2035* (formerly the Developing Tier)."
 - (2) Revise Note 8 to reflect the standard note language.
 - (3) Revise Note 9 to reflect the correct code reference for the Woodland and Wildlife Habitat Conservation Ordinance grandfathering provisions [25-119(g)].
 - (4) Remove Notes 10 and 11.
 - h. Have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.
4. Prior to the issuance of the grading permit, the Final Erosion and Sediment Control Plan shall be submitted. The limits of disturbance shall be consistent with the TCP2.
5. The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.

6. The Recreational Facilities Agreement shall include the additional pre-teen lot, tot-lot (or a combination of the two) in addition to the on-site trails and trailhead.
7. Prior to the completion of the fourteenth building permit, the applicant and the applicant's heirs, successors, and/or assignees shall construct the trail on Parcels 1 and 2, the preteen lot and tot-lot (or a combination of the two), and the clubhouse, as depicted on the approved DSP.
8. Provide designated bike lanes and a shared use sidepath in the existing right-of-way along Westphalia Road consistent with DPW&T STD. 100.03, unless modified by DPW&T. The bike lanes shall include appropriate pavement markings and signage for the designated bike lanes per the AASHTO *Guide for the Development of Bicycle Facilities*, unless modified by DPW&T.

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, July 30, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of July 2015.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:CF:rpg

R E S O L U T I O N

WHEREAS, Cambridge Place at Westphalia LLC is the owner of a 52.27-acre parcel of land known as Parcel 2, said property being in the 15th Election District of Prince George's County, Maryland, and being zoned Mixed Use-Transportation Oriented (M-X-T); and

WHEREAS, on September 6, 2018, Cambridge Place at Westphalia LLC filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-18005 for Cambridge Place at Westphalia was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on November 15, 2018, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on November 15, 2018, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-011-12-02, and further APPROVED Preliminary Plan of Subdivision 4-18005 for one parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:
 - a. Update the Pedestrian and Bikeway Facilities Plan to incorporate the proposed future dedication of Deer Stream Drive on the subject site. The trail along MC-634 shall be relabeled as a Master Plan sidepath.
 - b. Revise the plans to show the sidepath along MC-634 as delineated on the Pedestrian and Bikeway Facilities Plan (Applicant's Exhibit A).
 - c. Revise the delineation and acreage of Outparcel 2 to exclude the area associated with MC-634.
2. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan shall be revised as follows:

- a. Revise Standard Note 1 to reference the preliminary plan.
 - b. Revise General Note 7 to say, "...within *Plan Prince George's 2035, Environmental Strategy Area Two*, formerly the Developing Tier...".
 - c. Add a column for the Development Review Division (DRD) number and a "reason for revision" column in the TCP1 approval block.
 - d. Provide an updated approval block, filling in the previous two approvals. This review is the second revision to the TCP1. The first revision information is: "Megan Reiser; 2/10/2015; 4-11012."
 - e. Correct the Woodland Retained Not Part of Requirements on the worksheet to be 6.39 acres (5.27+1.12).
 - f. Identify the steep slopes on the plan with shading.
 - g. Provide a footnote below the specimen tree chart identifying the trees located off-site.
 - h. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. Total development within the subject property shall be limited to uses which generate no more than 300 AM peak-hour trips and 300 PM peak-hour 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.
 4. A substantial change to the uses or site layout on the subject property that affects Subtitle 24 of the County Code, adequacy findings shall require the approval of a new preliminary plan of subdivision prior to the approval any building permits.
 5. Prior to signature approval of the preliminary plan of subdivision, the applicant shall submit an approved stormwater management (SWM) concept plan and approval letter, which must show that the issue of the on-site failing riser structure has been satisfactorily addressed. Development of this site shall be in conformance with that approved SWM concept plan and any subsequent revisions. The final plat shall note the SWM concept plan number and approval date.
 6. At the time of final plat:
 - a. The applicant shall dedicate 100 feet of right-of-way for the master planned MC-634.
 - b. A 10-foot-wide public utility easement shall be granted along the public rights-of-way.

- c. A conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated PMA, except for the approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and road, and the removal of vegetation are prohibited without prior written consent from the M–NCPPC Planning Director, or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
7. Prior to issuance of the each building permit beyond the first 142,500 square feet of development, the applicant and the applicant’s heirs, successors, and/or assignees shall, pursuant to the provisions of Council Resolution CR-66-2010 and the MD 4/Westphalia Road Public Facilities Financing and Implementation Program (PFFIP), pay to Prince George’s County (or its designee) a fee of \$3.63 (in 2010 dollars) per square foot, pursuant to the Memorandum of Understanding (MOU) required by CR-66-2010. The MOU shall be recorded in the Land Records of Prince George’s County, Maryland. These unit costs will be adjusted based on an inflation cost index factor to be determined by the Department of Public Works and Transportation (DPW&T) at the time of the issuance of each permit.
8. Prior to the approval of any final plat for this project, pursuant to CR-66-2010, the owner/developer, its heirs, successors and/or assigns shall execute a Memorandum of Understanding (“MOU”) with the County that sets forth the terms and conditions for the payment of Fees by the Owner/Developer, its heirs, successor and/or assignees pursuant to the PFFIP. The MOU shall be executed and recorded among the County land records and the liber/folio noted on final plat of subdivision.
9. Prior to the issuance of any building permits within the subject property, evidence of the following certifications shall be provided:
 - a. A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in Council Bill CB-3-2012.
 - b. An acoustical engineer or qualified professional of competent expertise shall certify noise level reduction within the interior of the nonresidential building.
10. Development of this site shall be in conformance with an approved Stormwater Management Concept Plan. The final plat shall note the Stormwater Management Concept Plan number and approval date.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George’s County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is 52.27 acres and is known as Parcel 2 recorded in Plat Book SJH 247-02 through 05 on February 27, 2017. The site is located on Tax Map 90 and Grid C-1, on the south side of Westphalia Road approximately one-half mile east of its intersection with MD 4 (Pennsylvania Avenue) in Planning Area 78 and is within the Mixed Use-Transportation (M-X-T) Zone. The site is currently improved with a 142,500-square-foot industrial building and parking lot, which are proposed to be razed.

The current application is part of a phased development for the overall 68.94-acre site known as Cambridge at Westphalia. The site is subject to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA), which rezoned the site from the Light-Industrial (L-1) to M-X-T Zone. Industrial use of the property is permitted pursuant to Prince George's County Council Bill CB-49-2018, which allows industrial development in the M-X-T Zone until July 19, 2019.

Conceptual Site Plan (CSP-11003) was approved for the overall 68.94-acre Cambridge at Westphalia site for mixed retail (68,221 sq. ft), residential (395 multifamily dwelling units), and industrial (165,200 sq. ft) uses. The applicant filed a Preliminary Plan of Subdivision (PPS-4-11012) to subdivide the property into Parcel 1 (16.42 acres), for the development of 301 multifamily dwelling units, and Parcel 2 (52.27), which retained the existing 142,500-square-foot industrial building and is the subject of the current application. Phase 1 of the project was approved for the purpose of developing the residential portion of the site, and this application is for the development of 349,860 square feet of gross floor area (GFA) for light industrial use, as part of the overall development's second phase. The proposed GFA represents a 207,360-square-foot increase from what was approved with CSP-11003. Pursuant to Section 27-282(g) of the Prince George's County Zoning Ordinance, the applicant intends to modify the approved CSP to permit the increase in GFA proposed on the subject site.

A master planned right-of-way (MC-634), is planned as a major collector with a 100-foot right-of-way, which bisects the property. The facility serves a regional transportation purpose within the Westphalia Sector Plan, connecting Dower House Road located south of the property to White House Road located northeast of the property. This application shows the dedication of the full width of the right-of-way within the property. In addition, the future dedication of Deer Stream Drive, a 60-foot-wide right-of-way (ROW), that is currently unbuilt but planned for construction as part of the Parkside development (PPS 4-05080) abutting the subject site to the east, is shown. The proposed future dedication of this right-of-way is further discussed in the Transportation finding.

The property contains regulated environmental features that are required to be protected pursuant to Section 24-130 of the Subdivision Regulations. The on-site regulated environmental features (primary management area (PMA)) include nontidal wetlands, streams, 100-year floodplain, and

their associated buffers. Section 24-130(b)(5) of the Subdivision Regulations require that the PMA be preserved in a natural state to the fullest extent possible. The applicant submitted a Statement of Justification (SOJ) for impacts to the PMA, which is discussed further.

The location of regulated environmental features on the subject property in combination with the master planned alignment of MC-634 and the planned extension of Deer Stream Drive naturally divide the subject property into three land areas. Consequently, this application includes one parcel for the development of 349,860 square feet of industrial gross floor area, and two outparcels for the areas south of the MC-634 right-of-way.

3. **Setting**—The property is bounded to the north by Westphalia Road with single-family dwellings and a neighborhood school and park site owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) in the Rural-Residential (R-R) Zone and two-family dwellings in the Multifamily Medium Density Residential Dwelling (R-18) Zone beyond. The site is bounded to the northeast by vacant land planned for the development of multifamily dwellings as Phase 1 of the Cambridge Place at Westphalia project (PPS 4-11012) in the M-X-T Zone. To the east, the site is bounded by land that is under construction for the development of single-family attached and detached dwellings as part of the Parkside (formerly Smith Home Farm) development (PPS 4-05080) located in the Residential Medium (R-M) Zone. Vacant land abuts the property to the south, and industrial uses abut the property to the west, all within the Light Industrial (I-1) Zone.
4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Industrial	Industrial
Acreage	52.27	52.27
Lots	0	0
Outparcel	0	2
Parcels	1	1
Gross Floor Area:	142,500 sq. ft	349,860 sq. ft

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on September 21, 2018.

