

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

3  
4  
5 WESTPHALIA BUSINESS CENTER 1 AND 2  
6 Detailed Site Plan, PPS DET-2022-001

7  
8 T R A N S C R I P T  
9 O F  
10 P R O C E E D I N G S

11  
12 COUNTY ADMINISTRATION BUILDING

13 Upper Marlboro, Maryland

14 March 2, 2023

15 VOLUME 1 of 1

16  
17 BEFORE:

18 PETER A. SHAPIRO, Chairman

19 DOROTHY F. BAILEY, Madam Vice-Chair

20 A. SHUANISE WASHINGTON, Commissioner

21 MANUEL R. GERALDO, Commissioner

22  
23 OTHERS PRESENT:

24 JILL KOSACK, Planner IV, Urban Design Section

25 MARVA JO CAMP, Attorney for Applicant

1 ARMA WHITE, Individual  
2 DENISE FRANCE-STEELE, Individual  
3 DESTINI HARRIS, Individual  
4 BRIANA BOSTIC, Individual  
5 CHANTEL FAQUA, Individual  
6 CHINONYE WHITLEY, Individual  
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CHAIRMAN: We have item 10 on our agenda. This is a detailed site plan, DET-2022-001 Westphalia Business Center 1 and 2. This was continued from January 19th, 2023 Planning Board meeting.

I'm going to turn to legal to give us a brief overview on the new zoning ordinance in regards to this plan. And then we'll turn to staff, Ms. Kosack, and then we have Marva Jo Camp who is representing the applicant. But let me start with our attorney.

UNIDENTIFIED SPEAKER: Thank you, Mr. Chair. And as a reminder, you may also want to check to make sure that anyone who might not have been present earlier in the presentation is sworn in.

CHAIRMAN: Okay. Will do. Thank you.

UNIDENTIFIED SPEAKER: And moving onto that, this is our first detailed site plan under the new ordinance. So I just want to point out to the Board in advance that there will be new -- it's a new standard, it's a new standard. It's a new zoning ordinance, applicable new laws. And so we'll be moving forward with this application under the new ordinance.

CHAIRMAN: Thank you. Okay. Good enough.

I'll turn it to Ms. Kosack for the staff presentation. We do have folks who signed up to speak, so

1 we'll hear from Ms. Kosack again, then we'll hear from the  
2 applicants. And then we will turn to folks in the community  
3 who want to speak.

4 Ms. Kosack, take it away.

5 MS. KOSACK: Yes, hi. Good morning, Mr. Chair,  
6 and members of the Board. Can you hear me?

7 CHAIRMAN: We can. We can hear you.

8 MS. KOSACK: Okay. For the record, my name is  
9 Jill Kosack with the Urban Site Section. And the item  
10 before you is number 10 DET-2022-001 for Westphalia Business  
11 Center 1 and 2. This DET is for a total of 306,000 square  
12 feet of commercial slash warehouse uses in two separate  
13 buildings on two proposed parcels.

14 A variance for a reduction in the minimum floor  
15 area ratio requirement for the building on proposed Parcel  
16 32 is also requested. Originally, the application included  
17 a third building on a separate parcel to the east of these  
18 lots. But in a submittal dated January 26th, the applicant  
19 indicated they were removing that parcel and building  
20 entirely from this DET.

21 After further review, staff has made the  
22 determination that the conceptual site plan conformance  
23 finding on pages 12 through 16 of the staff report should be  
24 deleted in their entirety. The current new zoning ordinance  
25 doesn't recognize a CSP as a mechanism or applicable plan

1 for this property. Therefore, it's no longer applicable to  
2 the property as it proceeds to develop under the new  
3 ordinance.

4           Additionally, the applicant has requested  
5 revisions to the findings and conditions which staff is in  
6 agreement with.

7           Next slide, please. The site is located in  
8 Planning Area 78 and Council District 6.

9           Next slide, please. The Subject Plan is located  
10 at the west end of the overall Westphalia Town Center north  
11 and south of future Presidential Parkway, east of Machinists  
12 Place, and north of Maryland 4.

