

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 October 31, 2013 regarding Detailed Site Plan DSP-13006 for Westphalia Town Center, Phase I, the Planning Board finds:

1. **Request:** The application is for approval of a DSP for the first phase of the Westphalia Town Center development of 348 townhouse units (323 rear-loaded garage units and 25 front-loaded garage units).
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Commercial, Retail, Office, Hotel and Residential Uses	Commercial, Retail, Office, Hotel and Residential Uses
Acreage	90.23	90.23*

Note: *Westphalia Town Center is a multi-phase development project that covers a total land area of 478.48 acres.

Additional Development Data

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

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

Parking Data

	REQUIRED	APPROVED
348 Townhouses		
(2.04 spaces per unit)	710	840
Of which Street parking spaces	-	129
2-car garage spaces	-	548
1-car garage spaces	-	74
Off-street parking spaces	-	89
Physically handicapped spaces	7*	7

Note:*Calculation of the required parking spaces for the physically-handicapped does not include any garage spaces associated with the proposed townhouse units.

3. **Location:** The larger Westphalia Town Center property is located on the north side of Pennsylvania Avenue (MD 4), west of Melwood Road and east of the interchange of Suitland Parkway and Pennsylvania Avenue, in Planning Area 78, Council District 6, within the Developing Tier of the county. The site covered in this DSP for Phase I is located in the middle of the town center project adjacent to the commercial center to its west.

4. **Surrounding Uses:** The larger 478.48-acre parcel of land in the M-X-T (Mixed Use-Transportation Oriented) Zone is in the middle of the northern end of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA) area, adjacent to the right-of-way of Pennsylvania Avenue (MD 4). To the north of the site is the Smith Home Farm development in the R-M (Residential Medium Development) Zone; to the east of the site are existing single-family houses and open spaces in the R-O-S (Reserved Open Space), R-A (Residential-Agricultural), and R-S (Residential Suburban Development) Zones; to the west of the site are properties in the M-X-T Zone. The Phase I site is located within the geographic center of the larger town center project and is surrounded to the west by the commercial center, to the north and east by future residential (townhouse and single-family detached), and to the south by planned hotel and multifamily family development in the M-X-T Zone.

5. **Previous Approvals:** The Westphalia Sector Plan and SMA rezoned the larger property, consisting of many smaller parcels, from the I-1 (Light Industrial), I-3 (Planned Industrial/Employment Park), and R-A Zones to the M-X-T Zone as shown on Exhibits 44 and 45 of the plan, which outlines the vision for the subject property. The property is also the subject of a Conceptual Site Plan, CSP-07004, previously approved by the Prince George’s County District Council on May 8, 2009 and subject to a revised order issued by the District Council on June 8, 2009. The property is also the subject of a second revised order issued by the District Council on September 21, 2009. The Planning Board approved a revision to CSP-07004 on May 20, 2010 to allow the development of the Moore Property to proceed prior to development of other portions of the Westphalia Town Center project. Conceptual Site Plan CSP-07004-01

(PGCPB Resolution No.10-59(C)) completely superseded CSP-07004 for the rest of the Westphalia Town Center development project.

An infrastructure Detailed Site Plan, DSP-12017, for Phase I that covers 119 acres of the land was approved by the Planning Board (via PGCPB Resolution No. 12-99) on October 18, 2012.

A special purpose Detailed Site Plan, DSP-12043, was approved by the Planning Board (via PGCPB Resolution No. 13-51) on May 16, 2013.

An umbrella DSP for residential architecture, DSP-13001, was approved by the Planning Board on September 26, 2013.

The property is also the subject of approved Stormwater Management Concept Plan 44782 2007-01 dated February 18, 2011, which is valid for three years until February 18, 2014.

6. **Design Features:** The subject site covers the middle portion of the residential section of the overall Westphalia Town Center project, which has a total land area of 478.48 acres. Approximately 90.23 acres of land are included in this DSP. A total of 348 townhouse units surround a large circle, known as East Circle, shown on the site plan. The specific design of the circle as a community gathering place is included in previously approved special purpose DSP-12043 under the section of public open space, which identifies public and civic spaces, community open spaces, and stormwater management ponds, as well as, neighborhood pocket parks. The specific townhouse models that will be used in this DSP are included in the umbrella DSP for residential architecture, DSP-13001. Other DSP elements such as signage, appropriate locations for transit stops, details of public open spaces, and public trails covered in this DSP will be governed by the previously approved DSP-12043.

The rectangular site is surrounded on four sides by public rights-of-way: to the south by Presidential Parkway, to the north by Meridian Hill Road, to the east by Manor Park Road, and to the west by Glover Park Road. Woodyard Road is designed with wide medians and connects to East Circle to the east and west street; Observatory Place crisscrosses the DSP at East Circle into four distinctive blocks. Each block has one wide row of townhouses (32-foot-wide units) surrounding East Circle and the rest of the townhouses are 16-, 20-, and 24-foot-wide units. All of the townhouses have a distinct front façade and front on perimeter streets. Alleys provide the main access to the proposed townhouses. Each model has a minimum one-car garage. Large models have two-car garages. Parallel on-street parking is proposed extensively to create an urban character to the development and to provide additional parking for future visitors. Green mews have been used between the internal building sticks. The siting of the townhouses has been designed to avoid the fronts directly facing the rears of each dwelling unit. However, in Block G, three townhouses (54, 55, and 56) are backing directly toward the fronts of other townhouses. Between the fronts and rears of the townhouses, there are six parking spaces and an alley. The triangular space between the said townhouses and the parking spaces is so constrained that not enough landscaping can be provided to establish an effective screening. Given the high density of this development and the lack of green public open spaces and additional parking essential for the

function of the block, the Urban Design Section recommends that the three townhouse units described above be removed in order to provide green space and additional parking for this block. For comparison purposes, of the four blocks proposed in this DSP, Block G is the only block that does not have any green open space within the block. Three other blocks have a centrally-located neighborhood green open space. A condition has been included in this resolution to require the applicant to remove the three units and provide a neighborhood green space with amenities.

Due to a scheduling conflict with the Maryland State Highway Administration's (SHA) Woodyard bridge renovation project, the applicant proposes a temporary access off Melwood Road. This proposed access will provide an alternative connection to the site instead of using the intersection of Woodyard Road and Pennsylvania Avenue (MD 4), as previously planned. The access roadway will be a 60-foot-wide right-of-way and will pass through the portion of Westphalia Center that has been envisioned for a shopping center in the future. The site of the shopping center is roughly graded under previously approved DSP-12017. Use of this access point and the right-of-way is temporary and mainly for construction purposes. However, the applicant proposes that the right-of-way may be utilized by future residents if the planned permanent transportation facilities are not completed. There is no other access available until the development of the commercial section of the town center starts. The 60-foot-wide right-of-way should be used by limited residential traffic because the previous traffic impact study for this development does not include it. A condition has been included in this resolution that requires the applicant to properly note this temporary right-of-way on the site plan. In addition, the applicant should also terminate the use of the right-of-way as soon as the permanent transportation facilities at the intersection of Woodyard Road and Pennsylvania Avenue are available, or prior to issuance of the 150th use and occupancy permit of the townhouses included in this application, whichever comes earlier.

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance as follows:
 - a. The subject application is in conformance with the requirements of Section 27-547, which governs permitted uses in all mixed-use zones. The proposed townhouse units of various frontage widths are a permitted use in conformance with Section 27-547.
 - b. This DSP is in conformance to the applicable site design guidelines as referenced in Section 27-283 and contained in Section 27-274, as previously established at the time of CSP-07004-01 approval regarding parking and circulation, lighting, green areas, amenities, grading, and public spaces, as well as townhouses.
 - c. Section 27-546, Site Plans, has additional requirements for approval of a DSP in the M-X-T Zone as follows:
 - (d) **In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:**

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

The purposes of the M-X-T Zone as stated in Section 27-542 are as follows:

Section 27-542. Purposes.

- (a) **The purposes of the M-X-T Zone are:**

- (1) **To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers 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 DSP is Phase I of a larger project known as Westphalia Town Center, which is designated as a regional center by the *Prince George's County Approved General Plan* and may in the future include a major transit stop. The overall development plan will allow for an orderly development of land in the vicinity of three major interchanges along Pennsylvania Avenue (MD 4). The proposed town center will enhance the economic status of the county and provide desirable employment, living, and entertainment opportunities for its citizens.