5. **Previous Approvals**—On October 24, 2013, the Planning Board reviewed and approved Conceptual Site Plan CSP-11003 (PGCPB Resolution No. 13-122) for the subject property subject to 14 conditions and the following 3 conditions in bold are related to the review of this PPS:

- 5. At the time of the preliminary plan of subdivision the applicant shall:**
- a. Demonstrate that rights-of- way for Westphalia Road, MC-634, are consistent with the recommendations of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment.**

The PPS delineates the rights-of-way for Westphalia Road and MC-634 consistent with the Westphalia Sector Plan and SMA. The dedication of MC-634 is discussed further in the Transportation finding.

- 11. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

- a. Westphalia Road @ D'Arcy Road Intersection:
Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.**
- b. Westphalia Road @ West site access intersection:
Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.**
- c. Westphalia Road @ East site access Intersection:
Conduct a signal warrant study and install signal, pursuant to DPW&T specifications if signal is deemed warranted and approved by DPW&T.**

This condition is applicable at the time of building permits and is further discussed in the Transportation finding.

- 14. A comprehensive and safe pedestrian network shall be provided. A pedestrian and bikeway facilities plan shall be provided with the preliminary plan or detailed site plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:**
- a. Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.**
 - b. Additional consideration shall be paid to providing safe pedestrian route across Westphalia Road.**

- c. **Linkage of private recreational facilities to trails via a ten-foot-wide asphalt master planned trail along the Cabin Branch and eight-foot-wide trail connectors to the neighborhoods.**
- d. **Pedestrian connectivity from the existing industrial building to Westphalia Road and the proposed multifamily development.**
- e. **Connections to transit facilities including but not limited to bus stops. The items evaluated within the connectivity plan are subject to modification by staff for final review by the Planning Board.**

A pedestrian and bikeway facilities plan that addresses the above conditions has been submitted with this PPS. The pedestrian and bikeway facilities plan was reviewed and is discussed further in the Trails finding.

The Planning Board heard and approved PPS 4-11012 on June 5, 2014 (PGCPB Resolution No. 14-52), which subdivided the property into two parcels for the development of 301 multifamily units (Parcel 1, Phase 1) and 142,500 square feet of existing industrial development (Parcel 2, Phase 2). This PPS is for the redevelopment of Parcel 2 and if approved, will supersede PPS 4-11012 for Parcel 2, Phase 2 of the Cambridge at Westphalia site. The conditions of approval of PPS 4-11012 have been analyzed and those that remain applicable to the site, have been carried forward as conditions of approval of this application and are discussed further.

The subject property was platted as Parcel 2 pursuant to PPS 4-11012, recorded in Plat Book SJH 247-02 through 05 on February 27, 2017. A new final plat of subdivision will be required in accordance with this approved PPS.

- 6. **Community Planning**—The *Plan 2035 Prince George's County Approved General Plan* (Plan 2035) designates the subject property in the Established Communities growth policy area. The vision for the Established Communities is most appropriate for context-sensitive infill and low- to medium-density development.

Master Plan and Sectional Map Amendment/Zoning

Basic Plan A-9198 established the subject site in the I-1 Zone. The 2007 *Approved Westphalia Sectional Map Amendment* rezoned the subject site from the I-1 to the M-X-T Zone. Council Bill CB-53-2016, adopted on January 1, 2017, extended the time for abrogation of uses pursuant to Section 27-547(b) Zoning Ordinance, specifically permitting light industrial uses on land that is zoned M-X-T. The *Approved Westphalia Sector Plan* recommends development of a commercially-oriented neighborhood center and low density residential mixed with industrial uses on the subject property.

Aviation/Military Installation Overlay (M-I-O) Zone

The site is located within the Imaginary Surface D (Inner Horizontal Surface) of the Military Installation Overlay (M-I-O) Zone. The maximum height for structures in this area is 150 feet above the runway surface. New structures will be required to comply with the height restriction, which will be further examined at the time of detailed site plan review, when structures are proposed. The site is in a noise contour in excess of 74 dBA (high noise). Pursuant to Section 27-548.55 of the Zoning Ordinance, at the time of building permit, an acoustical engineer must certify all required noise level reduction actions for the interior of a building.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application is not required to conform to the land use recommendation of the 2007 Westphalia Sector Plan and SMA, because the property was rezoned to M-X-T. In addition, Council Bill CB-49-2018, adopted on July 24, 2018, extended the time for abrogation of uses pursuant to 27-547(b) of the Zoning Ordinance until July 1, 2019.

7. **Stormwater Management**—A stormwater management (SWM) concept plan was approved with a prior application. SWM Concept Plan (15908-2011-00) and associated approval letter was approved on December 12, 2011 and provided with PPS 4-11012. The SWM concept plan approval expired on December 12, 2014. An updated SWM concept plan pursuant to the current development proposal has been submitted to the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) for review and approval. Development must be in accordance with an approved stormwater concept plan to ensure that on-site or downstream flooding do not occur. Submittal of an approved SWM concept approval letter will be required prior to signature approval of the PPS.
8. **Parks and Recreation**—Pursuant to 24-134 of the Subdivision Regulations, mandatory dedication of parkland is not required because this application is not a residential subdivision.
9. **Trails**—This PPS has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.

Master Plan Compliance and Prior Approvals

Both the MPOT and the area Master Plan identify two Master Plan trails issues in the vicinity of the subject property. Sidepaths are recommended along both Westphalia Road and MC-634. Text for these recommendations copied from the MPOT and area plan are below:

Presidential Parkway Extended (MC-634) Side Path: The Westphalia Sector Plan recommends extending the existing side path along Presidential Parkway and along the entire length of MC-634 and A-66. This facility will provide access to the town center, Little Washington, and several park facilities. On-road bicycle facilities may also be appropriate (MPOT, page 36).

Regarding the Master Plan trail along Westphalia Road, an eight-foot-wide sidepath or wide sidewalk along the frontage of the subject site shall be provided, unless modified by the Department of Public Works & Transportation (DPW&T). However, it should be noted that Westphalia Road is a designated scenic and historic road in the vicinity of the subject site, and this may impact the improvement approved by DPW&T. If an open section, scenic and historic road standard is used for the frontage improvements, bicycles may be accommodated with a six-foot-wide paved shoulder. Regarding the Master Plan trail along MC-634, this trail will be provided at the time of road construction, with either the development of the subject site or through the Prince George's County Capital Improvement Program (CIP).

The MPOT also includes a Complete Streets element which lays out specific policies and recommendations for providing roads that accommodate all modes as development occurs and as frontage improvements are made. The MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians:

Policy 1:

Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2:

All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

The Trails, Bikeways, and Pedestrian Mobility chapter of the MPOT also includes the following policy regarding pedestrian connections between and within communities:

Policy 9:

Provide trail connections within and between communities as development occurs, to the extent feasible and practical.

Related to Policy 9, the adjacent residential community (Parkside/Smith Home Farm) includes a stub street (Deer Stream Drive) that ends at the boundary of the subject property. Consideration should be given to providing a vehicular and pedestrian connection at this location with a future development application for the southern portion of the site. This will provide access between the two developments and provide for a more connected and integrated community envisioned in the Westphalia Sector Plan. This vehicular connection will also more directly connect the subject site with the future Westphalia Town Center.

The subject site is also subject to a prior approval of Conceptual Site Plan CSP-11003 (PGCPB Resolution No. 13-122) including the following conditions of approval related to bicycle and pedestrian facilities:

- 14. A comprehensive and safe pedestrian network shall be provided. A Pedestrian and Bikeway Facilities Plan shall be provided with the Preliminary Plan or Detailed Site Plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:**
- a. Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.**
 - b. Additional consideration shall be paid to providing safe pedestrian route across Westphalia Road.**
 - c. Linkage of private recreational facilities to trails via a ten-foot-wide asphalt Master Planned trail along the Cabin Branch and eight-foot-wide trail connectors to the neighborhoods.**
 - d. Pedestrian connectivity from the existing industrial building to Westphalia Road and the proposed multifamily development.**
 - e. Connections to transit facilities including but not limited to bus stops.**

The items evaluated within the connectivity plan are subject to modification by staff for final review by the Planning Board.

A pedestrian and bikeway facilities plan was approved with PPS 4-11003. This document reflects the conditions of the CSP and the proposed connection into Parkside/Smith Home Farm. As part of the approval of the subject application, this exhibit shall be updated to reflect the changes made as part of the current plan. This exhibit adequately addresses Condition 14 of the CSP and design details and specific treatments can be determined at the time of DSP. However, compliance with the complete street policies of the MPOT shall be provided. It is noted that the Master Plan trail along Cabin Branch ends to the east of the subject site, per prior approvals for the Smith Home Farm development. Access to this stream valley trail will be provided to the site via the pedestrian connection to Smith Home Farm, as well as the Master Plan trail along Westphalia Road. The trail along MC-634 shall be relabeled as a Master Plan sidepath.

PPS 4-11012 also included numerous conditions of approval pursuant to (PGCPB Resolution No. 14-52), related to pedestrian access and trail facilities:

- 13. At the time of Detailed Site Plan for Parcel 1 and/or Parcel 2, the applicant and the applicant's heirs, successors, and/or assignees shall address the following:**

- b. Provide a trail connection from Parcel 1 through Parcel 2 to the terminus of Deer Stream Drive on the adjacent Smith Home Farms property consistent with the conceptual alignment reflected on the Pedestrian and Bikeway Facilities Plan. The nature and design of this connection shall be determined at the time of detailed site plan.**

This condition has been addressed with this PPS. A trail connection through this site to Deer Stream Drive has been provided on the plans.