13           Next slide, please. The subject property and the  
14 rest of the Westphalia Town Center is zoned TAC-E for Town  
15 Activity Center Edge, but was formally in the M-X-T Zone.  
16 The Presidential Parkside community to the Northeast is  
17 zoned LCD, or Legacy Comprehensive Design zone. It was  
18 formally in the RM zone.

19           Next slide, please. The subject property is  
20 within the military installation overlay zone for noise and  
21 height under both the current and the prior ordinance.

22           Next slide, please. The aerial shows the site as  
23 vacant and fully wooded, and shows the adjacent Parkside  
24 community to the northeast.

25           Next slide, please. The site has a varied slope

1 with some regulated environmental features.

2           Next slide, please. This map shows the adjacent  
3 master plan rights of way which includes MD 4, a freeway,  
4 and Presidential Parkway, a major collector through the  
5 property.

6           Next slide, please. This enlarged aerial shows  
7 the surrounding development. The development of  
8 Presidential Parkway through the site was approved with  
9 detailed site plan 12017 as amended and I believe as  
10 permitted and in process.

11           Next slide, please. The subject detailed site  
12 plan proposes to construct a total of 306,000 square feet of  
13 commercial warehouse uses in two separate buildings on two  
14 proposed parcels. Each building will be one story,  
15 rectangular, approximately forty-five feet high and  
16 potentially included multiple tenants.

17           The buildings are generally positioned with a  
18 truck court and trailer parking spaces on the southern sides  
19 and passenger vehicle parking spaces on the northern sides.

20           Next slide, please. Proposed Parcel 32 lies north  
21 of Presidential Parkway with two vehicular entrances off of  
22 it. That includes a 96,000 square foot building. The  
23 variance for reduction in the minimum floor area ratio  
24 requirement from 0.25 to 0.15 for the building on this  
25 parcel is recommended for approval as discussed on pages 28

1 and 29 of this staff report.

2 Proposed Parcel 33 lies south of Presidential  
3 Parkway with two vehicular entrances off of it and east of  
4 Machinists Place with one vehicular entrance off of that  
5 road. That includes a 210,000 square foot building.

6 Next slide, please. The submitted landscape plan  
7 demonstrates conformance to the landscape manual as well as  
8 the new open space set-asides requirements as shown in this  
9 exhibit. Commercial or industrial uses in the TAC Zone are  
10 required to provide five percent of the site area and open  
11 space set-asides such as natural features and fore courts  
12 which are used here and shown with hatching for this  
13 proposed site plan.

14 Next slide, please. The submitted vehicular  
15 circulation exhibit shows truck circulation in pink purple  
16 color and passenger vehicular circulation in blue around the  
17 two buildings from Machinists Place and Presidential  
18 Parkway.

19 Next slide, please. The submitted bicycle and  
20 pedestrian circulation exhibit shows bicycle parking with  
21 orange stars, bicycle circulation in orange lines,  
22 pedestrian circulation with green lines, and then a planned  
23 shared use path along both sides of Presidential Parkway in  
24 purple.

25 Some of these proposed improvements are the result



1 of conformance with the new Transit-oriented Activity Center  
2 base zones development standards and development standards  
3 in part 6 which are discussed on pages 7 through 11 of the  
4 staff report.

5           Staff would like to make one correction to the  
6 note to the table on page 8 of the staff report. The note  
7 should refer to section 27-6305-A, not 3605-A.

8           Next slide, please. This image shows the  
9 associated type 2 tree conservation plan which is also  
10 recommended for approval. It should be noted that due to  
11 the approved preliminary plan of subdivision NCTP1, the  
12 property is grandfathered into the Woodland Conservation and  
13 Tree Preservation Ordinance adopted in 1993. So no specimen  
14 tree removal variances are required.

15           Next slide, please. This is a conceptual  
16 rendering of the building on Parcel 32 as viewed from the  
17 north.

18           Next slide, please. This image depicts the  
19 floorplan of the 96,000 square foot building on Parcel 32  
20 showing the multiple potential tenant doors on one side and  
21 loading docks on the other.