- (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;**

Phase I included in this DSP is for residential use only, but the development is recommended by the sector plan and the entire layout is compact and walkable. As one of the phases of a larger mixed-use development, this DSP will help to create a compact, mixed-use, and walkable neighborhood, including a mix of residential, commercial, recreational, open space, employment, and institutional uses as anticipated in the approved Conceptual Site Plan, CSP-07004-01.

- (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 overall development plan takes full advantage of the development potential of the site, allowing for both public and private development as well as mix of various uses that create a viable town center. This DSP is the first step in implementing the vision as approved in the town center 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;**

The overall development plan for the town center locates a mix of residential and nonresidential uses in proximity to one another, particularly in the core where uses may be mixed within the same building. The design will facilitate walking and bicycling, and will be well suited for the development of transit services. This DSP present a compact residential section around one of the major public open spaces known as Eastern Circle with a complete pedestrian system connecting to surrounding destinations. The entire design is consistent with the previously approved CSP for this residential section, which is located in proximity to the proposed commercial main street of the Westphalia Center.

- (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 mix of uses provided within the overall development plan will facilitate and encourage a 24-hour environment. This DSP includes the residential section of the previously approved CSP. When the project is fully built-out, the town center will achieve maximum activity and interaction between the uses and those who live, work, and entertain in the area.

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

The larger CSP plan proposes an appropriate horizontal and vertical mix of land uses. This DSP is Phase I of the larger development including only residential development.

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

The individual uses will coexist in a common urban environment with a distinctive character and identity. This residential section has a very unique design character around four residential blocks. Each block has its own village green area and is designed by using alley system. The design of individual buildings utilizes various urban features to create a distinctive urban block pattern with visual identity and character.

(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;

The overall development plan will promote optimum land planning through compact development, which will concentrate multiple uses in close proximity to ensure economies of scale and savings in energy. The residential section included in this DSP also has a compact dense form around a large circular public space with recreational facilities. Stormwater will be retained on-site. In addition, various green building techniques will be applied both at the site level and building level. The public facilities and infrastructure of parking and roadways in this project also serve the larger town center development.

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

The overall development plan proposes a variety of dwelling unit types and flexible ranges of commercial and office development which will allow for appropriate responses to the market, promoting economic vitality, and investment. The residential

section in this DSP also includes various townhouse types with lot widths of 16, 20, and 24 feet. With numerous design options that can be chosen from, the final residential products in this DSP will permit a flexible response to the market.

- (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.**

All residential architectural models used in this DSP have been approved in an umbrella DSP for residential architecture. The approved umbrella DSP-13001 also includes a review process that allows the applicant to select different architectural options, such as type of roof, elevation, building material, color, and other features, to assemble a final residential product. This umbrella approach allows maximum flexibility in residential architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

This DSP is the next step toward implementation of the land use and development patterns envisioned in previously approved CSP-07004-01. The DSP provides uses, density, lotting patterns, and street patterns that are consistent with the previously approved plan. The models for the townhouse units are those approved in the umbrella DSP-13001 for residential architecture. Other site plan elements such as signage, public open space design, public trails, and transit stops are governed by previously approved special purpose DSP-12043. This DSP conforms to the purposes and other provisions of the M-X-T Zone with respect to promoting the orderly development of land and creating dynamic functional relationships among individual uses with a distinctive visual character and identity.

- (2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The subject Westphalia Town Center property was placed in the M-X-T Zone through the Westphalia Sector Plan and SMA. This DSP only covers

approximately 90 acres of the Westphalia Town Center property and includes eight percent of the total attached dwelling units. The site plan is designed around the large public space known as Eastern Circle, with four distinctive residential blocks. The site layout and the proposed residential blocks and alley system are in general conformance with the design guidelines, or standards intended to implement the previously approved development concept recommended by the sector plan.

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

This DSP is the first phase of Westphalia Center, which was approved as a planned regional urban community. The proposed development included in this DSP is the first phase of the planned residential section, which is physically integrated with the adjacent planned community that is to be developed in subsequent phases. The proposed development helps to create an ultimate cohesive regional urban community, which is both physically and visually united and will greatly improve the image of the immediate community, which is predominantly undeveloped.

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

The 348 townhouses proposed in this DSP are compatible with the rest of the planned regional urban community based on the previously approved overall CSP. This DSP is designed with a grid street system within four blocks around a public green circle to achieve a development with a unique character that is compatible with the proposed development in the vicinity.

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

This DSP contains only the first phase of the planned residential development of a larger mixed-use project, which includes residential, commercial, retail, office, and hotel. The arrangement and design of the buildings, landscaping, and other improvements, and the provision of public amenities is consistent with those as previously approved in CSP-07004-01. This DSP is one step closer to realizing the land use vision of the CSP and will help in creating a unique and cohesive independent town center for the Westphalia area.

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

The Westphalia Town Center project is a multi-stage development for a mixed-use, master-planned, regional urban community consisting of up to 5,000 single-family detached, single-family attached, and multifamily dwelling units; approximately 5,900,000 square feet of commercial retail and office space; and three hotels with up to 600 rooms. According to previously approved CSP-07004-01, the Westphalia Town Center will be developed in five phases and each phase is designed to allow for effective integration of subsequent phases as a self-sufficient entity. This DSP is the first phase of the residential section and is the implementation of the previously approved staging plan, which will allow for effective integration of the subsequent phases.

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

An extensive pedestrian system consisting of master plan trails, bikeways, and sidewalks on all internal streets has been planned for the Westphalia Town Center, as well as the adjacent areas. The system is connected to all major destinations within the development and is convenient and comprehensively designed. A comprehensive network of sidewalks will ensure that non-motorized access is possible throughout Westphalia Town Center and surrounding developments. Approved Conceptual Site Plan CSP-07004-01 and Preliminary Plan 4-08002 included detailed road cross sections that incorporate facilities for pedestrians and bicyclists. The subject DSP will further implement the pedestrian system as previously approved and will provide specific design of pedestrian crossings, sidewalks, and trails. According to the review of the Transportation Planning Section (Shaffer to Zhang, dated September 24, 2013), this plan is acceptable from the standpoint of non-motorized transportation and fulfills the intent of applicable master plans and functional plans, fulfills prior conditions of approval, and meets the finding required for a DSP as described in Section 27-285.

(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

This DSP includes in its geographical center a very important public open space known as Eastern Circle. The specific design of this public open space was

approved with special purposed DSP-12043 for the entire Westphalia Town Center. Per the approved layout included in DSP-12043, 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. Numerous design features and programs, such as a focal point landmark feature, plaza areas, benches, programmed activities such as free concerts and seasonal events, Wi-Fi hotspots, a skating rink, water features, open grass areas, landscaping with ornamental trees and flowers, and outdoor meeting areas are included. A condition has been included in this resolution to require the applicant to incorporate the design details as previously approved in special purpose DSP-12043 for Eastern Circle in this DSP prior to certification.

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

The subject application is a DSP for Phase I of the Westphalia Town Center. This requirement is not applicable to this DSP.

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

Conceptual Site Plan CSP-07004-01, on which this DSP is based, covers the entire Westphalia Center site and was approved by the Planning Board on June 10, 2010 (PGCPB Resolution No. 10-59(C)). As the CSP was approved less than six years ago, the prior finding of adequacy is still valid for this DSP.

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

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

- d. Section 27-548 prescribes additional regulations regarding density, building, landscaping, buffering, gross floor area computation, building height for multifamily buildings, townhouses, etc. for development in the M-X-T Zone. Since the Westphalia Town Center falls into the category as described in Section 27-548(j), all regulations governing the development in this DSP should be those included in the sector plan. Since conformance with the sector plan was found at the time of CSP -07004-01 approval, and this DSP conforms to CSP-07004-01, the DSP is consistent with Section 27-548(j).
8. **Conceptual Site Plan CSP-07004-01:** The Planning Board approved Conceptual Site Plan CSP-07004 for a mixed-use town center known as Westphalia Center project, consisting of up to 5,000 dwelling units; 800,000-1,400,000 square feet of retail space; and 4,000,000-4,500,000 square feet of office space, as well as up to 600 hotel rooms, on December 18, 2008. The District Council approved the project with conditions on May 8, 2009 and issued a revised order on June 8, 2009. On May 20, 2010, the Planning Board approved a revision to previously approved CSP-07004 to allow the development of Moore Property (consisting of a maximum 505 attached dwelling units, 135 multifamily units, and 3,000 square feet of community/retail land use) to proceed prior to other portions of the Westphalia Town Center development. At the time of CSP approval, the Planning Board specifically stated in the resolution (No. 10-59(C)) that CSP-07004-01 supersedes and replaces previously approved CSP-07004 in its entirety. This DSP has been reviewed for conformance to approved CSP-07004-01. Of 40 conditions attached to the approval of CSP-07004-01, the conditions that are applicable to the review of this DSP are discussed as follows:

10. **No woodland conservation shall be proposed on dedicated parkland, unless written authorization from the Department of Parks and Recreation has been provided prior to Planning Board approval of the associated TCP.**

This DSP does not have any dedicated parkland. This condition will be addressed at the time dedicated parkland is included.