- 15. Prior to the approval of the final plat for Parcel 2, the applicant, their heirs, successors, and assignees shall submit to M-NCPPC for approval a draft trail access easement, benefitting Parcel 1, which extends from Parcel 1 through Parcel 2 connecting to Deer Stream Drive to the east, as reflected on the bike and pedestrian facilities plan submitted with the approved Preliminary Plan of Subdivision (PPS) or subsequent DSP.**
 - a. The final plat shall delineate the final alignment of the easement with bearings and distances.**
 - b. The easement document shall set forth the rights, responsibilities and liabilities of the parties and liber/folio of the easement, shall include the rights of M-NCPPC and will be reflected on the plat prior to recordation.**

This condition was addressed with the previous approval. A trail access easement was recorded in the Prince George's County Land Records in Liber 38137 at folio 210.

Applicability of Council Bill CB-2-2012: A small portion of the subject site lies within the MD 4 Corridor. According to information on PGAtlas, approximately 60 square feet of the subject site lies within this corridor.

Pursuant to the subject site, the applicability of Council Bill CB-2-2012 in accordance with Section 24-124.01 of the Subdivision Regulations, is noted in section (b) of Section 24, which is copied below:

- (b) Except for applications for development projects proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**

It is noted that the portion of the subject site within the County Center is not proposed to be developed and is within a woodland conservation area. Due to the extremely small portion of the site within the corridor and the lack of development proposed within this portion of the site, the required nexus and proportionality are lacking, and it was determined that Section 24-124.01 of the Subdivision Regulations is not applicable to the subject application.

10. **Transportation**—The application includes the reconfiguration of the subject property into three parcels:

Outparcel 1	5.247 acres
Outparcel 2	18.293 acres
Parcel 3	28.73 acres

Parcel 3 is currently improved with 142,500 square-feet of gross floor area (GFA) within the vacant industrial building. The plan is to raze this building and rebuild it with 349,860-square-feet of GFA for a light industrial distribution warehouse.

Traffic Study Analyses:

The applicant submitted a traffic study dated March 8, 2018. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted consistent with the “Transportation Review Guidelines - Part 1, 2012” (*Guidelines*). The subject property is located within the Transportation Service Area (TSA) 2, as defined in the *Plan Prince George’s 2035 Approved General Plan* (Plan 2035). As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better;

Unsignalized intersections: *The Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board generally recommends that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions:

EXISTING CONDITIONS		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	D/1388	E/1529
Westphalia Road and D'Arcy Road*	66.0 seconds	15.6 seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

The traffic study identified 15 background developments (in various stages of development) whose impact would affect some or all of the study intersections. In addition, a growth of one percent over six years was also applied to the regional traffic volumes along MD 4. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

BACKGROUND CONDITIONS – with CIP funded improvements		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	F/1899	F/2041
Westphalia Road and D'Arcy Road*	B/1045	A/776
Westphalia Road and Site Access *	<50 seconds	<100 seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Using the trip rates from the “*Guidelines*” the study has indicated that the subject application represents the following trip generation:

		AM Peak			PM Peak			Daily Total
		In	Out	Total	In	Out	Total	
<i>Existing – Light Industrial (razed)</i>	<i>142,500 sq. ft.</i>	-98	-24	-122	-24	-98	-122	-684
Proposed - Light Industrial	349,860 sq. ft.	241	59	300	59	241	300	1679
Total new trips (net increase)	207,360 sq. ft.	143	35	178	35	143	178	995

The table above indicates that the proposed development will have net additional trips of 178 (143-in; 35-out) AM peak-hour trips and 178 (35-in; 143-out) PM peak-hour trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
Westphalia Road and MD 4	F/1923	F/2074
Westphalia Road and D’Arcy Road*	B/1057	A/783
Westphalia Road and Site Access*	<100 seconds	B/1118

* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.

The results shown above indicate that both unsignalized intersections will operate with CLV’s less than 1,150, which meets the “Guidelines” third-tier requirement for transportation adequacy at unsignalized intersections.

The intersection of MD 4 and Westphalia Road was found to be operating inadequately at all phases of the adequacy evaluations. This intersection has a previously approved Public Facilities Financing and Implementation Program (PFFIP) funding mechanism in place that will ultimately provide for an upgrade to a grade separated interchange, with interim improvements occurring until that point. It is recommended in the TIS that a condition be approved allowing the applicant to contribute funds to the PFFIP in lieu of off-site improvements at this intersection.

The Planning Board is in agreement with the results of the traffic study. Additionally, the traffic study was reviewed by the State Highway Administration (SHA), the Department of Permitting, Inspections and Enforcement (DPIE), as well as the Department of Public Works and Transportation (DPW&T). In a letter from DPIE to Transportation Planning staff (Hijazi to Masog) dated October 5, 2018, there were no pertinent issues relating to the traffic study. No comments from SHA were received.

Westphalia Public Facilities Financing and Implementation Program (PFFIP)

One of the conclusions cited in the applicant's traffic study was the fact that with monetary contributions towards the construction of the planned interchange at the MD 4/Westphalia Road intersection, the development would meet the requirements for transportation adequacy, pursuant to Subtitle 24 of the County Code.

On October 26, 2010, the County Council approved Council Resolution CR-66-2010, establishing a PFFIP district for the financing and construction of the MD 4/Westphalia Road interchange. Pursuant to CR-66-2010 (Sections 6, 7 and 8), a cost-allocation table (Table) that allocates the estimated \$79,990,000 cost of the interchange to all of the properties within the PFFIP district was prepared. CR-66-2010 also established \$79,990,000 as the maximum cost on which the allocation can be based. The allocation for each development is based on the proportion of average daily trips (ADT) contributed by each development passing through the intersection, to the total ADT contributed by all of the developments in the district passing through the same intersection. The ratio between the two sets of ADT becomes the basis on which each development's share of the overall cost is computed.

All of the intersections deemed critical, when analyzed with the total future traffic as developed using the "Guidelines," were found to be operating at or better than the policy service level, with the exception of the MD 4/Westphalia Road intersection. However, under the provisions of CR-66-2010, the applicant has agreed to provide a commensurate share of the cost to construct an interchange at the intersection of MD 4 and Westphalia Road. Data from the TIS has indicated that the development will generate 1,679 daily trips. However, based on its previous use, the site has been grandfathered with a development right of 684 daily trips from previous approvals. Consequently, this application is being evaluated based on 995 (1679-684) net daily trips. Based on the trip assignment from the TIS, 80 percent of the site daily trips ($995 \times 0.80 = 796$) will pass through the intersection of Westphalia Road and MD 4. Based on 796 daily trips, this site's contribution for the PFFIP was computed as \$752,264.18 (2010 dollars). Based on a GFA of 207,360 square feet, the unit cost would be \$3.63 per square foot. The PFFIP cost allocation table is provided within the record of this application.

Master Plan

The property is located in an area where the development policies are governed by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, as well as the 2009 *Approved Countywide Master Plan of Transportation*. The subject property currently fronts on Westphalia Road, which is designated as a master plan collector (C-626) road within an 80-foot right-of-way. The site plan shows Westphalia Road within 80 feet of right-of-way, hence no additional dedication for this road is required. The master plan also recommended the creation of a new road designated as MC-634 with a 100-foot right-of-way. This planned road will bifurcate the subject property upon its construction. The applicant has agreed to dedicate all 100 feet of the proposed right-of-way within the entirety of the property.

This application does not include the dedication of the extension of Deer Stream Drive, which abuts the subject site to the east. The plans delineate the possible future dedication of this right-of-way on the PPS within Outparcel 1 to connect with the future MC-634. The Planning Board finds the dedication at this time, given the industrial development proposal, is in conflict with the abutting Parkside residential development to the east and therefore not appropriate. The site is subject to Council Bill CB-49-2018 which permits light industrial use on M-X-T-zoned land. This council bill is set to expire on July 1, 2019, at which time, light industrial uses would be nonconforming and the development potential for the site could change. Dedication of the extension of Deer Stream Drive, which would provide vehicular and pedestrian connections to the Westphalia Central Park and Town Center, will be further evaluated and required with the development of Outparcel 1. All other aspects of the site regarding access and layout are deemed to be acceptable.

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision, as required in accordance with Section 24-124 of the Subdivision Regulations.

11. **Public Facilities**—Adequate public facilities for water and sewerage, police, and fire and rescue are adequate to serve the proposed subdivision in accordance with Section 24-122.01 of the Subdivision Regulations, which are further outlined in memorandums dated September 10, 2018 (Branch to Onyebuchi) and September 11, 2018 (Mangalvedhe to Onyebuchi), incorporated by reference herein. In accordance with Section 24-122.02 of the Subdivision Regulations, this proposal will have no effect on public schools as it is a nonresidential use.
12. **Use Conversion**—The total development included in this PPS is 349,860 square feet of GFA for light industrial use. If a revision to the mix of uses or the site layout on the subject property is proposed that affects Subtitle 24 adequacy findings as set forth in the resolution of approval, that revision shall require approval of a new PPS prior to approval of any building permits.
13. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The PPS delineates a ten-foot-wide PUE along Westphalia Road, which is a public right-of-way. The application includes dedication of MC-634 for public use, and delineates a ten-foot-wide PUE along both sides of the major collector right of way. All PUEs will also be required to be reflected on the final plat prior to approval.

14. **Historic**—A Phase I archeology survey was conducted on the subject property in January 2013. Based on results of the Phase I survey, no cultural material was identified, and no archeological sites were delineated. Due to the lack of cultural material or identified archeological sites, no

further work was recommended on the Cambridge Place at Westphalia property. The Planning Board finds that no further archeological investigations are necessary on the property.

There are no Prince George’s County historic sites or resources on or adjacent to the subject property. The development will not adversely affect any historic or archeological resources.

15. **Environmental**—This PPS has been reviewed and a Type 1 Tree Conservation Plan (TCP1) stamped as received on September 6, 2018.