22           Next slide, please. This image shows the exterior  
23 elevations of the building on Parcel 32. The front  
24 elevation, shown at the top, features multiple storefront  
25 window and door system sections with metal awnings. The

1 rear elevation, shown second from the top, features multiple  
2 loading dock overhead doors and service access doors which  
3 is typical for an industrial building.

4           Next slide, please. This image shows the building  
5 elevations for Parcel 32 that will face the adjacent  
6 Parkside community as well as exemplary images of some of  
7 the architectural features. The DET meets the multiple Part  
8 6 development standards relative to setbacks, landscaping,  
9 and noise protections for the adjacent residential community  
10 as discussed in the staff report and the applicant's SOJ.

11           Next slide, please. This is conceptual rendering  
12 of the building on Parcel 33 as viewed from the north.

13           Next slide, please. This image again shows the  
14 floor plan for the building on Parcel 33 with the tenant  
15 doors on one side and the loading docks on the other, again  
16 similar to the other building.

17           Next slide, please. And this image shows the  
18 exterior elevations of the building on Parcel 33 which again  
19 are consistent with those on Parcel 32.

20           Next slide, please. This image shows some of the  
21 proposed architectural details such as textured panels,  
22 fins, and sun shades, and proposed signage which includes  
23 one free standing sign per building, one building mounted  
24 sign per tenant space, and then a larger building mounted  
25 sign indicating the Northpoint logo which is the name of the

1 logo for this industrial center.

2           Next slide, please. This image shows examples of  
3 the proposed architectural materials including metal and  
4 concrete panels in various shades of gray and white with  
5 some blue highlighting.

6           Next slide, please. With that, the Urban Design  
7 Section recommends the Planning Board adopt the findings of  
8 staff and approved Detailed Site Plan DET-2022-001 including  
9 the variance to section 27-4020(d) (3) and Type II Tree  
10 Conservation Plan TCPII-029-12-16 for Westphalia Business  
11 Center 1 and 2 subject to one condition with multiple  
12 subparts found on pages 34 through 35 of the staff report.

13           Again, the applicant has submitted a revised  
14 finding and conditions in which staff is in agreement with.  
15 And additionally, as noted, the CSP conformance finding on  
16 pages 12 through 16 will be deleted in its entirety.

17           And this concludes staff's presentation. Thank  
18 you.

19           CHAIRMAN: Thank you, Ms. Kosack.

20           Colleagues, before we hear from the applicant, do  
21 you have any questions for staff?

22           COMMISSIONER GERALDO: I just have one.

23           Ms. Kosack, if you could go through the  
24 justification for the variance again, please.

25           MS. KOSACK: Yes. The variance in the TAC Edge

1 Zone, there is now a minimum and a maximum floor area ratio  
2 required. The applicant is requesting for the building on  
3 Parcel 32, which is the one to the north of Presidential  
4 Parkway. The applicant is requesting a reduction in the  
5 minimum floor area ratio from the minimum requirement of .25  
6 to .15.

7           They indicated the narrowness of the parcel and  
8 the regulated environmental features which can be seen on  
9 either side of that parcel to the north and also the various  
10 development standards relative to the adjacency to the  
11 residential community as restricting the developable area of  
12 the property. And I'm sure the applicant's attorney can  
13 speak more to that. But the discussion, I believe it was on  
14 pages -- the variance discussed on pages 28 and 29 of the  
15 staff report, I think I had said.

16           COMMISSIONER GERALDO: Thank you. So in essence,  
17 what the developer is trying to do is to protect more the  
18 residents from the massiveness of the building; is that it?

19           MS. KOSACK: Well, yes. Because of the area that  
20 the regulated environmental features take up, the slopes on  
21 the property, the necessary setbacks from the residential  
22 area and landscaping requirements, trying to provide a  
23 larger building was not deemed feasible.