15. **Prior to approval of a detailed site plan for specific buildings for either the Moore Property or the balance of Westphalia Center, excluding the Moore Property, the applicants of the Moore Property and the balance of Westphalia Center, separately, shall obtain approval of a special-purpose detailed site plan to establish regulating**

standards for signage and to identify appropriate locations for transit stops in consultation with DPW&T and WMATA. The special-purpose detailed site plan shall also show site plan details of the public open spaces and establish a timing plan for the improvement of these public spaces and for the public trail system. This condition requires the approval of two special-purpose detailed site plans, one encompassing the entire Westphalia Town Center site excluding the Moore Property, and another for the Moore Property. This condition shall be construed such that the Moore Property may proceed prior to the entire Westphalia Center. However, standards established in the first special-purpose detailed site plan shall be included in the subsequent special-purpose detailed site plan for the balance of the Westphalia Center unless the applicant can affirmatively demonstrate to the Planning Board that such inclusion is inappropriate in whole or in part. The subsequent plan may include any additional standards and requirements that the Planning Board deems necessary for inclusion at that time.

Special Purpose DSP-12043 was approved for the balance of Westphalia Center, currently known as Westphalia Town Center, which covers the subject site of this DSP (see Finding 11 for a discussion of the applicable conditions that were attached to the DSP-12043 approval). This condition has been fulfilled.

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

The applicant has provided a description of the use of green building techniques in the project. The green building strategy of this project tries to achieve three goals, as follows:

- Efficiently using energy, water, and other resources
- Protecting occupant health
- Reducing waste, pollution and environmental degradation

The strategy includes green building techniques at both site level and for residential buildings. At the site level, this development will improve community connectivity and access to public transits; and include stormwater management systems which meet or exceed recognized sustainable design criteria; as well as, utilize native species for landscaping and use of drought resistant plantings. At the residential building level, builders are encouraged to install energy efficient HVAC (heating, ventilation, and air conditioning) units, double- or triple-glazed insulated windows, air-source heat pumps, Energy Star appliances in each unit; to provide energy saving information available to homeowners (programs provided by utility company) and information on renewable energy sources; and to provide priority parking spaces for alternative energy/hybrid vehicles and bicycle storage areas in multifamily sections and encourage household recycling.

- 18. Each detailed site plan shall demonstrate conformance to landscaping standards. In general, development on the site shall be subject to the standards of Section 4.8 of the Landscape Manual, in addition to the following standards:**
- a. Single-family detached lots larger than 9,500 square feet shall provide at least one shade tree and one ornamental or evergreen tree on the lot.**
 - b. Required landscaping for attached dwelling units shall be provided on the individual lots or common open space directly associated with the attached dwellings. Plantings within public or private open spaces shall only be counted towards the requirements where those spaces are located adjacent to the attached dwellings and are easily accessible to residents.**
 - c. Surface parking lots larger than five parking spaces shall be subject to the landscaping standards of Section 4.3 of the Landscape Manual.**
 - d. In general, uses within the town center shall not be buffered from each other. However, buffering of highly incompatible adjacent uses may be deemed necessary at the time of detailed site plan review.**

The Westphalia Center project was approved as a regional urban community which is subject to Section 4.8 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The landscape plans submitted with this DSP demonstrate conformance with this condition. See Finding 13 below for a discussion on this DSP's conformance to the requirements of the Landscape Manual.

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

Special Purpose DSP-12043 for the balance of the Westphalia Center has identified both public and private open spaces throughout the entire development and included recommended facilities. The DSP includes one of the important public open spaces that will have recreational facilities. At the time of DSP-12043 approval, photographs illustrating the types of recreational facilities and programs, as well as, the character of spaces were provided. Specific recreational facilities should be provided and reviewed at the time of full-scale DSP when the specific recreational needs of the community are confirmed. A condition has been included in this resolution to require the applicant to provide the private recreational facilities based on the concept shown for Eastern Circle at the time of DSP-12043 approval. The cut-sheet of the facilities that are to be installed on the site should also be provided on the detail sheet.

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

On-site recreational facilities serving the future residents of the development included in this DSP are located within Eastern Circle, which is located in the geographic center of the site. The applicant needs to provide the specific facilities in accordance with the concept approved with special purpose DSP-12043. At the same time, in order to ensure concurrency of the provision of recreational facilities and the construction of townhouse units, a condition has been included in this resolution to require the applicant to complete the installation of and open the facilities within Eastern Circle for public use prior to issuance of the 349th building permit.

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

This DSP includes pedestrian safety features, such as traffic calming and pedestrian amenities, that are acceptable.

- 24. The applicant shall submit to DRD a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DRD, in accordance with the timing established in the applicable special-purpose DSP. The developer, his heirs, successors, and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**

It is envisioned that the construction of the proposed recreational facilities will be phased with the construction of the community immediately surrounding the facility. There will be a series of DSPs for the phases of development at Westphalia Town Center, and the associated recreational facilities will be included with each applicable DSP. As phases of development are platted, recreational facilities agreement(s) (RFA) will be required to address the facilities covered by the applicable final plats. Those RFAs will contain the requirements for financial guaranties related to the completion of the facilities covered by each RFA. The recreational facilities will be conveyed to a property owners association to be established to manage open spaces and private facilities within the Westphalia Town Center development. Based on the above general idea regarding the provision of on-site recreational facilities, the specific recreational facilities included in this DSP will be required to be shown on the site plan and a corresponding RFA is required prior to final plat. Two conditions have been included in the Recommendation section of this report to establish the dates of completion of the proposed recreational facilities and the submittal of the relevant RFA.

- 25. As part of the private recreational facilities package, the applicant and the applicant's heirs, successors, and/or assignees shall construct three community**

buildings. The size, timing, and location of the community buildings shall be determined with the review of the applicable special-purpose detailed site plan.

At the time of the special purpose DSP approval, only recreational facilities within the proposed community centers had been identified and approved. Given the large size of this development, the Planning Board, per the applicant's request, agreed to allow the applicant to identify other recreational facilities at the time of each DSP. This condition was fulfilled at the time of DSP-12043 approval.

- 31. The phasing of residential and commercial uses shall be determined with approval of the conceptual site plan covering the whole property. All properties within Westphalia Center shall be subject to this CSP and the relevant special-purpose DSP.**

The Planning Board, in subdivision review for any proposed residential construction on the subject property, shall include all relevant issues, including without limitation, public facilities adequacy and master plan conformance, as they concern the entire Westphalia Center property and project, not just the issues arising at the site for that subdivision.

The following phasing regulations will apply to this project. For the purposes of this condition, "constructed" shall be construed to mean that the buildings are built and ready for occupancy except for tenant-specific fit-out improvements.

- a. The minimum development amounts on the site shall be 150 single-family detached houses, 1,650 attached dwelling units, 1,800 multifamily dwelling units, 500 hotel rooms, 900,000 square feet of retail, and 2,200,000 square feet of office. As development proceeds, adequate traffic capacity shall be reserved to allow the development of these minimum amounts. Development may proceed beyond these minimums provided adequate transportation capacity will exist for that development.**
- b. Attached dwelling units shall be limited to 50 percent of the total dwelling units on the Westphalia Center site as a whole, including the Moore Property. Regardless of the relative quantities of different unit types approved on detailed site plans, building permits shall not be issued which would result in the attached units cumulatively exceeding 50 percent of the total of all dwelling units for which permits have been issued for the Moore Property and the balance of the Westphalia Center property. Up to 100 percent of the building permits for attached dwelling units may be issued for development on the Moore property if it is in compliance with all other requirements.**

- c. Prior to issuance of permits for the 1,400th dwelling unit on the balance of the Westphalia Center property, excluding the Moore Property, 300,000 square feet of retail space and 500,000 square feet of office space shall be constructed in the Core area. Permits for development on the Moore Property may be issued prior to any commercial development in the central Core Area.**
- d. Prior to issuance of permits for the 2,800th dwelling unit, 600,000 square feet of retail space and 1,000,000 square feet of office space shall be constructed in the Core area.**
- e. Prior to issuance of permits for the 4,200th dwelling unit, 900,000 square feet of retail space and 1,500,000 square feet of office space shall be constructed in the Core area.**
- f. Prior to issuance of permits for the 500,000 square feet of retail development, 250,000 square feet of office shall be constructed.**
- g. Prior to issuance of permits for the 750,000 square feet of retail development, 500,000 square feet of office space shall be constructed.**
- h. No single retail space shall be approved that exceeds 125,000 square feet of gross floor area within Westphalia Center.**
- i. A phasing and tracking chart shall be prepared in accordance with the approved phasing plan prior to certification of the CSP. This chart shall be submitted with each detailed site plan and comprehensively updated to ensure conformance with the phasing plan. The chart shall also be submitted with every building permit. No building permit shall be issued which does not conform to the phasing schedule above.**

All of the above conditions have been carried forward with previous applicable approvals. This DSP includes 348 residential attached units which account for approximately eight percent of the total approved units within the Westphalia Center project. As such, this DSP is within the limit as established in above Sub-condition b.