Background

The following applications applicable to the subject site were reviewed:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
DSP-83045	N/A	Staff	Approved	8/24/1983	N/A
DSP-83045-01	N/A	Planning Director	Approved	6/11/2004	N/A
NRI-016-11	N/A	Staff	Approved	11/04/2011	N/A
CSP-11003	TCP1-011-12	Planning Board	Approved	10/24/2013	13-122
4-11012	TCP1-011-12-01	Planning Board	Approved	6/5/2014	14-52
DSP-14021	TCP2-002-15	Planning Board	Approved	7/30/2015	15-79
NRI-016-11	N/A	Staff	Revalidated	8/28/2018	N/A
4-18005	TCP1-011-12-02	Planning Board	Pending	Pending	Pending

Grandfathering

Because the application is for a new PPS, this project is subject to the current County Code.

Master Plan Conformance

The current master plan for this area is the 2007 *Westphalia Approved Master Plan and Sectional Map Amendment*. In the master plan, the Environmental Infrastructure Section contains goals, policies, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on the plan conformance.

Policy 1. Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area.

Strategies:

- 1. Use the sector plan designated green infrastructure network to identify opportunities for environmental preservation and restoration during the review of land development proposals.**

According to the approved Countywide Green Infrastructure Plan pursuant to the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*, the site contains Regulated and Evaluation areas, associated with the stream system and wetlands on and adjacent to the site. The application has demonstrated that the Regulated areas, included in the PMA, have been preserved and/or restored to the fullest extent possible.

2. Preserve 480 or more acres of primary management area (PMA) as open space within the developing areas.

Impacts to regulated environmental features and the PMA have been evaluated under the environmental finding.

3. Place preserved sensitive environmental features within the park and open space networks to the fullest extent possible.

The current application only proposes redevelopment of an existing developed parcel. The remainder of the site is currently proposed to remain undisturbed with green space along the majority of the on-site stream network.

4. Protect primary corridors (Cabin Branch) during the review of land development proposals to ensure the highest level of preservation and restoration possible. Protect secondary corridors (Back Branch, Turkey Branch, and the PEPCO right-of-way) to restore and enhance environmental features, habitat, and important connections.

The site contains headwaters of the Cabin Branch, within the Western Branch watershed. Preservation and restoration of the on-site stream system has been evaluated under the environmental finding.

5. Limit overall impacts to the primary management area to those necessary for infrastructure improvements, such as road crossings and utility installations.

Impacts to the PMA are discussed in detail in the environmental finding.

6. Evaluate and coordinate development within the vicinity of primary and secondary corridors to reduce the number and location of primary management area impacts.

Impacts to the PMA are discussed in detail in the environmental finding.

7. Develop flexible design techniques to maximize preservation of environmentally sensitive areas.

Impacts to environmentally sensitive areas are discussed in detail in the environmental finding.

Policy 2. Restore and enhance water quality of receiving streams that have been degraded and preserve water quality in areas not degraded.

Strategies:

1. Remove agricultural uses along streams and establish wooded stream buffers where they do not currently exist.

The site does not contain agricultural uses.

2. Require stream corridor assessments using Maryland Department of Natural Resources protocols and include them with the submission of a natural resource inventory as development is proposed for each site. Add stream corridor assessment data to the countywide catalog of mitigation sites.

A stream corridor assessment using the Maryland Department of Natural Resources protocol was received by the Environmental Planning Section (EPS) on March 14, 2014, during the review of PPS 4-11012. The stream corridor assessment report indicates that there are six problem areas in the on-site stream system; however, all problem areas that were identified are located on proposed Outparcels 1 and 2. At time of PPS application for Outparcels 1 and 2, the problem areas identified in the assessment must be addressed. It is noted that the stream corridor assessment report identified a failing riser structure in the existing in-stream stormwater management pond on the southern portion of the site.

3. Coordinate the road network between parcels to limit the need for stream crossings and other environmental impacts. Utilize existing farm crossings where possible.

The current application only proposes to redevelop an existing developed parcel. The remainder of the site is currently proposed to remain undisturbed. An evaluation of the undeveloped parcels on the site will be required as part of a development application for those parcels.

4. Encourage shared public/private stormwater facilities as site amenities.

Stormwater management is discussed in detail in the environmental finding.

- 5. Ensure the use of low-impact development (LID) techniques to the fullest extent possible during the development review process with a focus on the core areas for use with bioretention and underground facilities.**

Stormwater management is discussed in detail in the environmental finding.

Policy 4. Plan land uses appropriately to minimize the effects of noise from Andrews Air Force Base and existing and proposed roads of arterial classification and higher.

Strategies:

- 1. Limit the impacts of aircraft noise on future residential uses through the judicious placement of residential uses.**
- 2. Restrict uses within the noise impact zones of Andrews Air Force Base to industrial and office use.**
- 3. Evaluate development proposals using Phase I noise studies and noise models.**
- 4. Provide for adequate setbacks and/or noise mitigation measures for projects located adjacent to existing and proposed noise generators and roadways of arterial classification or greater.**
- 5. Provide for the use of appropriate attenuation measures when noise issues are identified.**

Strategies 1 and 2 are specific to noise associated with Andrews Air Force Base. The subject property is located within the Military Installation Overlay (M-I-O) Zone, Noise Intensity area. Based on the most recent Air Installation Compatible Use (A-I-C-U) Zone study released to the public in 2007 by Joint Air Force Base Andrews, aircraft-generated noise in the vicinity is significant. The noise contours associated with Andrews Air Force Base have been appropriately shown on the TCP1. The northern portion of the site adjacent to Westphalia Road is mapped within the 65 – 69 dB zone. The remainder of the site is mapped in the 70 – 74 dB and 75 – 79 dB zones. The current application proposes commercial/industrial development on the northern portion of the site, located within the areas mapped as 70 – 75 dB. Residential uses are not proposed with this application.

Strategies 3 through 5 apply to traffic generated noise. The site fronts on Westphalia Road, a master planned collector along the frontage, and a small portion is designated as arterial west of the subject site. The arterial portion appears to be associated with the off-ramp from MD 4 (Pennsylvania Avenue). A master planned right-of-way

designated as a Major Collector, MC-634, runs through the site. No roadway designated as arterial or higher is located close enough to the property to warrant concern regarding traffic generated noise.

Summary of Previous Conditions of Approval

The following text addresses previously approved environmental conditions related to the subject application. The respective conditions are in **bold** typeface, the associated comments, additional information, plan revisions and conditions are in standard typeface. Prince George's County Planning Board Resolution No. 13-122 for Conceptual Site Plan, CSP-11003, contains the following conditions that are environmentally-related.

3. **Prior to the signature of the Type 2 Tree Conservation Plan for this site, the liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:**

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber _____ folio_____. Revisions to this TCP2 may require a revision to the recorded easement.”

This condition must be addressed prior to certification of a TCP2.

4. **Prior to acceptance of a preliminary plan of subdivision, the following information shall be provided:**
 - a. **A statement of justification describing how the application meets each of the goals, policies, and strategies of the Environmental Infrastructure Section of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.**
 - b. **A detailed statement of justification for the proposed removal of any specimen trees. The statement of justification shall be based on a detailed site design, including grading and stormwater management, and shall show how each of the required findings have been met by the application.**
 - c. **A stream corridor assessment using the Maryland Department of Natural Resources protocol shall be prepared for any on-site stream restoration efforts.**

- d. A statement of justification for proposed impacts to regulated environmental features that incorporates the findings of the required stream corridor assessment and the goals, policies, and strategies found in the Environmental Infrastructure section of the Westphalia Sector Plan.**
- e. An inventory of scenic and historic features along the site's frontage on Westphalia Road.**
- f. An approved stormwater concept plan with a focus on stormwater facilities designed as amenities using LID techniques. The concept plan shall show the same site layout as the preliminary plan and its associated TCP1.**
- g. A copy of the Erosion and Sediment Control Concept Plan.**

Conditions 4a and 4c were discussed in detail under the Master Plan Conformance section. The remaining conditions are discussed in detail in the environmental finding.

- 9. Prior to the issuance of any building permits within the subject property the evidence of the following certifications shall be provided:**
 - a. The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.**
 - b. A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in CB-3-2012.**

This condition must be addressed prior to the issuance of building permits.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Natural Resource Inventory Plan/Existing Features

A Natural Resource Inventory, NRI-016-11, was approved on November 4, 2011. The plan expired on November 4, 2016, but was given a one-time revalidation for one year, which was approved on August 28, 2018, and provided with this application. The TCP1 and the PPS show all the required information correctly in conformance with the NRI.

No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-011-12-02) was submitted with the preliminary plan application.

The TCP1 submitted with this application comprises the subject parcels 3, 4, 5, and Parcel 1, which was reviewed with PPS 4-11012, and a master plan right-of-way. The total site contains 43.04 acres of woodland in the net tract with 2.91 acres of woodland in the floodplain. The woodland conservation threshold for M-X-T zoning is 9.84 acres (15 percent). The woodland conservation worksheet proposes the removal of 20.54 acres of woodland on the net tract area, and based on the worksheet calculations, the resulting woodland conservation requirement is 16.11 acres. The requirement is proposed to be met with 16.11 acres of woodland preservation on-site.

The worksheet shows 6.39 acres of "woodland retained not part of any requirements," attributed to the area identified as a Master Plan right-of-way (MC-634), to be dedicated with this application. Section 25-122(b)(1)(N)(v) requires that "land dedicated or to be dedicated shall not be counted toward meeting the requirements," and that "land areas dedicated or to be dedicated for future road construction shall be counted as cleared if the associated development is required to construct the road". The application includes the dedication of the road, but construction is not required at this time. Prior to approval of a grading permit for the development of MC-634, an approved Type 2 Tree Conservation Plan (TCP2), or revision to an existing TCP2 will be required and shall show the right-of-way as cleared.