24           COMMISSIONER GERALDO: Okay. Thank you.

25           CHAIRMAN: (Indiscernible).

1 MADAM VICE CHAIR: Ms. Kosack.

2 CHAIRMAN: Go ahead, Vice Chair Bailey.

3 MADAM VICE CHAIR: Ms. Kosack, you made a  
4 correction on page 8, the note, and I missed that. What was  
5 that correction, please?

6 MS. KOSACK: Yes. There is a parking chart table  
7 on page 8. And underneath, there is a note that refers to  
8 table 27-3605A. It should be table 27-6305A. Just  
9 reversed --

10 MADAM VICE CHAIR: Thank you.

11 MS. KOSACK: -- the 3 and the 6 there.

12 MADAM VICE CHAIR: That's all I need. Thank you.

13 CHAIRMAN: So I'm building off Commissioner  
14 Geraldo's question in terms of the variance. So the idea is  
15 staff thinks it's better for the community to have a  
16 slightly larger, but lower, building rather than a narrow  
17 footprint, but higher building. Is that the idea?

18 MS. KOSACK: No. The building footprint would  
19 have to be larger to be able to meet the requirement.

20 CHAIRMAN: That's what --

21 MS. KOSACK: Or there would have to be a --

22 CHAIRMAN: I --

23 MS. KOSACK: -- second story put into the  
24 building.

25 CHAIRMAN: Right. I think we're in the same

1 place. What I'm hearing is it's better for the community to  
2 not have that extra floor? Okay. All right.

3 So we'll hear from the applicant. I'm sure the  
4 applicant will talk about this as well.

5 Commissioners, any other questions for staff  
6 before I turn to the applicant? None.

7 Ms. Camp, the floor is yours if you want to  
8 introduce any members of your team as appropriate. But take  
9 it away. Marva, you're on mute.

10 I don't think she's hearing us.

11 MADAM VICE CHAIR: She's still on mute.

12 UNIDENTIFIED SPEAKER: Yes, she did hear. Yeah.  
13 She's saying one second.

14 CHAIRMAN: Ms. Camp?

15 UNIDENTIFIED SPEAKER: Can't hear you.

16 MS. CAMP: Can you hear me now?

17 CHAIRMAN: Yes. We can hear you now. But you're  
18 echoing, so there's another --

19 MS. CAMP: Can you hear me?

20 CHAIRMAN: -- computer that needs -- yes. Now  
21 you're fine.

22 MS. CAMP: Hello?

23 CHAIRMAN: Yes. We can hear you.

24 MS. CAMP: Hello. Just a second.

25 CHAIRMAN: Okay.

1 MS. CAMP: One second. One second.

2 CHAIRMAN: Yeah. We can hear you.

3 MS. CAMP: Can you hear me now?

4 CHAIRMAN: We can. Can you hear us?

5 MS. CAMP: I think I'm muted.

6 CHAIRMAN: We can hear you.

7 MS. CAMP: Can you hear me?

8 CHAIRMAN: Yes. We can hear you. Can you hear  
9 us?

10 MS. CAMP: I've done it several times.

11 CHAIRMAN: We can hear you.

12 MADAM VICE CHAIR: Maybe she can't hear us.

13 MS. CAMP: Can you hear me?

14 CHAIRMAN: We can hear you.

15 MS. CAMP: Oh, thank goodness. We apologize,  
16 technology.

17 CHAIRMAN: But when we -- we're hearing the echo.

18 MS. CAMP: Okay. They're getting ready to do  
19 something. I hope it doesn't take me off again. Are you  
20 still hearing an echo?

21 CHAIRMAN: We can hear you. We hear an echo when  
22 we speak.

23 MS. CAMP: Oh, okay. Well, just warn me when  
24 you're going to --

25 UNIDENTIFIED SPEAKER: Hold on one sec.

1           CHAIRMAN: Staff is (indiscernible). If you turn  
2 your volume down.

3           MS. CAMP: Okay. Well, I'm having the technology  
4 expert do it because I don't know what I'm doing. How about  
5 now?