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

The sidewalks and trails included in this portion of the Westphalia Town Center have been reviewed by the Transportation Planning Section. The trails planner, in a memorandum dated

September 24, 2013 (Shaffer to Zhang), recommends approval of the DSP with one condition that has been included in this resolution.

- 34. Total development within the subject property shall be limited to uses which generate no more than 7,149 AM peak-hour trips, and 8,910 PM peak-hour trips, in consideration of the approved trip rates and methodologies for computing pass-by and internal trip capture rates. 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.**

This DSP is the first phase of the Westphalia Town Center development and only includes approximately eight percent of the total approved residential dwelling units. The DSP meets this condition.

- 36. Where there is a mixture of products and/or lot sizes, alleys shall not be required to be aligned, unless determined otherwise by DPW&T at the detailed site plan stage.**

Alleys have been used extensively in this DSP. A review by the Department of Permitting, Inspections and Enforcement (DPIE) generated no specific comments on alleys.

9. **Preliminary Plan of Subdivision 4-08002:** The Planning Board approved Preliminary Plan of Subdivision 4-08002 for Westphalia Town Center with 54 conditions. The conditions that are relevant to the review of this DSP are discussed as follows:

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

The intent of this condition was to establish the phasing of the overall site so that the woodland conservation requirement for each phase could be calculated, specifically so that the fee-in-lieu amount could be allocated among all of the applicable phases. This condition was not specifically addressed with the first Type II tree conservation plan (TCPII) for rough grading and infrastructure associated with DSP-12017. Because this application is the first stage of construction for the project, this condition must be addressed with the current application. The tree conservation plan worksheet is not correctly provided to address this condition. The Environmental Planning Section recommends approval with conditions that have been included in this report to require the applicant to make revisions to the TCPII and DSP.

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

This condition has been addressed. The type and location of the stormwater management features shown on the TCPII are in general conformance with approved Stormwater Management Concept Plan 44782-2007-00.

- 4. At the time of final plat, the applicant shall dedicate a public utility easement as approved on the detailed site plan along the public rights-of-way.**

This DSP does have a copy of the signed utility plan that the applicant has coordinated with the relevant utility companies which shows public utility easements (PUEs) along the public rights-of-way. This condition will be carried forward to final plat approval.

- 7. Prior to approval of each detailed site plan, the public utility companies shall provide comments to ensure adequate area exists to provide proper siting and screening of the required utilities, and to provide for direct bury utilities where feasible. Review shall include, but may not be limited to the following:**
 - a. Coordination with other utility companies to use one side of the street for Potomac Electric and Power Company (PEPCO) use only. If this is not possible Verizon may ask for two feet or so of additional space on the public utility easement (PUE) for FIOS cables making some of the PUEs to be 12 feet wide in some areas. The main transmission line may require up to a 15-foot-wide PUE.**
 - b. Private roads shall have a five to seven-foot-wide utility easement (UE). (The current plan shows seven-foot-wide UEs, but at the time of detailed site plan continued coordination with utility companies will establish the ultimate UE locations and sizes). Gas service shall be provided in the alley as shown on the utility sketch plan.**
 - c. At the time of detailed site plan, coordination with PEPCO is required to account for locations of transformers especially in some of the tighter arranged townhome blocks.**
 - d. Unless modified by a, b, or c above, a ten-foot PUE shall be provided along public roads and master-plan roads.**

As discussed previously, the application includes a color-coded utility plan signed by the utility companies. At the time of final plat, those identified PUEs on this DSP along all public rights-of-way will be dedicated to the county.

- 10. The applicant shall allocate appropriate and developable areas for the private recreational facilities on homeowners association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division (M-NCPPC) for adequacy and property siting prior**

to approval of the detailed site plan by the Planning Board. Or as modified by any subsequent revisions to CSP-7004.

This DSP complies with this condition. A major public open space known as Eastern Circle is included in this DSP. On-site recreational facilities have been included and approved with special purpose DSP-12043 to serve the proposed 348 townhouses. However, the specific facilities need to be listed on the DSP. A condition has been included in this resolution.

- 11. The applicant and the applicant's heirs, successors, and/or assignees shall provide on-site private, recreational facilities to be determined during the review of the special-purpose detailed site plan. Private and public recreational facilities shall be reviewed as a package, acknowledge the contribution of \$3,500 per dwelling unit, and determine the total expenditures for the package. Or as modified by any subsequent revisions to CSP-7004.**

This DSP satisfied the condition. A park fee of \$3,500 per dwelling unit will be collected at the time of building permit.

- 16. Detailed site plan(s) shall demonstrate that lots fronting on MC-637, MC-632, C-636 will be rear loaded and shall not have direct vehicular access to these master-plan roads.**

Only a limited number of lots included in this DSP have frontage on a small portion of M-637 and MC-632. Alleys have been used throughout the DSP to access individual units.

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

The DSP shows dedication of a portion of the public right-of-way abutting Parcel 25. The applicant should dedicate Parcel 25 at the time of final plat.

- 18. The applicant and the applicant's heirs, successors and/or assignees shall dedicate Lot 7 to Prince George's County for the construction of a fire/EMS station at the time of dedication of Parcel 25 to the Board of Education, or as determined at the time of approval of the special-purpose site plan, unless otherwise determined by the District Council or Planning Board.**

According to the review by the Subdivision Review Section, Parcel 25 will be required to be dedicated at the time of final plat for this DSP. As such, Lot 7 should also be dedicated to the Prince George's County Fire/EMS Department.

- 23. All detailed site plans which include property abutting Pennsylvania Avenue (MD 4) except the Special Purpose DSP, shall provide a landscape buffer with a minimum width of 20 feet and an average width of 40 feet wide, using native plants with a planting density equivalent to those found in the Landscape Manual for similar bufferyards along the ultimate right-of-way of MD 4.**

This DSP covers Phase I of the Westphalia Town Center project that is located in the middle of the site and does not include the property abutting Pennsylvania Avenue (MD 4).

- 24. Prior to approval of a detailed site plan located in the Fringe area or south of Presidential Parkway, the architecture of buildings which are adjacent to and visible from Pennsylvania Avenue (MD 4) shall be evaluated with regard to scale and building materials of adjacent buildings with similar uses to promote harmony in visual relationships along this gateway corridor.**

This DSP covers Phase I of the Westphalia Town Center project that is located in the middle of the site and does not include the property abutting either Pennsylvania Avenue (MD 4) or Presidential Parkway.

- 26. Any detailed site plan, except the special-purpose DSP, adjacent to Melwood Road from Public Road O to 500 feet north of Public Road O (approximately 900 feet north of MD 4) shall address the following:**
- a. The conservation of historic Melwood Road by providing a transitional landscape buffer along the western frontage of the road. The landscape buffer shall begin with a width of 10 feet at the southern end, and expanding to a width of 30 feet, subject to the provision of plant units equivalent to those for similar width bufferyards as indicated in the Landscape Manual. Existing trees shall be preserved to the greatest extent possible, and supplemental planting shall be with native plant species; and**
 - b. Establish a building restriction line 50 feet from the property boundary fronting on Melwood Road to encourage development to be set well back from the historic road.**

This condition will be carried forward with this approval to require the applicant to revise the landscape plans to provide the required information prior to certification of this DSP.