Specimen Trees

Section 25-122(b)(1)(G) of the County Code requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the [Environmental] Technical Manual."

The site contains 34 specimen trees. The current design does not include the removal of any of the specimen trees; however, three specimen trees are located within the master plan right-of-way to be dedicated to the County. Prior to approval of a grading permit for the development of the master plan right-of-way, a variance for the removal of the specimen trees will be required and reflected on an approved Type 2 Tree Conservation Plan (TCP2).

Preservation of Regulated Environmental Features/Primary Management Area

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities.

Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

The site contains regulated environmental features. According to the TCP1, three impacts to the PMA are included for the redevelopment of the site. Impacts 1 and 2, totaling 39,442 square feet were previously approved with CSP-11003, to allow 37,790 square feet of isolated wetland and the associated buffer for development, and 1,652 square feet of wetland and wetland buffer for the installation of a stormwater outfall. Impact 3 is approved with this application for a stormwater outfall to be placed within the PMA and stream buffer.

Statement of Justification (SOJ)

A Statement of Justification was received on October 17, 2018 and includes a request for PMA Impact 3, totaling 1,116 square feet (0.03 acre). This additional impact will create a total of 40,558 square feet of PMA impacts.

Analysis of Impacts

Based on the revised statement of justification (SOJ), the applicant is requesting the additional impact listed, and described below:

Impact 3 is a disturbance of 1,116 square feet (0.03 acre) to the PMA, comprised of a stream buffer, and is for the installation of a stormwater outfall. The outfall is intended to safely transport overflow from a submerged gravel wetland located south of the proposed industrial buildings. The outfall is necessary for the safe, efficient conveyance of stormwater originating from the buildings and parking area.

Based on the level of design information currently available, the limits of disturbance shown on the TCP1 and the impact exhibit, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible. The Planning Board finds that the impacts necessary for the stormwater management outfall (Impact 3) are reasonable for the orderly and efficient development of the subject property.

Soils

The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Urban land complex, Marr-Dodon complex, Potomac-Issue complex, Sassafras-Urban land complex, and Udorthents reclaimed clay and gravel pits. Marlboro and Christiana clays are not mapped on this property.

Scenic and Historic Roads

Westphalia Road is designated a historic road in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and has the functional classification of collector. The MPOT includes a section on Special Roadways, which includes designated scenic and historic roads, and provides specific policies and strategies, which are applicable to this roadway, including to conserve and enhance the viewsheds along designated roadways.

Any improvements within the right-of-way of an historic road are subject to approval by the County under the “Design Guidelines and Standards for Scenic and Historic Roads.”

The 2010 *Prince George’s County Landscape Manual* (Landscape Manual) addresses the requirements regarding buffers on scenic and historic roads. These provisions will be evaluated at the time of the review of the detailed site plan. Adjacent to a historic road, the Landscape Manual requires a Section 4.6 landscape buffer (Buffering Development from Special Roadways) based on the development tier now ESA 2. In ESA 2, the required buffer along a historic road is a minimum of 20 feet wide, to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings. Landscaping is a cost-effective treatment which provides a significant visual enhancement to the appearance of a historic road, which will be evaluated further with review of the detailed site plan.

16. **Urban Design**—Conformance with the following Zoning Ordinance regulations is required for the proposed development at time of the required Detailed Site Plan (DSP) review, including, but not limited to the following:

- Section 27-543(a) regarding the uses allowed in the Mixed Use–Transportation Oriented (M-X-T) Zone;
- Sections 27-544 regarding regulations in the M-X-T Zone;
- Section 27-547(b) regarding the Table of Uses for the M-X-T Zone and;
- Section 27-548 regarding regulations in the M-X-T Zone.

Various industrial uses are permitted in the M-X-T Zone, per Section 27-547 of the Zoning Ordinance. Some types are subject to Footnotes 10 or 13, which both apply to the subject property. The PPS demonstrates conformance to the regulations of Section 27 that are applicable at this time. However, full conformance will be reviewed at the time of the required DSP.

Conformance with Previous Approvals

The site is developed with an existing 142,500-square-foot office and industrial building that was constructed in approximately 1983, pursuant to Detailed Site Plan (DSP-83045). The subject site was later rezoned from the Light Industrial (I-1) Zone to the M X-T Zone through the 2007 Approved Westphalia Sector Plan and SMA.

The property was the subject of CSP-11003 approved for the subject property October 24, 2013 (PGCPB Resolution No. 13-122) with 14 conditions. The CSP approved a square footage range of 162,280 to 243,421 for industrial/retail uses and up to 325-multifamily units. It is noted that the square footage of industrial uses proposed with this application is not consistent with the CSP

approval. However, Section 27-282(g) of the Zoning Ordinance allows a DSP to amend a CSP, which the applicant intends to do for the subject property.

Preliminary Plan 4-11012 was approved on June 5, 2014 (PGCPB Resolution No.14-52), to subdivide existing Parcel C into two parcels; Parcels 1 and 2, with 23 conditions. Subsequently, Detailed Site Plan (DSP-14021) was filed for 301-multifamily units on Parcel 1, and proposed grading for installation of a sewer line and trail connection on Parcel 2, which was approved in July of 2015 (PGCPB Resolution No. 15-79) with 8 conditions. Conformance with any applicable conditions will be reviewed at the time of DSP.

Conformance with the 2010 Prince George's County Landscape Manual

In accordance with Section 27-528(a)(1) of the Zoning Ordinance, the proposed development is subject to the 2010 *Prince George's County Landscape Manual*, specifically Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Conformance with the applicable landscaping requirements will be determined at the time of DSP review.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage (TCC) Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development project that proposes more than 5,000 square feet or greater of GFA or disturbance and requires a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. Compliance with this requirement will be further evaluated at the time of DSP review.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, and Hewlett voting in favor of the motion, and with Commissioners Bailey and Washington absent at its regular meeting held on Thursday, November 15, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of December 2018.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:JO:gh

April 3, 2020

MEMORANDUM

TO: Thomas Burke, Urban Design Section, Development Review Division
VIA: David A. Green, Master Planner, Community Planning Division
FROM: Andrew McCray, Senior Planner, Long Range Planning Section, Community Planning Division
SUBJECT: **DSP-18020 Cambridge at Westphalia.**

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Detailed Site Plan for property outside of an overlay zone.

Location: 8711 Westphalia Road, Upper Marlboro, MD 20774

Size: 68.94 acres

Existing Uses: Vacant Industrial/Office Building Warehouse

Proposal: Industrial Warehouse/Distribution

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan:

This application is located in the established community's area. The vision for the established communities is for context-sensitive infill and low- to medium-density development.

Master Plan:

The 2007 Westphalia Approved Sector Plan and Sectional Map Amendment Plan recommends mixed Commercial and residential land use at the subject property.

Planning Area 78

Community: /Westphalia and Vicinity

Aviation/MIOZ:

Pursuant to Section 27-548 54, of the Zoning Ordinance, Requirement for Height, the applicant should indicate the following information on the plan:

- A. The subject property is in Inner Horizontal Surface – Right Runway
Area Label: D
- B. The maximum height allowed for structures on the subject property.
- C. The height of the proposed structure for this application.

SMA/Zoning:

On August 5, 2019, the District Council approved CB-10-2019, permitting any use allowed in the I-1 Zone (excluding those uses permitted by Special Exception) to also be permitted in the M-X-T Zone under specific circumstances

April 6, 2020

MEMORANDUM

TO: Thomas Burke, Planner Coordinator, Subdivision Section, DRD
VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section, CWPD
FROM: Kim Finch, Master Planner, Environmental Planning Section, CWPD
SUBJECT: **Cambridge at Westphalia; DSP-18020 and TCP2-002-2015-01**

The Environmental Planning Section (EPS) has reviewed the above referenced Preliminary Plan of Subdivision and revised Type 2 Tree Conservation Plan (TCP2) accepted for review on February 28, 2020. Comments were provided in a Subdivision Development Review Committee meeting on March 20, 2020. Revised materials were received on April 2, 2020.

The Environmental Planning Section recommends approval of Detailed Site Plan, DSP-18020 and TCP2-002-2015-01 based on the findings and conditions listed at the end of this memorandum.

Background

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
DSP-83045	N/A	Staff	Approved	8/24/1983	N/A
DSP-83045-01	N/A	Planning Director	Approved	6/11/2004	N/A
NRI-016-11	N/A	Staff	Approved	11/04/2011	N/A
CSP-11003	TCP1-011-12	Planning Board	Approved	10/24/2013	13-122
4-11012	TCP1-011-12-01	Planning Board	Approved	6/5/2014	14-52
DSP-14021	TCP2-002-15	Planning Board	Approved	7/30/2015	15-79
NRI-016-11	N/A	Staff	Revalidated	8/28/2018	N/A
4-18005	TCP1-011-12-02	Planning Board	Approved	11/15/20018	18-117
4-19036	TCP1-011-12-03	Planning Board	Pending	Pending	Pending
DSP-18020	TCP2-002-2015-01	Planning Board	Pending	Pending	Pending

Proposed Activity

The applicant is requesting approval of a detailed site plan and a revised Type 2 Tree Conservation Plan (TCP2-002-2015-01) for the redevelopment of Parcel 1 with the construction of a warehouse and office space and associated site elements.

Grandfathering

This project is subject to the current regulations of Subtitles 24, 25 and 27 that came into effect on September 1, 2010 and February 1, 2012 because the application is associated with a new preliminary plan (4-19036).

Summary of Previous Conditions of Approval

The following text addresses previously approved environmental conditions related to the subject application. The respective conditions are in **bold** typeface, the associated comments, additional information, plan revisions and recommended conditions are in standard typeface.