6           CHAIRMAN: Yeah. We can hear you and we are --

7           MS. CAMP: Okay.

8           CHAIRMAN: -- echoing, but we'll deal with it.

9           MS. CAMP: I apologize, Mr. Chair and members of  
10 the Board.

11           Okay. I'm going to start over. Good morning, Mr.  
12 Chair and members of the Planning Board. For the record, my  
13 name is Marva Jo Camp with Law Offices in Mitchellville,  
14 Maryland. I'm here on behalf of the applicant for the  
15 Westphalia Business Center. I'm joined in the office with  
16 our project manager and Dewberry which is the engineer for  
17 the project.

18           Let me first thank the staff for their outstanding  
19 work on this project. This, as you know, is the first DET.  
20 So as you can imagine, there has been a very significant  
21 learning curve which has meant that both the staff and the  
22 applicant have had to really be very intentional in doing a  
23 deep dive in order to address the requirements of the new  
24 zoning ordinances.

25           Having said that, I am very pleased to say that



1 the applicant is in full agreement with the staff report as  
2 modified with respect to the transit finding, the required  
3 conditions as set forth by the staff report, with the  
4 deletion as staff mentioned of conditions 1A and 1C as well  
5 as the comments with respect to the CSP as brought forth  
6 today by Ms. Jill Kosack.

7 I did want to make one modification and that is  
8 the change of the FAR should be from .25 to .19.

9 I would also like to thank the community. This  
10 process has been going on for over a year and a half.  
11 During that time, we have met on numerous occasions with the  
12 community, both the older and newer areas as groups and  
13 individually. As always, community members were engaged and  
14 made comments and shared their concerns and compliments  
15 thankfully regarding the project which included issues  
16 around buffers, lighting, and architectural elements.

17 I also want to recognize and thank the residents  
18 for signing up to speak and or submit information to the  
19 Planning Board. Dialogue between developers, residents, and  
20 staff is for me, and has always been, the essence of a  
21 collaborative and transparent process that produces great  
22 projects. I am also excited because we are finally bringing  
23 commercial development to Westphalia that will add to the  
24 County's tax base and much needed employment opportunities  
25 for our residents.

1           Mr. Chair, as I mentioned, we -- okay. I'm sorry.  
2 We are having something here. I don't know what happened.

3           CHAIRMAN: We're --

4           MS. CAMP: Mr. Chair, as mentioned, we --

5           CHAIRMAN: We're hearing you fine.

6           MS. CAMP: Okay. Mr. Chair, as mentioned, we are  
7 in full agreement with staff.

8           However, I would request the opportunity at this  
9 point to specifically address some comments that were  
10 entered into the record regarding this application. My  
11 comments include, but will not be limited to, responses to  
12 comments that applicant did not meet the required findings  
13 under Section 27-3605E, conformance with the preliminary  
14 plan of subdivision, conformance with environmental  
15 requirements, validity of the proposed variants and  
16 applicability of provisions that apply when the project was  
17 in the fringe even though the project is now in the edge and  
18 not the fringe as suggested in submitted comments.

19           I know that it sounds like a lot, but I promise  
20 you doing a quick response will not take very long if that's  
21 okay with you, Mr. Chair.

22           CHAIRMAN: It is, of course.

23           MS. CAMP: Thank you. So I will begin with the  
24 comment that this project does not satisfy Section 27-3605E2  
25 which requires the DT application comply with all conditions

1 of approval and prior applicable development applications.  
2 Our main comment to this is that as reflected in the staff  
3 report, the applicant has met all conditions set forth for  
4 approval in the TAC zone.

5 I was going to originally speak to CSP which we  
6 did not believe applied, so I will go past that and move  
7 into other comments if you would allow.

8 CHAIRMAN: Yes.

9 MS. CAMP: Okay. The TAC zone, the comment was  
10 that the proposed use conditions with the subject property  
11 designation as a commercial and transit area. The TAC zone  
12 establishes a list of uses. Applicant is developing the  
13 subject property in accordance with those uses.

14 And I want to -- I know this is very different  
15 under the new DET. In some of the earlier zones, we've had  
16 use of tables. In this one, there are a list of uses that  
17 are allowed in the TAC, but -- I'm sorry. The TAC Zone that  
18 are both commercial and industrial.