- 27. Any detailed site plan, except the special-purpose DSP, adjacent to Melwood Road from approximately 500 feet north of Public Road O (900 feet north of MD 4) to Westphalia Road shall address the conservation of historic Melwood Road as an integral part of the community's trail and greenway network and address the following concerns:**

- a. **Design road improvements in accordance with the Department of Public Works and Transportation road design standards for scenic and historic roads, and provide for the necessary road improvements without compromising the valuable contribution to community character Melwood Road provides:**
- b. **Discourage entrance features and signs at the one recommended entrance onto Melwood Road.**

This condition will be carried forward with this resolution to require the applicant to revise the landscape plans to provide the required information prior to certification of this DSP.

- 29. The submission package for the first DSP for any area of the Westphalia Center draining into Back Branch shall contain:**
- a. **A comprehensive and detailed stream restoration plan for Back Branch.**
 - b. **A technical stormwater management plan which demonstrates the use of stream restoration as an innovative stormwater management technique. Access to conduct the proposed work must be shown, along with all required clearing and grading for the proposed work. Staging areas, phasing, and other plan details needed for construction shall also be provided.**

A comprehensive and detailed stream restoration plan for Back Branch was approved by the county as a Technical Stormwater Management Plan (SD 39899-2012). Additional discussion regarding stream restoration is provided under Condition 3 in Finding 10 of this report. The Environmental Planning Section recommends approval of this DSP with additional conditions regarding stream restoration that have been included in the Recommendation section of this report.

- 30. Prior to approval of a DSP, other than the special-purpose DSP which includes the stormwater management ponds, the design shown on the conceptual stormwater facility layout renderings shall be shown on the DSP.**

The stormwater management ponds have been included in special purpose DSP-12043. A condition has been included in this resolution.

- 32. All detailed site plans, other than the special-purpose detailed site plans, which include property located within the 65 dBA Ldn noise contour associated with the roads on the north side of Presidential Parkway, shall demonstrate that outdoor activity areas associated with any residential dwelling units are located outside the 65 dBA Ldn noise contour.**

A Phase I noise study was submitted with the preliminary plan application. An updated Phase I noise study was submitted with the subject DSP application for Phase I. The revised report was

prepared based on a revision made by the county to the designation of a portion of Presidential Parkway. The portion of Presidential Parkway between Glover Park Road and Woodyard Road has been changed from an arterial to a major collector. The results of the revised noise report indicate that, within the current phase, the fronts of Lots 33 and 34 will be impacted by ground-level noise at 65 dBA Ldn; however, the rear outdoor activity areas should not be affected. The upper-level 65 dBA Ldn noise contour is shown to affect Lots 29 through 39. At the time of building permit, certification by a professional acoustical engineer must be provided to verify that the construction materials will reduce interior noise for these lots to the state standard of 45 dBA Ldn or less.

- 33. With the submittal of each detailed site plan, other than the special-purpose DSP, design scenarios may be submitted and evaluated for the final design for the use of the land in the areas surrounding proposed Impacts A through D. The Planning Board shall evaluate the proposed scenarios to determine the design that results in the preservation of the regulated areas to the fullest extent possible.**

This DSP does not include any impacts referred to in this condition.

- 36. Applications for all residential building permits on the Westphalia Property, with the exception of buildings located to the east of Public Road EE, shall contain a certification, to be submitted to M-NCPPC, prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.**

A condition has been included in this resolution to require the applicant to meet this condition prior to certification of this DSP.

- 39. Each detailed site plan, other than the special-purpose DSP, shall survey locate specimen trees within 100 feet of the ultimate limits of disturbance within the Westphalia Center property boundary. The specimen trees that are determined to remain as part of the survey shall be evaluated for appropriate preservation measures. Details of the preservation methods shall be shown on the TCPII including information on treatments to occur prior to, during, and after construction.**

Type II Tree Conservation Plan TCPII-029-12 certified with DSP-12017 for rough grading and infrastructure shows specimen trees within 100 feet of the limits of disturbance as having been field survey located. The current application is for construction of Phase I within the previously approved limits of rough grading.

The current application for Phase I includes clearing for the implementation of stream restoration. The specimen trees within 100 feet of the limits of disturbance for stream restoration do not need to be survey located because access to the stream is, for the most part, temporary. A note should be

added to the TCPII that specimen trees shall be avoided for the implementation of stream restoration to the extent practicable.

- 40. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/014/08-01). The following notes shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/014/08-01), or as modified by the Type II 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 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.”

This condition has been carried forward as a condition of approval for this DSP.

- 42. Total development within the subject property shall be limited to uses which generate no more than 6,816 AM peak-hour trips, and 8,526 PM peak-hour trips, in consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates. Any development generating an impact greater than that identified herein-above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This DSP is Phase I of the larger development and only contains a small portion of the larger development. This DSP meets the requirement.

- 43. A traffic phasing analysis will be submitted and reviewed during the processing of the detailed site plan for each phase. This traffic phasing analysis will define the improvements required for Phase 1A, 1B, 1C, 2A, 2B, 2C, 2D, 3A, 3B, and Phase 5. These above-mentioned traffic conditions will be modified to adjust the timing trigger and extent of these improvements for each phase. This phasing analysis will not exceed the 6,186 AM peak-hour trips, and 8,526 PM peak-hour trip cap, unless a new preliminary plan of subdivision is processed.**

This DSP is still within the approved trip cap.

- 49. Direct vehicular access to historic Melwood Road shall be limited to one access point within the Fringe, and shall be located to the south to the greatest extent possible. Adequate safety roadway improvements for Melwood Road between MD 4 and new**

road MC-632, including traffic calming devices, shall be bonded for construction prior to the issuance of building permits for the Westphalia Center development project as determined appropriate by the Department of Public Works and Transportation.

One direct access point has been shown off Melwood Road, but within 500 feet of the intersection of Woodyard Road and Pennsylvania Avenue. Additional requirements for direct access off Melwood Road, as required in Conditions 26 and 27 above, have been included in the conditions of approval of this resolution.

- 52. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.**

This condition will be carried forward as a condition of approval for this DSP.

- 54. At the time of each detailed site plan review, except the special purpose detailed site plan the applicant shall:**
- a. Integrate the proposed commercial development located on residential and recreational parcels within the Edge with the residential and recreational uses in a mixed-use arrangement.**
 - b. Provide a parking study for each block group of the site so as to ensure an adequate provision and distribution of parking (including handicapped-accessible parking) across the site.**
 - c. Minimized to the fullest extent possible the direct vehicular access from lots and parcels onto master-planned roads.**

This condition is partially applicable to this DSP. A parking study has been provided for each block and deemed acceptable in terms of location and distribution, as well as, the provision of parking spaces for the physically-handicapped. An extensive alley system has been used in this DSP that excludes any demand to direct vehicular access onto master-planned roads.

10. **Infrastructure Detailed Site Plan DSP-12017:** The Planning Board approved Detailed Site Plan DSP-12017 for infrastructure on October 18, 2012 with three conditions. Two conditions are relevant to the review of this DSP that warrants discussion as follows:
- 2. At the time of a detailed site plan containing specimen tree 60 as referred on Type II Tree Conservation Plan TCPII-026-12, the applicant shall submit an evaluation from a certified arborist regarding the efforts made to date to save the tree and an**

opinion as to its long term survivability. Efforts shall be made to ensure the long term survivability of the tree to the extent practicable.

This DSP does not include Specimen Tree 60. The Planning Board attached a condition to this approval to require the applicant to submit a maintenance plan prior to submittal of the DSP that covers Specimen Tree 60.

- 3. Prior to acceptance of any full-scale DSP covering the applicable phase/area, other than the Special Purpose DSP or DSP for infrastructure, the applicant shall:**
 - a. Submit technical stream restoration plan approved by DPW&T. Access to conduct the proposed work must be shown, along with all required stormwater management, sediment and erosion controls, clearing and grading for the proposed work. Staging areas, phasing, and other plan details needed for construction shall also be provided.**
 - b. Provide an application package with a detailed stream restoration plan containing at a minimum the following information:**
 - (1) Survey located topography.**
 - (2) Survey located stormdrain and headwall locations.**
 - (3) The sizes of all existing and proposed stormdrains labeled on the plan.**
 - (4) Identify and label specific areas of concern along the entire stream valley (undercut banks, high bank elevations with evidence of sloughing, and the like)**
 - (5) Identify and label each specific design technique proposed to address each area of concern along the entire stream valley.**
 - (6) Consider stream restoration techniques beyond what is currently shown on the plan.**
 - (7) Access to conduct the proposed work including required clearing and grading.**
 - (8) Staging areas, phasing, stabilization, and planting details.**
 - (9) Show design techniques such as check dams and step pools to slow the velocity of water entering the stream below the crossing of Public Road O, where tributary A enters the stream system.**

(10) Additional information, if it is needed.

c. Demonstrate how the woodland conservation requirements will be met in the worksheet for a specific phase/area of the development.