Conceptual Site Plan, CSP-11003 (PGCPB No.13-122)

Prince George's County Planning Board Resolution No. 13-122 for Conceptual Site Plan, CSP-11003 and Type 1 Tree Conservation Plan, TCP1-011-12, contains the following conditions that are environmentally related.

3. **Prior to the signature of the Type 2 Tree Conservation Plan for this site, the liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:**

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber ____ Folio ____. Revisions to this TCP2 may require a revision to the recorded easement.”

This condition must be addressed prior to certification of a TCP2 but should be limited to woodland conservation provided on Parcel 1 because the currently proposed development is limited to that parcel.

4. **Prior to acceptance of a preliminary plan of subdivision, the following information shall be provided:**
 - a. **A statement of justification describing how the application meets each of the goals, policies, and strategies of the Environmental Infrastructure Section of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.**
 - b. **A detailed statement of justification for the proposed removal of any specimen trees. The statement of justification shall be based on a detailed site design, including grading and stormwater management, and shall show how each of the required findings have been met by the application.**
 - c. **A stream corridor assessment using the Maryland Department of Natural Resources protocol shall be prepared for any on-site stream restoration efforts.**
 - d. **A statement of justification for proposed impacts to regulated environmental**

features that incorporates the findings of the required stream corridor assessment and the goals, policies, and strategies found in the Environmental Infrastructure section of the Westphalia Sector Plan.

- e. An inventory of scenic and historic features along the site's frontage on Westphalia Road.**
- f. An approved stormwater concept plan with a focus on stormwater facilities designed as amenities using LID techniques. The concept plan shall show the same site layout as the preliminary plan and its associated TCP1.**
- g. A copy of the Erosion and Sediment Control Concept Plan.**

Conditions 4a through and 4g were addressed prior to acceptance of PPS 4-19036.

- 9. Prior to the issuance of any building permits within the subject property the evidence of the following certifications shall be provided:**
 - a. The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.**
 - b. A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in CB-3-2012.**

Condition 9.a. is no longer applicable because no residential construction is proposed on Parcel 1. Condition 9.b. must be addressed prior to the issuance of building permits.

Preliminary Plan of Subdivision PPS 4-19036

The above PPS and TCP1-011-1202 have not yet been presented to the Prince George's County Planning Board for a decision.

ENVIRONMENTAL REVIEW

Natural Resource Inventory Plan/Existing Features

A Natural Resource Inventory, NRI-016-11-01, was approved on January 14, 2020 and was provided with this application. The TCP2 and the detailed site plan show the required information correctly in conformance with the NRI. No further revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan (TCP2-002-2015-01) was submitted with the detailed site plan application.

The TCP2 submitted with this application comprises Parcels 1, 2, 3, and 4 (a master plan right-of-way). The gross tract area is 68.94-acres, with 4.25-acres of 100-year floodplain, resulting in a net tract area of 64.69- acres. The total site contains 45.03-acres of woodland in the net tract with 3.63- acres of wooded floodplain. The woodland conservation threshold for M-X-T zoning is 9.70- acres (15 percent). The woodland conservation worksheet proposes the removal of 17.21-acres of woodland on the net tract area resulting in a woodland conservation requirement of 14.01 acres. The requirement is proposed to be met fully with on-site woodland preservation.

The TCP2 shows 4.16 acres of “woodland retained not credited” attributed to the area identified as a Master Plan right-of-way (MC-634). Section 25-122(b)(1)(N)(v) requires that “land dedicated or to be dedicated shall not be counted toward meeting the requirements”, and that “land areas dedicated or to be dedicated for future road construction shall be counted as cleared if the associated development is required to construct the road”. The applicant is proposing to dedicate the road with this application but is not required to construct it at this time. Prior to approval of a grading permit for the development of MC-634, an approved Type 2 Tree Conservation Plan (TCP2), or revision to an existing TCP2 will be required and shall show the right-of-way as cleared.

While the application meets the woodland conservation requirement on-site, there was concern during the review of the PPS and TCP1 about the removal of existing trees along the eastern boundary of the property, adjacent to residential portions of the Parkside development. The *Prince George’s County Landscape Manual* requires the provision of a 40-foot-wide landscaped bufferyard between the differing uses, and staff strongly encouraged the retention of existing trees to provide a robust buffer.

In response to staff comments, the applicant submitted an exhibit on March 27, 2020 to the PPS application which proposed to retain an undisturbed 40-foot-wide buffer yard with existing woodlands and augmentation planting to fulfill the requirements of the Landscape Manual. This was accomplished by a relocation of the sewer and a proposed trail further away from the property line between Westphalia Road and Deer Stream Drive, where the trail was proposed to end. At this point, the sewer right-of-way was proposed to move into the Deer Stream Drive and MC-634 rights-of-way while traversing the property to the southern property line. Adoption of this alternative design has resulted in the retention of more existing woodlands in the southern portion of the site and eliminate the removal of four specimen trees in the south eastern corner of the site. Staff supported adoption of the revised alignment for the sewer right-of-way and relocation of the eight-foot-wide trail in a recommendation of approval with conditions for the TCP1-011-12-03

The most current revision to TCP2-002-2015-01, is consistent with exhibits submitted on March 27, 2020 with the PPS application. Corrections and technical revisions are required to the TCP2 prior to approval, which are provided in the recommended condition at the end of this memorandum.

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the [Environmental] Technical Manual.”

The site contains 34 specimen trees. The applicant originally submitted a Subtitle 25variance for the removal of four specimen trees with the original application.

Subsequently, a realignment of a necessary sewer connection was recently proposed by the applicant and shown on the revised TCP2 which allows for the retention of the four specimen trees. The Subtitle 25 variance request was subsequently withdrawn by the applicant on March 27, 2020.

Preservation of Regulated Environmental Features/Primary Management Area

Impacts to the Regulated Environmental Features (REF) should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management (SWM) facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the Regulated Environmental Features (REF). Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

The site contains REF. With the review of PPS-4-19036 and TCP1-011-12-03, one impact to an isolated wetland and wetland buffer totaling 1,400 sf was proposed for the redevelopment of the site. Staff recommended approval of the impact.

Impacts totaling 40,558 square feet were previously approved with CSP-11003 , to allow 37,790 square feet of isolated wetland and the associated buffer for development, 1,652 square feet of wetland and wetland buffer for the installation of a stormwater outfall, and 1,116 square feet for a stormwater outfall to be placed within the PMA and stream buffer.

Soils

The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Urban land complex, Marr-Dodon complex, Potomac-Issue complex, Sassafras-Urban land complex, and Udorthents reclaimed clay and gravel pits. Marlboro and Christiana clays are not mapped on this property.

Stormwater Management

A conceptual SWM letter #32693-2019-00 and associated plan was approved on October 25, 2019.

Scenic and Historic Roads

Westphalia Road is designated a historic road in the *Approved Countywide Master Plan of Transportation* (November 2009), and has the functional classification of collector. The Master Plan of Transportation (MPOT) includes a section on Special Roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this

roadway, including to conserve and enhance the viewsheds along designated roadways.

Any improvements within the right-of-way of an historic road are subject to approval by the County under the Design Guidelines and Standards for Scenic and Historic Roads.

The Prince George's County Landscape Manual addresses the requirements regarding buffers on scenic and historic roads. These provisions will be evaluated at the time of the review of the detailed site plan. Adjacent to a historic road, the Landscape Manual requires a Section 4.6 landscape buffer (Buffering Development from Special Roadways) based on the development tier (now ESA 2). In ESA2, the required buffer along a historic road is a minimum of 20 feet wide to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings. Landscaping is a cost-effective treatment which provides a significant visual enhancement to the appearance of a historic road.

The Special Roadway buffer must be located outside of the right-of-way and public utility easements, and preferably by the retention of existing good quality woodlands, when possible.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The Environmental Planning Section recommends approval of Detailed Site Plan DSP-18020 and TCP2-002-2015-01 subject to the following recommended findings and conditions.

Recommended Findings:

1. Based on the level of design information currently available and the Limits of Disturbance (LOD) shown on the TCP2, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

Recommended Conditions:

1. Prior to certificate approval of the detailed site plan, the TCP2 shall be revised as follows:
 - a. The correct TCP1 number for this application is TCP2-002-2015-01, which should be referenced consistently on the plan and in the EPS approval box.
 - b. Revise the TCP Approval Block to add the prior approval of TCP2-002-2015, add associated information in standard font, and add information related to the -01 revision.
 - c. Remove woodland preservation from public utility easements. All existing woodland in PUEs should be identified as "Woodland Retained – Assumed Cleared".
 - d. Any retaining walls shall be setback 10-feet from the PMA to allow for construction and maintenance without disturbance to the PMA.
 - e. Woodland conservation areas shall be setback 10-feet from any retaining wall to allow for construction and maintenance without disturbance to the PMA.
 - f. Add a label to Westphalia Road indicating that it is a designated historic road, and show the location of the Section 4.6 landscape buffer (Buffering Development from Special Roadways) on the plan, and outside of the P.U.E.
 - g. Remove the "proposed tree line" from the plan. The LOD line is sufficient.
 - h. Provide a key sheet on the plan identifying the location of individual plan sheets.
 - i. Revise the TCP2 as applicable to be consistent with any other revisions required to the detailed site plan.
 - j. Revise all notes, worksheets, and tables to correctly reflect revisions to the TCP1, and be consistent with the PPS. The correct amount of previously dedicated right-of-

- way is 0.00-acres.
- k. Make any technical revisions required for consistency with the Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual (ETM).
 - l. Revise Note 2 provided on all plan sheets:
 - “Note 2. Temporary Tree protection devices and signs to be installed prior to the start of construction. Permanent tree protection signage shall be installed prior to issuance of use and occupancy permit(s).”
 - m. The liber and folio of the recorded woodland and wildlife habitat conservation easement for Parcel 1 shall be added to the standard Type 2 Tree Conservation Plan notes on the plan as follows:
 - “Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber ____ Folio____. Revisions to this TCP2 may require a revision to the recorded easement.”
 - n. Prior to signature approval of the TCP2 have the property owner sign the Owner’s Awareness Certificate.
 - o. Have the revised plan signed and dated by the qualified professional preparing the plan.
2. Prior to the issuance of any permits, which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

If you have any questions concerning these comments, please contact me at 301-952-3506 or by e-mail at kim.finch@ppd.mncppc.org.