19 We have the opportunity since this is a -- I'm  
20 calling it a spec building, we have an opportunity really to  
21 be very aggressive in going after tenants. We have not  
22 secured one, but we know that we have the option both on the  
23 commercial side and on the industrial side.

24 Also, the comments made that the transit area was  
25 located -- would not meet in the requirements of the transit

1 area designation. I wanted to point out that the transit is  
2 located on Parcel 6 which has been removed from this  
3 application and therefore not subject to the application.

4           The next one talked about condition 17 which are  
5 the green building techniques and requires a description of  
6 the use of green building techniques and alternate energy  
7 sources for the development throughout the sites. Planning  
8 staff in the SCR comments clarified that the description  
9 must be more than just conformance. That was early in the  
10 process.

11           We appreciated the comments that were made by  
12 staff. We addressed them in our final application which  
13 sets for the green belting techniques. We show that the  
14 applicants not only met the requirements of four, but in  
15 fact, we met it by having five and a half. So we actually  
16 exceeded the requirements for this project as it related to  
17 green points.

18           The next one talked about -- and that can be  
19 found, members of the Board, where we specified those green  
20 techniques on page 19 of the DET.

21           The next has to do with the failure to have  
22 utility companies make comments in the report -- in the  
23 staff report. The code requires, and we are consistent with  
24 a ten-foot PUE adjacent to public streets. The application  
25 not only includes the ten-foot PUE to the north, it actually

1 includes a fifteen-foot PUE to the south per our  
2 coordination with PEPCO as they needed an additional five  
3 feet for distribution of power.

4 In addition, the application has coordinated, let  
5 me say that again, on a regular basis with each of the four  
6 utility companies and has received a will-serve letter from  
7 each, Pepco, Washington Gas, Comcast, and Verizon.

8 I would repeat the same comment was made as it  
9 related to the utility company comments not being in the  
10 staff report. And again, I won't belabor it by saying that  
11 we have had regular meetings.

12 The next one had dedication for a transit stop.  
13 Condition 19 requires that the applicant dedicate the  
14 transit station to be labeled on the preliminary plan to  
15 public use.

16 A couple of things I want to speak to. Again, the  
17 transit sitter is on Parcel 6 which is not a part of the  
18 subject application. And as you would see in staff's  
19 report, there has been effort by the master development to  
20 address the issue of the transit station.

21 The next several comments that were placed in the  
22 record deal with the same transit section. So at the -- in  
23 order to keep saying the same thing, I apologize. But it  
24 talked about our original statement of justification which  
25 said that we had spoken with Ramada which we have, and with

1 the operating agencies in Prince George's County. We  
2 continue to have those conversations. But it is no longer  
3 on the property that is before you today for consideration.

4           Please bear with me because there were at least  
5 eleven comments all having to do with the transit. The next  
6 one has to do with DET 2022-001 does not satisfy Section 27-  
7 3605E3 which requires that regulated environmental features  
8 be preserved or restored in a natural state to the fullest  
9 extent possible. The DET application does not preserve or  
10 restore regulated features to the fullest extent possible  
11 because the proposed impacts to PMA areas are not necessary.

12           The PMA impacts that are shown were approved as  
13 part of the earlier preliminary plan and were adjusted as  
14 engineering necessity to address stormwater management and  
15 storm drain outfalls as discussed in the ELOJ.

16           The next comment was DET has other deficiencies  
17 that it didn't conform with the approved stormwater  
18 management concept plan for the subject property. I would  
19 note that the site development concept plan specifically for  
20 this development was prepared and then approved by DEPA  
21 (phonetic sp.).

22           The next is that the DET application does not  
23 conform to the TAC-E zone block length standards and the  
24 applicant has not requested a variance for those  
25 requirements. The block length and build to line standards

1 in this case do not apply because the TAC-E zone is more  
2 than one half mile beyond the court.