A comprehensive and detailed stream restoration plan for Back Branch was approved by Technical Stormwater Management Plan SD 39899-2012. The design addresses the most pressing stream restoration issues on this site by first addressing the velocity of the water as it enters the site from off-site stormdrain systems, and second by addressing the long-term stability of the stream banks; however, the stream restoration plan appears to be based on a modified site layout and does not appear to address the impacts of proposed stormdrain outfalls. The preliminary plan showed two proposed road crossings and several stormdrain outfalls, and the stream restoration plan accounts for only one road crossing and does not show any stormdrain outfalls, or account for the added runoff quantity and velocity. In accordance with the review by the Environmental Planning Section, details such as phasing of the restoration plan have not been provided. The Planning Board included conditions regarding storm restoration in this resolution.

11. **Special Purpose Detailed Site Plan DSP-12043:** The Planning Board approved special purpose Detailed Site Plan DSP-12043 on May 2, 2013 with seven conditions. Those conditions related to building permits will be enforced by the Department of Environmental Resources (DER) at the time of issuance of respective building permits. The conditions relevant to the review of this DSP warrant discussion as follow:

2. At time of the full-scale detailed site plan (DSP) that covers either one or both of the stormwater management ponds as referred on Sheet 19 of the special purpose DSP booklet, the applicant shall provide the same layout or equivalent as approved on the special purpose DSP.

This DSP includes both stormwater management ponds as referred to in DSP-12043. The required information has not been provided yet. A condition has been included in this resolution to require the applicant to provide the layout and landscaping information as approved in DSP-12043 prior to certification of this DSP.

6. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following phasing for the sidewalk, bikeway, and trail facilities:

- a. All standard and wide sidewalks and designated bike lanes that are included in the Trails Exhibit shall be completed concurrently with the road construction.**
- b. The segments of the Back Branch Trail that are along proposed roadways shall be completed concurrently with the road construction.**

- c. **The remainder of the Back Branch Trail east of MC-632 shall be completed prior to issuance of the last building permit for Phase 1.**
- d. **The portion of the Back Branch Trail west of MC-632 shall be completed prior to issuance of the last building permit for Phase 3.**
- e. **The Cabin Branch Trail shall be completed prior to the issuance of the second building permit east of MC-637 for Phase 5.**
- f. **The fee for the bikeway signage along Melwood Road shall be paid prior to issuance of the first building permit for Phase 1.**
- g. **The fee for the bikeway signage along C-636 shall be paid prior to issuance of the first building permit for Phase 1.**
- h. **The trail around the southern stormwater management pond shall be completed prior to the final building permit for Phase 1.**
- i. **The trail around the northern stormwater management pond shall be completed prior to issuance of the last building permit for that section.**

This DSP covers Phase I of the Westphalia Town Center project and contains only a small portion of the comprehensive trail system for the project. In accordance with the review undertaken by the Transportation Planning Section, the trails planner recommends approval of this DSP with one condition that has been included in this resolution.

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

No additional phasing information has been provided. This condition will be carried forward with this resolution to require the applicant to provide the required information prior to certification of this DSP.

12. **Umbrella Detailed Site Plan for Residential Architecture DSP-13001:** The umbrella DSP for residential architecture includes different townhouse models with varied frontage widths, two-over-two models in pitched and flat roofs, and one single-family detached model. Those models will be used in all of the residential development of the Westphalia Town Center project. The umbrella DSP for residential architecture was approved by the Planning Board on September 26, 2013 with two conditions. However, at the time of the writing of this staff report, the resolution for approval of this umbrella DSP for residential architecture has not been adopted yet. A condition has been included in this resolution to require the applicant to obtain certification of the umbrella DSP for residential architecture prior to certification of this DSP for Phase I because this DSP does not included any architectural models. All models to be used in this DSP for Phase I are included in the umbrella DSP for residential architecture.

13. **Prince George's County Landscape Manual:** This DSP is subject to the requirements of Section 4.8, Landscape Requirements in a Regional Urban Community, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). According to Section 4.8, the landscape requirements for a regional urban community shall be determined at the time of conceptual site plan pursuant to Section 27-544 of the Zoning Ordinance.

a. At the time of CSP-07004-01 approval for the Westphalia Town Center project, the landscaping requirements were established in Condition 18, of which sub-conditions 18b and c are applicable to this review because there are only attached dwellings included, and the DSP covers the section in the middle of the residential area as follows:

18.b. Required landscaping for attached dwelling units shall be provided on the individual lots or common open space directly associated with the attached dwellings. Plantings within public or private open spaces shall only be counted towards the requirements where those spaces are located adjacent to the attached dwellings and are easily accessible to residents.

Per Section 4.8, for one-family attached dwellings, a minimum total of one shade tree and one ornamental or evergreen tree per every two units shall be provided. These trees may be planted either on individual lots, or on public or private open space. This DSP includes 348 townhouse units and, therefore, a total of 174 shade trees and 174 ornamental or evergreen trees are required. The landscape plan provides 174 shade trees, 151 ornamental trees, and 23 evergreen trees that meet the above requirements.

18.c. Surface parking lots larger than five parking spaces shall be subject to the landscaping standards of Section 4.3 of the Landscape Manual.

Section 4.3(c), Interior Planting, requires a certain percentage of parking lots larger than 7,000 square feet to be interior planting area. The landscape plan shows only one surface parking lot which is larger than 7,000 square feet that is subject to Section 4.3(c). The surface parking lot measures 10,241 square feet and, according to Section 4.3(c), a minimum eight percent of the parking lot should be interior planting area with one shade tree per 300 square feet of the planting area. The landscape plan shows 820 square feet and three shade trees that satisfies the requirement.

Section 4.3(c)(2)(G) also requires that a minimum of one interior planting island shall be provided on average for every ten contiguous spaces. The landscape plan shows that there are more than ten contiguous spaces in a row without providing the required planting island at several locations. A condition has been included in this resolution to require the applicant to revise the landscape plan prior to certification of this DSP.

In addition, this DSP also demonstrates conformance to the requirements of Section 4.9, Sustainable Landscaping Requirements, and Section 4.10, Street Trees along Private Streets, as follows:

- b. **Section 4.9 Sustainable Landscaping Requirements**—A percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) shall be native species (or the cultivars of native species) as identified in the National Park Service, U.S. Fish and Wildlife Service publication Native Plants for Wildlife Habitat and Conservation Landscaping: Chesapeake Bay Watershed (as updated periodically), or The Maryland-National Capital Planning Commission’s (M-NCPPC) publication Native Plants of Prince George’s County (1998) or any subsequent revision. The minimum percentage of plants for each plant type required to be native species and/or native species cultivars is specified below:

Shade trees	50%
Ornamental trees	50%
Evergreen trees	30%
Shrubs	30%

The landscape plan provides a Section 4.9 landscape schedule showing 100 percent of all planting materials that satisfies the requirements of Section 4.9.

- c. **Section 4.10 Street Trees along Private Streets**—Section 4.10 requires one street tree per 35 linear feet of the frontage, excluding driveway openings. In addition, Section 4.10 requires a minimum area of soil surface provided for each tree. The landscape plan shows a minimum 110 street trees is required and provided. A minimum 16,500 square feet of soil surface is required and provided. The landscape plan meets the requirements of Section 4.10.

14. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance:** The property is subject to the requirements of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has an approved Type I Tree Conservation Plan, TCPI/014/08-01. The project is grandfathered with respect to the environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George’s County Code that came into effect on September 1, 2010 because the project has a previous preliminary plan approval (4-08002).

- a. A signed Natural Resources Inventory (NRI/094/06-01) was submitted with the application. The -01 revision to the NRI was signed by the Environmental Planning Section on December 16, 2008. The site contains sensitive environmental features such as streams, 100-year floodplain, wetlands, severe slopes, and areas of steep slopes with highly-erodible soils. These regulated environmental features have been shown on the

TCPII consistent with the approved NRI. No action is required with the approval of this DSP.

- b. Type II Tree Conservation Plan TCPII-029-12 was reviewed and approved with DSP-12017 for rough grading and infrastructure. An -01 revision to TCPII-029-12 was approved at staff level for minor revisions to the infrastructure, all of which were in conformance with the previously approved TCPI and preliminary plan. The TCPII associated with the current DSP-13006 application is the -02 revision. The Environmental Planning Section recommends approval of TCPII-029-12-02 with conditions that have been included in this resolution.