Countywide Planning Division
Transportation Planning Section

301-952-3680

April 4, 2020

MEMORANDUM

TO: Tom Burke, Urban Design Section, Development Review Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM: Glen Burton, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-18020 TC Midatlantic Development II, Inc.

Proposal: This application proposes the construction of a 362,880 square-foot facility that will be used for warehouse/distribution and office.

Background: This property has been the subject of several development review applications. Among those applications are the following:

- CSP-11003 10/24/2013
- 4-11012 06/05/2014
- DSP-14021 07/30/2015
- 4-18005 11/15/2018

All those applications have been approved with various transportation conditions. On February 19, 2020, a Preliminary Plan of Subdivision (PPS) 4-19036 was filed for the subject property. That PPS application is companion with the subject detailed site plan (DSP), and both are going through the development review process concurrently. Because the PPS 4-19036 application has not been approved as of this writing, staff cannot confirm the conformance of the pending DSP to a previously approved PPS. Staff can confirm however, that the square footage of the building in the subject application is identical to the building proposed in the PPS. This will confirm that the pending trip cap in the PPS will not be exceeded. According to the applicant's statement of justification, this DSP is approved, it will supplant the previous approval of CSP-11003 and the associated conditions of approval.

Master Plan and Site Access

The property is in an area where the development policies are governed by the 2007 *Approved Westphalia Sector Plan* and sectional map amendment, as well as the 2009 *Approved Countywide Master Plan of Transportation*. The subject property currently fronts on Westphalia Road, which is designated as a master plan collector (C-626) road within an 80-foot right-of-way. The site plan shows Westphalia Road within 80-feet of right-of-way, hence no additional dedication for this road is required. The master plan also recommended the creation of a new road designated as MC-634 within a 100-foot right-of-way. This planned road will bifurcate the subject property upon its construction.

The applicant has agreed however, to dedicate all 100-feet of the proposed right-of-way within the entirety of the property. The applicant is also proposing the extension of Deer Stream Drive to connect with the future MC-634. Staff supports this future connection.

Staff finds the circulation on the proposed site to be acceptable. Regarding parking, the applicant is providing 284 spaces while only 122 spaces are required. Parking is therefore adequate.

Conclusion

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a detailed site plan.

April 11, 2020

MEMORANDUM

TO: Thomas Burke, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division

SUBJECT: Detailed Site Plan Review for Pedestrian and Bicycle Transportation Master Plan Compliance

The following detailed site plan (DSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation (MPOT)* and the *2007 Approved Westphalia Sector Plan* and sectional map amendment (area master plan) to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP-18020

Development Case Name: Cambridge at Westphalia

Type of Master Plan Bikeway or Trail

Municipal R.O.W.	<u> </u>	Public Use Trail Easement	<u> X </u>
PG Co. R.O.W.	<u> X </u>	Nature Trails	<u> X </u>
SHA R.O.W.	<u> </u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> X </u>
Sidewalks	<u> X </u>	Trail Access	<u> X </u>

Preliminary Plan Background	
Building Square Footage (non-residential)	324,480 Square-Foot Warehouse / 38,400 Square-Foot Office
Number of Units (residential)	N/A
Abutting Roadways	Westphalia Road, Deer Stream Drive
Abutting or Nearby Master Plan Roadways	Westphalia Road, Planned MC-634, Planned C-627, MD 4
Abutting or Nearby Master Plan Trails	Planned Side Path: Presidential Parkway Side Path, Westphalia Road Side Path Planned Shared Roadways: D’Arcy Road
Proposed Use(s)	Industrial
Zoning	M-X-T
Centers and/or Corridors	N/A
Prior Approvals on Subject Site	CSP-11003, 4-18005, 4-19036

Previous Conditions of Approval

Conceptual Site Plan (CSP)-11003 and Preliminary Plan of Subdivision (PPS) 4-18005 contain prior conditions of approval relevant to pedestrian and bicycle transportation for the subject property. This property is also subject to a pending preliminary plan of subdivision, 4-19036, TC Mid Atlantic; this preliminary plan of subdivision will replace 4-18005.

Per Condition 14 of CSP-11003:

14. A comprehensive and safe pedestrian network shall be provided. A pedestrian and bikeway facilities plan shall be provided with the preliminary plan or detailed site plan, as appropriate, that demonstrates how these pedestrian connections can be provided for the entire area of the CSP, and provide a timeline for the implementation of those connections. The following items shall be addressed in the pedestrian and bikeway facilities plan:
 - (a) Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.
 - (b) Additional consideration shall be paid to providing safe pedestrian route across Westphalia Road.
 - (c) Linkage of private recreational facilities to trails via a ten-foot-wide asphalt master planned trail along the Cabin Branch and eight-foot-wide trail connectors to the neighborhoods.
 - (d) Pedestrian connectivity from the existing industrial building to Westphalia Road and the proposed multifamily development.
 - (e) Connections to transit facilities including but not limited to bus stops.

The items evaluated within the connectivity plan are subject to modification by staff for final review by the Planning Board.

Comment: The applicant has proposed a pedestrian network that supports the conceptual site plan conditions. Staff recommend that sidewalks be built on both sides of Deer Stream Drive and the applicant provide an exhibit showing the proposed cross sections for both MC-634 and Deer Stream Drive.

The proposed subject property is currently under review as Preliminary Plan of Subdivision 4-19036. A recommended condition of approval has been added to 4-19036 which require that the applicant provide the following:

- a. a minimum eight-foot-wide concrete or asphalt sidepath along the subject site frontage of Westphalia Road, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.
- b. a minimum eight-foot-wide concrete or asphalt sidepath along one side of master plan road MC-634, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.
- c. a standard sidewalk along one side of master plan road MC-634, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.

- d. standard sidewalks along both sides of Deer Stream Drive, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.
- e. a minimum of three inverted-u shaped bicycle racks placed at a location convenient to the entrance of the proposed building.
- f. a continental style crosswalk crossing Westphalia Road that connects the sidewalk on the north side of Westphalia Road and the trail along the eastern side of the subject site, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence.

Comment: The submitted detailed site plans indicate the eight-foot-wide sidepath along Westphalia Road and the crosswalk crossing Westphalia Road. The submitted plans also indicate proposed right-of-way dedication widths for MC-634 and Deer Stream Drive, 100 feet and 60 feet respectively, which have enough space for the recommended sidewalks and sidepath. Staff recommend the applicant provide prior to certification an exhibit illustrating the road cross sections for both MC-634 and Deer Stream Drive to demonstrate the necessary sidewalk and sidepath facilities. The plans also indicate space near the entrance of the building for bicycle parking, however there is no detail about the rack style. Staff recommend that the applicant provide a detailed exhibit showing the Inverted-U style bicycle rack.

The applicant has proffered to construct and provide maintenance for the 8-foot north-south trail which runs adjacent to the eastern edge of the property. Staff support the location of the trail which provides pedestrian connectivity to Westphalia Road and the community center across the street, while maintaining the full landscape buffer with the residential community to the east. The applicant has provided an exhibit which provides details regarding the dimensions and the final location of the trail.

Per Condition 1(a-b) of 4-18005:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:
 - a. Update the Pedestrian and Bikeway Facilities Plan to incorporate the proposed future dedication of Deer Stream Drive on the subject site. The trail along MC-634 shall be relabeled as a Master Plan side path.
 - b. Revise the plans to show the side path along MC-634 as delineated on the Pedestrian and Bikeway Facilities Plan (Applicant's Exhibit A).

Comment: The applicant provided a pedestrian network exhibit that indicates the recommended facilities listed above.

Existing Conditions, Sidewalks and Bike Infrastructure

The subject property is located along the south side of Westphalia Road, approximately 0.50 miles east of the I-495 and Pennsylvania Avenue (MD 4) interchange. There are four-foot-wide sidewalks currently in place along the subject property's frontage of Westphalia Road. The subject property is bound to the east by the Parkside subdivision, formerly known as Smith Home Farm, and to the south and west by various industrially zoned properties.

There is no existing bicycle infrastructure along Westphalia Road in the vicinity of the subject property. The portion of Westphalia Road that is fronted by the subject property is a planned side path per the MPOT.

Review of Master Plan Compliance

This development case is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT), which recommend the following facilities:

- MC-634 Sidepath
- Westphalia Road sidepath

Comment: The submitted plans reflect the planned construction of MC-634 with adequate right-of-way to provide a sidepath, and the Westphalia Road sidepath. Staff recommend that the applicant provide an exhibit prior to certification that demonstrates the roadway cross section for MC-634 including the recommended sidepath.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommend how to accommodate infrastructure for people walking and bicycling:

- POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.
- POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.
- POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.
- POLICY 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

Comment: The applicant's submission features an 8-foot-wide trail adjacent to the eastern edge of the property, and an eight-foot-wide sidepath along the Westphalia Road frontage. The submission also displays MC-634, which features an MPOT designated planned sidepath. The future extension of Deer Stream Drive will connect to MC-634 that provides an additional opportunity for bicycle friendly roadways to be planned with new road construction. Staff recommend that the applicant provide cross sections for both MC-634 and Deer Stream Drive prior to certification to reflect the recommended pedestrian and bicycle facilities.