3           The next one had to do with health department.  
4 The type of development proposed in this application  
5 requires a high level of impervious surface which could have  
6 long-term impacts on the sustainability of the Aquia  
7 Aquaphor, a groundwater supply that serves the Upper  
8 Marlboro Westphalia area and for which this site is a part  
9 of the recharge.

10           The stormwater concept plan to treat the  
11 impervious surface area, has been reviewed and approved by  
12 DEPA. This will be reviewed and approved in further detail  
13 at the time of final permitting.

14           Next, which I think several of the Board members  
15 asked about, the applicant's request for a variance to  
16 Section 27-4204(d)(3) does not satisfy the required findings  
17 under Section 27-3616D. Staff report has determined that  
18 applicant has satisfied the required findings on this  
19 provision. It talks in specific that we have applied --  
20 applicant has applied under this -- for the FAR for a  
21 variance.

22           As I mentioned before, we ask for a variance from  
23 .25 to .19. And the comments were that the uniqueness, when  
24 compared to other surrounding properties, the subject  
25 property is not physically unique or unusual, is not

1 exceptionally narrow or shallow. It does not have a unique  
2 shape, exceptional geographic conditions, nor does it have  
3 other extraordinary conditions peculiar to the property.

4 Limits to the development area alone do not make  
5 the property unique without comparing the property to others  
6 in the surrounding areas. It further goes on to say, the  
7 staff PowerPoint slide 3 shows that the property is not  
8 unique in narrowness, shallowness, or shape. And that slide  
9 7 shows that the property has no exceptional geographic  
10 conditions. I would note that that is not what is stated in  
11 the requirements. It talks about topographic conditions and  
12 there is a laundry list of those things that must be shown  
13 to be able to get a variance which the applicant has shown.

14 The comments made further said that slide 15 shows  
15 that the other nearby properties have specimen trees on the  
16 property with similar distribution patterns. Specimen  
17 trees, Mr. Chair and member of the Board, was not at issue  
18 for the subject variance.

19 Next comment was that the screenshot from PGAtlas  
20 with green infrastructure plan and stream center layers on a  
21 screenshot from Westphalia shows that other nearby  
22 properties are similarly limited by PMA areas and other  
23 environmental features. We would note that this varies in  
24 space only on the subject property and not the nearby  
25 properties.



1           Next, it talks about practical difficulties. The  
2 record lacks evidence to demonstrate that the applicant will  
3 suffer any practical difficulties if it was required to meet  
4 the minimum FAR required. Applicant could meet the minimum  
5 requires impact (indiscernible) if it increased the number  
6 of stories in the development.

7           Let me just say that as we have worked with this  
8 community, I was particularly disturbed to think that as we  
9 tried to make sure that we were respectful of the  
10 residential areas, that it would be suggested that we would  
11 have a project that would have two floors that close to a  
12 residential neighborhood.

13           I would also say that we have scaled the buildings  
14 to those residential neighbors, have met with communities  
15 regarding capability, and one of the major issues was having  
16 large buildings. As you remember, there was a discussion  
17 about a ninety-five foot, I think, tall and then a seven  
18 story garage which no one that we spoke with in the  
19 community wanted. A two-story close to residential versus a  
20 minor modification to the FAR, we think, is reasonable and  
21 is respectful of a community.

22           The next comment was regarding potential impacts  
23 to environmental features are not relevant to determining  
24 whether a practical difficulty would arise. Applicant did  
25 not make an argument as to whether relevant to whether

1 practical difficulties would arise. We made the argument  
2 that we meet the requirements for a variance.

3           Next is that the record lacks evidence to explain  
4 why the requested variance is a minimum necessary. We  
5 believe that the record provides the support for the  
6 requested variance.

7           The next is, and I'm almost to the end, members of  
8 the Board, substantial impairment to the general plan and  
9 sector plans and subject property is located in the fringe  
10 area of the Westphalia Town Center, staff report 29.