A TCPII is required to be compared and to be found in conformance with an approved TCPI. The certified TCPI contains the required note. The District Council made provision for the use of fee-in-lieu as an option for meeting the woodland conservation requirements for the project; however, with every phase of development, opportunities to meet the woodland conservation requirements on-site shall be explored to the greatest extent practicable.

The use of fee-in-lieu to meet the off-site woodland conservation requirement was approved by the District Council. Other methods of meeting the woodland conservation threshold on-site may be explored during the preparation and review of the TCPII. Every attempt shall be made to meet the threshold on-site using street trees, trees in bioretention areas, preservation of woodlands in the PMA outside the 100-year floodplain, and other allowable methods. If, during the review of the TCPII, the threshold cannot be met completely on-site, the remainder of the requirement shall be met using fee-in-lieu. Prior to signature approval of the DSP, a recipient of the fee-in-lieu funds shall be identified.

- c. The Tree Canopy Coverage Ordinance came into effect on September 1, 2010. All activities that require a grading permit after September 1, 2010 must provide the tree canopy coverage (TCC) percentages required by Section 25-128 of the WCO. The site is subject to the requirements of the Tree Canopy Coverage Ordinance and must provide a minimum ten percent of area to be covered by tree canopy because the site is zoned M-X-T. The TCPII shows that the larger site provides the required TCC through a combination of the existing on-site woodland and no-woodland coverage that meet the requirements. However, no detailed information has been provided to show how the subject site meets the tree canopy requirement. A condition has been included in this resolution to require the applicant to provide the subject site's TCC information prior to certification.

15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Community Planning**—The Planning Board found that:

- This application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developing Tier.
- This application is in conformance with the land use recommendations of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.

The application is within the Joint Base Andrews Interim Land Use Control (ILUC) impact area.

Under the Planning Issues section, the Planning Board provided discussion on design standards included in Westphalia Sector Plan and SMA regarding urban character, walkability and sidewalks, setbacks, alleys versus front-loaded garage units; street trees and planting strips; and aviation policy in regards to properties in proximity to Joint Base Andrews.

This DSP conforms to the applicable design standards as stated in the sector plan. This DSP includes 25 front-loaded townhouse units. Previous approval of Conceptual Site Plan CSP-07004 and its -01 revision have established a maximum number of front-loaded units of 68 for the Westphalia Center project. The applicant is requesting a reconsideration of the condition to allow more flexibility in determining the number and location of those front-loaded attached units, and a hearing for this reconsideration is currently scheduled on October 24, 2013.

- b. **Subdivision Review**—The Planning Board provided a comprehensive review of all of the applicable conditions attached to Preliminary Plan of Subdivision 4-08002. The Subdivision Section concluded that DSP-13006 is in substantial conformance with Preliminary Plan 4-08002, subject to three conditions. Failure of the site plan and record plat to match will result in building permits being placed on hold until the plans are corrected. Three conditions have been included in this resolution.
- c. **Transportation Planning**—The Planning Board found that this DSP application does not have any transportation issues.
- d. **Trails**—The Planning Board provided a review of the applicable elements of the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the applicable conditions attached to the previous approvals (Conceptual Site Plan CSP-07004-01 and Preliminary Plan of Subdivision 4-08002) governing the subject site and concluded that, from the standpoint of non-motorized transportation, this plan is acceptable and fulfills the intent of the applicable master plans and functional plans and meets prior conditions of approval and findings required for a DSP. One trail-related condition has been included in this resolution.

- e. **Environmental Planning**—The Planning Board provided a comprehensive review of the application’s conformance with the applicable regulations and conditions of previous approvals. The Planning Board approved Detailed Site Plan DSP-13006 and TCPII-029-12-02 with 11 conditions that have been included in this resolution.
- f. **Prince George’s County Health Department**—In a memorandum dated August 2, 2013, the Health Department provided comments regarding aircraft-related noises impacts, provision of active recreational facilities, provision of a community garden, and possible construction dust impact on the adjacent property.

This DSP is Phase I of a larger mixed-use, planned, regional urban community which has many components including a grocery store, recreational facilities, and a community garden, which will be provided in the community centers as previously identified in special purpose DSP-12043. Aircraft-related noise on the interior of residential and office buildings will be required to be mitigate to be below 45 dBA Ldn. A condition of approval has been included in this report to require the applicant to provide a site plan note to prohibit construction dust from crossing over the property lines to impact on adjacent subdivisions.

- g. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated August 2, 2013, DPIE provided extensive comments on right-of-way dedication, the site’s frontage improvements, roadway construction per Department of Public Works and Transportation (DPW&T) standards, transit route, design of roundabouts, sight distance, traffic calming, access from public roadways, on-site parking, on-street parking, sidewalks, street tree and street lighting, utilities, stormwater management, roadway design, stormwater management facilities, and soil investigation. Most of the requirements will be enforced at the time of permit issuance by DPIE.
- h. **Permit Review**—The Planning Board also reviewed the DSP for conformance with the Zoning Ordinance, Landscape Manual, pervious approvals, and the applicant’s need to address plan deficiencies.
- i. **Historic Preservation**—The Planning Board also found that this DSP proposal for 348 townhouses will have no effect on identified historic sites, resources, or districts.
- j. **Prince George’s County Fire/EMS Department**—The Fire/EMS Department, in a standard memorandum dated July 30, 2013, provided information on applicable regulations regarding access for fire apparatus, fire lane, and location and performance of fire hydrants. The subject site plan is in general conformance with the regulations.
- k. **Maryland State Highway Administration (SHA)**—In a memorandum dated September 25, 2013, SHA provided extensive comments on the Westphalia Town Center project. The memorandum has been included in the backup for information only. The

substantive comments provided by SHA will be enforced through its own permit review and issuance process.

- l. **The Department of Parks and Recreation (DPR)**—As of the preparation of this resolution, DPR has not responded to the Planning Board’s referral requests.
 - m. **The Westphalia Sector Development Review Council (WSDRC)**—As of the preparation of this resolution, WSDRC has not responded to the Planning Board’s referral requests.
 - n. **Washington Metropolitan Area Transit Authority (WMATA)**—As of the preparation of this resolution, WMATA has not responded to the Planning Board’s referral requests.
16. Based upon the foregoing analysis and as required by Section 27-285(b)(3) of the Zoning Ordinance, the subject detailed site plan satisfies the site design guidelines as contained in Section 27-274 of the Zoning Ordinance, prevents off-site 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. In addition, as required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board must also find that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations.

The area included in this detailed site plan has no regulated environmental features, such as streams, wetlands, steep slopes, or floodplain. Therefore, this finding is not necessary in this detailed site plan.

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 II Tree Conservation Plan (TCPII-029-12-02) and further APPROVED Detailed Site Plan DSP-13006 for the above-described land, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the applicant shall:
 - a. Obtain approval of umbrella DSP for residential architecture DSP-13001.
 - b. Revise the landscape plan to provide a minimum of one interior planting area for every ten contiguous surface parking spaces.
 - c. Submit information to address the following stream restoration design concerns:

- (1) To address the discrepancy in site design/road layout between the approved preliminary plan and the stream restoration plan, specifically to address the number of proposed road crossings.
 - (2) To account for the quantity and velocity of all stormdrain outfalls proposed to enter the stream from the surrounding development;
 - (3) To show on the plan view all proposed grading, specifically to address how the grading associated with the installation of each stabilization method will tie back into the existing stream bank; and
 - (4) To specify areas where live stakes are to be placed, other than in conjunction with a specific stabilization treatment. Live stakes shall be placed from the permanent pool elevation up to the 100-year water surface elevation in conjunction with the installation of native wet meadow mix seeding.
- d. Provide the details and specifications of the private recreational facilities based on the concept shown for Eastern Circle at the time of Detailed Site Plan DSP-12043 approval and in accordance with the *Park and Recreation Facilities Guidelines* and the Public Playground Safety Handbook. The cut-sheet of the facilities to be installed on the site shall also be provided on the detail sheet.
- e. Provide site plan notes on this DSP as follows:
- “During the construction phases of this project, no dust shall be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
- f. Provide a tree canopy coverage (TCC) table for the area and demonstrate conformance to Subtitle 25, Division 3, of the Prince George’s County Code.
- g. Revise the DSP as necessary to show the phasing as required by Condition 31 of PGCPB Resolution No. 10-59(C). Each phase shall be labeled and the limits of each phase shall be clearly depicted on the plan.
- h. Revise the Type II tree conservation plan (TCPII) as follows:
- (1) Show the phasing consistent with the DSP. The worksheet shall provide a column for each phase.
 - (2) Demonstrate how the overall woodland conservation requirement will be met in each phase. The fee-in-lieu amount shall be allocated based on each phase’s requirement as determined by the Environmental Planning Section. The amounts

shall be refined as needed with the review of each phase. Land to be dedicated to the Board of Education, the transit site, the fire/EMS site, and the library shall be excluded from the allocation.