This development is subject to 2007 *Approved Westphalia Sector Plan* and sectional map amendment. A bicycle/pedestrian trail network is displayed as Map 11 (p.45). The Hiker/Biker/Equestrian trail displayed is no longer feasible in its planned location, however the proposed trail on the eastern side of the property will provide similar access as the trail in the plan.

Within the 2007 *Approved Westphalia Sector Plan* and sectional map amendment, the subject property falls within the Industrial Areas category per Map 4: Land Use (p.19) and per Policy 6 - Industrial Areas - Strategies (p.32):

- Provide access to industrial sites by means of pedestrian trails and public transit, as well as public roads.

Comment: Upon the completion of MC-634 which will feature a sidepath, access to the site by bike way will be greatly improved. The portion of Westphalia Road that fronts the subject property is also a planned sidepath and the submitted plans indicate an eight-foot-wide sidepath. Additionally, the Prince George's County 20 Bus, which originates at the Addison Road Metro, has a stop at the intersection of Westphalia Road and Pennsylvania Avenue that can serve the project vicinity.

Conclusion

- Prior to certification, the applicant, the applicant's heir, successors and/or assignees shall provide:
 - a cross sections for MC-634 that include a sidepath and sidewalk,
 - a cross section for Deer Stream Drive that includes sidewalks on both sides,
- The applicant shall also revise the detailed site plan to include:
 - A detail of the Inverted-U style bicycle rack.

March 2, 2020

MEMORANDUM

TO: Thomas Burke, Urban Design Review, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division *HB*

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

SUBJECT: DSP-18020 Cambridge at Westphalia

The subject property comprises 68.94 acres located at 8711 Westphalia Road on the south side of Westphalia Road, approximately 1,440 feet west of Melwood Drive. The subject application proposes the redevelopment of Parcel 1 for approximately 38,400 square-feet of office space and 324,480 square-feet of warehouse. The subject property is Zoned M-X-C.

A Phase I archeology survey was conducted on the subject property in January 2013. Based on results of the Phase I survey, no cultural material was identified, and no archeological sites were delineated. Due to the lack of cultural material or identified archeological sites, no further work was recommended on the Cambridge Place at Westphalia property. Staff concurs that no further archeological investigations are necessary on the property.

There are no Prince George's County Historic Sites or resources on or adjacent to the subject property. The proposed development will not adversely affect any historic or archeological resources. Historic Preservation staff recommend approval of DSP-18020 Cambridge at Westphalia with no conditions.

March 16, 2020

MEMORANDUM

TO: Thomas Burke, Urban Design
FROM: Jason Bartlett, Permit Review Section, Development Review Division
SUBJECT: Referral Comments for DSP-18020, Cambridge at Westphalia

1. **PARKING:**

Per Sec. 27-574(a), the number of parking spaces required in the M-X-T Zone shall be determined by the Planning Board.

2. **SIGNS:**

Per Sec. 27-613(f)(1) and Sec. 27-614, the design standards for all signs in the M-X-T Zone shall be determined by the Planning Board, although it does not appear that signs are being proposed with this development.

3. **ZONING REGULATIONS:**

In general, and per Sec. 27-548(c), zoning regulations in the M-X-T zone shall be determined by the Planning Board, however, applicant must meet the FAR requirements of Sec. 27-548(a).

4. **LANDSCAPING:**

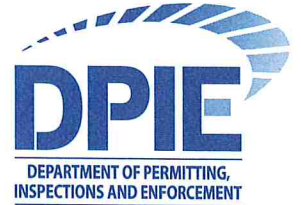
Per Sec. 27-548(d), landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual, which is subject to regulations that are determined by the Planning Board, as noted in comment 3.

***** END OF COMMENTS *****



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

March 27, 2020

TO: Thomas Burke, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary Giles, P.E., Associate Director
Site/Road Plan Review Division, DPIE *Mary C. Giles* 4/9/2020

RE: Cambridge at Westphalia
Detailed Site Plan Case No. DSP-18020

CR: Westphalia Road

CR: Master Plan Road MC-634

In response to the Detailed Site Plan Case No. DSP-18020 referral, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located on the south side of Westphalia Road, approximately one-half mile east of its intersection with Pennsylvania Avenue (MD 4).
- The existing/proposed roadway layout are to be constructed in accordance with County roadway standards. These roadways are to be consistent with the approved Master Plan for this area.
- Westphalia Road is County-Maintained roadway. Right-of-way dedication of width 80' and frontage improvements as per DPW&T's Urban 4-Lane Collector Road standard (i.e. STD 100.03) is required.
- Deer Stream Drive has right-of-way width of 60'. Right-of-way dedication and construction shall be in accordance with DPW&T's Specifications and Standards for Urban Primary Residential Road (i.e. STD 100.06).
- Master Plan Road MC-634 of 100' right-of-way width lies within the property limits. Right-of-way dedication and road construction in accordance with DPW&T's Specifications and Standards for Urban major collector road (i.e. STD 100.02) is required.

9400 Peppercorn Place, Suite 230, Largo, Maryland 20774
Phone: 301.636.2060 ♦ <http://dpie.mypgc.us> ♦ FAX: 301.925.8510

- Traffic Impact Analysis (TIA) shall be provided for a review.
- On the site access along Westphalia Road; acceleration, deceleration and left turn lanes shall be provided.
- The site entrance shall be relocated further to the east as it is very close to the abutting property and there will not be sufficient right-of-way to provide the required deceleration lane. The relocated entrance needs to fulfill the minimum required intersection and stopping sight distance.
- The applicant needs to provide adequate sight distance in accordance with AASHTO standards for all intersections within the site.
- Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance. Any new sidewalk installation is to match existing sidewalks in the area. Additionally, sidewalks must be kept open for pedestrians at all times.
- Conformance with DPIE and/or DPW&T street tree and street lighting Specifications and Standards is required, with lighting fixtures to match those in existence in the area. Adjustments to street lighting, where necessary to accommodate the improvements constructed under this scenario, are required. In accordance with Section 23-141 of the Prince George's Road Ordinance, roadside trees will be required within the limits of the permit area.
- Full-width, 2-inch mill and overlay for all existing County, roadway frontages are required.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required, by the applicant.
- Compliance with DPW&T's Utility Policy is required. Proper temporary and final patching and the related mill and overlay in accordance with the established "DPW&T's Policy and Specification for Utility and Maintenance Permits" are required.

Thomas Burke
March 27, 2020
Page 3

- Street construction permits and or site development fine grading permits are required for improvements within public roadway rights-of-ways, and for the proposed private internal roadways. Maintenance of private streets is not the responsibility of Prince George's County.
- The proposed Detailed Site Plan shows additional impervious area from the approved Stormwater Management Concept Plan Case No. 32693-2019-0. A revised stormwater management computation shall be provided during technical review.
- revision to the Stormwater Management Concept Plan is required.
- All stormwater management facilities and drainage systems are to be constructed in accordance with the Specifications and Standards of the DPIE and DPW&T. Approval of all facilities are required, prior to permit issuance.
- Approved 100-year floodplain delineation is required to reflect the completed stream mitigation work.
- All easements are to be approved by DPIE and recorded prior to technical approval.
- A maintenance agreement is to be approved by DPIE and recorded prior to technical approval.
- A soils investigation report, which includes subsurface exploration and a geotechnical engineering evaluation is required.

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.636.2060.

MA:SJ:dar

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
Selam Jena, Engineer, S/RPRD, DPIE
Bohler Engineering, 16701 Melford Blvd, Suite 310, Bowie,
Maryland, 20715
TC Midatlantic Development INC, 1055 Thomas Jefferson Street
Washington DC, 20007



Division of Environmental Health/Disease Control

Date: March 10, 2020

To: Thomas Burke, Urban Design, M-NCPPC

From: Adebola Adepaju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-18020, Cambridge at Westphalia

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan submission for the Cambridge at Westphalia and does not have comments / recommendations at this time.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepaju@co.pg.md.us.



Environmental Engineering/Policy Program
Largo Government Center
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**INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT**



M E M O R A N D U M

DATE: March 17, 2020
TO: Planning Coordinator, Urban Design Application Section
Development Review Division
FROM: Captain Wendy Contic, Assistant Commander, Planning & Research Division
SUBJECT: DSP-18020 Cambridge at Westphalia

Upon review of these site plans, there are no comments at this time.

Additional Back-up

For

DSP-18020

Cambridge At Westphalia

From: [Arthur Horne](#)
To: [Burke, Thomas](#)
Cc: [Kosack, Jill](#)
Subject: Maty 7, 2020 MNCPPC Planning Board Agenda Item number 7..... CSP 11003 and DSP-18020 CAMBRIDGE AT WESTPHALIA..... proposed Applicant's exhibit #1
Date: Monday, May 4, 2020 5:04:56 PM

Re: May 7, 2020 MNCPPC Planning Board
Agenda item number 7...

CSP 11003 and DSP-18020 CAMBRIDGE AT
WESTPHALIA..... proposed Applicant's
exhibit #1

Good afternoon Mr. Burke:

With reference to the above listed case matter, the applicant would like to propose to the MNCPPC Planning Board, one amendment to the list of proposed conditions to be introduced as applicant's exhibit number 1. The change is to condition 1m, shown below as it currently exists within the MNCPPC staff report, and shown below as proposed to be changed with the word additions underlined in blue and word deletions stricken in red.

m. Move the site entrance on Westphalia Road to the east in conformance with the Prince George's County Department of Permitting, Inspections and Enforcement comments.

m. **Move Relocate** the site entrance on Westphalia Road to the east ~~in conformance with~~ as reviewed and approved by the Prince George's County Department of Permitting, Inspections and Enforcement ~~comments.~~

-

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Arthur J. Horne Jr.

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