- (3) Provide the following TCPII note:

“The use of fee-in-lieu to meet the off-site woodland conservation requirement was approved by the District Council.”

“Impacts to specimen trees shall be avoided for the implementation of stream restoration to the extent practicable.”

- (4) Show the trail alignment for Phase I and along Back Branch;
- (5) Show the unmitigated upper and lower-level 65 dBA Ldn noise contours in accordance with the revised Phase I noise report submitted with the subject application. The noise contours shall be clearly labeled on all sheets of the plan set upon which they appear;
- (6) Provide labels for all staging and clearing areas associated with stream restoration;
- (7) Show the water line at the intersection of Woodyard Road, Melwood Road, and Pennsylvania Avenue (MD 4), and the proposed connection needed to serve the site;
- (8) Update the legend to include the symbol shown on the plan for floodplain clearing;
- (9) Revise the TCP approval block to show all previous approval information;
- (10) Revise the TCPII approval tracking table to include stream restoration as a component of the current plan revision;
- (11) Update the worksheet to reflect all changes made to the plan; and
- (12) After all revisions have been made, the qualified professional who prepared the plan shall sign and date it and update the revision box with a summary of the revisions made.
- i. Submit a copy of the specimen tree evaluation report dated August 16, 2013 that shall be signed by the certified arborist who prepared it.
- j. Revise landscape plans regarding improvements along the Melwood Road frontage as follows:

- (1) Preserve historic Melwood Road by providing a transitional landscape buffer along the western frontage of the road. The landscape buffer shall begin with a width of ten feet at the southern end, and expanding to a width of 30 feet, subject to the provision of plant units equivalent to those for similar width bufferyards as indicated in Section 4.6 of the 2010 *Prince George's County Landscape Manual*. Existing trees shall be preserved to the greatest extent possible, and supplemental planting shall be native plant species;
 - (2) Establish a building restriction line 50 feet from the property boundary fronting on Melwood Road to encourage development to be set back from the historic road;
 - (3) Design road improvements in accordance with the Department of Public Works and Transportation (DPW&T) road design standards for scenic and historic roads, and provide for the necessary road improvements without compromising the valuable contribution to community character Melwood Road provides; and
 - (4) Discourage entrance features and signs at the one recommended entrance onto Melwood Road.
- k. Include the following trails-related information on the plans:
- (1) The designated bike lanes along Woodyard Road, per Street Section E.
 - (2) A seven-foot-wide sidewalk along Glover Park Drive, per Street Section K.
 - (3) An eight-foot-wide sidewalk along Presidential Parkway between Woodyard Road and Glover Park Drive, per Street Section G.
 - (4) Six-foot-wide sidewalks along both sides of Galena Lane, per Street Section V.
 - (5) Six-foot-wide sidewalks along both sides of Eastland Circle and Greenwich Circle, per Street Section T.
 - (6) Provide marked crosswalks at all approaches to Circle B, along Glover Park Drive at Observatory Place, and along Meridian Hill Way at Woodyard Road.
 - (7) Provide a marked crosswalk along Presidential Parkway/Public Road KK at the intersection with Woodyard Road. This crossing shall utilize the median as a pedestrian refuge.
- l. Provide lot and block numbers, bearings, and distances on the site plan.

- m. Provide dimensions and material information of driveways either on each individual lot or in a general site plan note.
 - n. Provide a neighborhood green open space with amenities at the rear of Units 54, 55, and 56, Block G, to be reviewed and approved by the Urban Design Section as designee of the Planning Board. Units 54, 55, and 56 shall not have decks attached to the rear elevation and shall be enhanced with architectural features.
 - o. Provide additional phasing information within each of the five phases of the development.
 - p. Provide layout and landscaping information as approved in special purpose DSP-12043 regarding stormwater management ponds including in this DSP.
 - q. Submit comments from the public utility companies and provide evidence of the utility plan approval.
 - r. Re-designate Parcel 24 as an outlot.
 - s. Remove the area of Outlot 4 from the limits of this DSP, or delineate the entire configuration of Parcel 25 and label it to be dedicated to the Prince George's County Board of Education as reflected on the approved preliminary plan of subdivision.
 - t. Provide a tracking table of the number of lots, parcels, and units proposed with this DSP compared to the number of lots, parcels, and units approved with Preliminary Plan of Subdivision 4-08002.
2. Prior to issuance of the first building permit, a recipient for the woodland conservation fee-in-lieu funds, if any, is required for Phase I and shall be identified.
 3. Prior to issuance of the 150th use and occupancy permit, or when the planned permanent transportation facilities at the intersection of Woodyard Road and Pennsylvania Avenue (MD 4) are ready, whichever comes earlier, the applicant shall terminate the use of the temporary access road and close the temporary entrance.
 4. Prior to issuance of the 200th building permit for townhouse units for Phase I, private on-site recreational facilities included in this detailed site plan shall be complete and be open to public use.
 5. Prior to issuance of the 348th building permit in Phase I, the stream restoration as approved on the Technical Stormwater Management Plan (SD 39899-2012) shall begin implementation. Proof of implementation shall be submitted to The Maryland-National Capital Park and Planning Commission (M-NCPPC) in the form of notification by the Department of Permitting, Inspections and Enforcement (DPIE). The stream restoration shall be completed prior to issuance of any permit for any new phase subsequent to implementation. Proof of completion shall be submitted to

M-NCPPC in the form of notification from DPIE and the as-built stormwater management technical plans.

6. The following notes shall be placed on the final plat of subdivision for this phase:

“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. Temporary impacts for the implementation of stream restoration are allowed.”

“This plat is subject to the recordation of a Woodland Conservation Easement with the Liber and Folio reflected on the Type Two Tree Conservation Plan.”

7. Prior to submittal of the detailed site plan containing Specimen Tree 60, the following information with respect to its preservation shall be submitted:

- a. A maintenance plan and schedule for the protection of Specimen Tree 60 prepared and signed by a certified arborist. The maintenance plan shall address the specific methods recommended for the long-term survivability of the tree with respect to the proposed site design. The maintenance plan shall include a schedule for the timing of implementation of the recommended protection measures. The maintenance plan shall also contain a post construction monitoring schedule for a minimum of two years, for evaluation and care of the tree as needed.
- b. Notes outlining the maintenance plan and schedule for the preservation of Specimen Tree 60 shall be added to the Type II tree conservation plan (TCPII). All tree protection measures (tree protection fence, signs, etc.) outlined in the maintenance plan shall be shown on the TCPII.

8. Prior to approval of the final plat for any portion of the site contained in this detailed site plan (DSP), the applicant shall submit to M-NCPPC, Development Review Division (DRD), a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DRD, in accordance with the timing established in this DSP. The developer and the developer's heirs, successors, and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.

9. At the time of final plat, the applicant shall dedicate all public utility easements as approved on this detailed site plan along the public rights-of-way.

10. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

11. Prior to approval of the final plat, an executed temporary access easement agreement shall be submitted and approved by The Maryland-National Capital Park and Planning Commission (M-NCPPC). The access easement shall also be approved by the Department of Permits, Inspections and Enforcement (DPIE) or the Department of Public Works and Transportation (DPW&T), as applicable, and extend from Woodyard Road through Outlot 1 to Melwood Road. Prior to issuance of the 150th use and occupancy permit for the subject property (Preliminary Plan of Subdivision 4-10013), an adequate permanent access shall be provided and the temporary access easement shall terminate. Alternative access may include direct vehicular access to the public rights-of-way of the interchange of Pennsylvania Avenue (MD 4) and Woodyard Road or Presidential Parkway. The easement document shall set forth the rights, responsibilities, and liabilities of owners and be recorded in the Land Records of Prince George's County, and the liber/folio reflected on the final plat prior to recordation.

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 Geraldo, with Commissioners Washington, Geraldo, Shoaff, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, October 31, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of November 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:HZ:arj