11           The sector plan puts forth the following goals for  
12 fringe areas: Develop Town Center fringe areas as distinct  
13 and cohesive districts or commercial office employment and  
14 institutional uses in campus-like settings that are separate  
15 from the core and have greener character as setting by  
16 abutting parkways, parks, and green space fronting Maryland  
17 4, creating building styles that favor office or  
18 institutional developments with medium to large scale  
19 commercial development and limited landmark high density  
20 structures such as midrise hotel and office buildings.

21           Our response is that the subject property is not  
22 in the fringe, therefore greener character, et cetera, is  
23 not applicable. However, the proposed development is  
24 commercial and offers employment opportunity. It is also  
25 medium to large. The master developer has submitted an STB

1 for infrastructure to accommodate other uses such as a hotel  
2 and office building uses and other locations in Westphalia  
3 Town Center.

4           And again, I want to make the point. This is just  
5 one piece of the larger Westphalia Town Center. As you  
6 know, there have been approvals of Westphalia, Westphalia  
7 East which is a residential. This happens to be the first  
8 commercial, and we believe what we have offered is setting  
9 the bar for future commercial development.

10           The next is that the development density intensity  
11 targets are .34 or greater for commercial in employment  
12 uses. We agree that that they may be targets, but the  
13 zoning ordinance does allow for variance, and applicant has  
14 provided the necessary support for that variance request.

15           The comments were also that the recommended range  
16 of land uses. And we were unable to find a site to support  
17 the comments as it related to the recommended ranges of  
18 land.

19           Design principles, design large commercial  
20 buildings to have architectural variation that supports a  
21 human scale and provides the appearance and functionality of  
22 small scale developments is what is written in the comments  
23 that were made. Our response is that the applicant has  
24 hired a well-regarded architect to ensure the highest  
25 architectural standards including size, scale, materials,

1 and elevation. As a result, applicant has set the bar for  
2 all future commercial developments in the Westphalia  
3 Business Center.

4           The next is that the fringe area along  
5 Pennsylvania Avenue should be designated as a destination  
6 for employment with corporate character with service and  
7 retail uses located within the office of residential  
8 structures and the potential for hotels in the area. The  
9 subject property is not in the fringe area. However, the  
10 proposed buildings are destinations for employment and  
11 service with the corporate character. You should also note  
12 that there are other areas in the Westphalia Business Center  
13 that will be cited for a hotel.

14           The next is use and enjoyment of adjacent  
15 property. If the variance is approved, then the applicant  
16 is permitted to (indiscernible) to develop a distribution  
17 warehouse which is not -- we have not decided on who the  
18 tenant is. The variance will substantially impair the use  
19 and enjoyment of adjacent residential properties.

20           The proposed development is not less intense use  
21 as asserted by the applicant (indiscernible) less dense.  
22 Distribution warehouses, again that is not what we have said  
23 will be there, or high intensity, heavy, industrial use that  
24 operate on twenty-four seven bases and produce extensive  
25 amounts of light, air, noise, and pollution. They can also

1 create hazardous traffic conditions due to the number of  
2 vehicle trips generated by the use. These uses are not  
3 appropriate near residential uses and will impair the use  
4 enjoyment of surrounding uses.

5           The application is for the approval to build in  
6 accordance with the use tables in the new zoning ordinance.  
7 While the distribution warehouse is on that list, there  
8 other permitted uses. A small modification to the FAR would  
9 absolutely not impair the enjoyment of adjacent residential  
10 properties. And in fact, applicant has been intentional  
11 with ensuring that the size, scale, and architecture respect  
12 and are compatible with the residential areas of Westphalia  
13 Business Center.

14           In contrast, building a two-story building which  
15 hovers and is more intrusive will impair the enjoyment of  
16 the adjacent residential properties. I would also note that  
17 this project is well within the trip caps and even below the  
18 trip caps that have been established for the Westphalia Town  
19 Center.

20           The next is any alleged practical difficulties is  
21 self-inflicted by the application because the applicant is  
22 choosing to develop property with a one-story building for a  
23 use that is not even permitted, which it is, on the subject  
24 property. If the applicant developed the property with more  
25 floors, it would not need the variance.

1           In response, applicant has provided support for  
2 the environmental and physical constraints that support a  
3 finding that the practical difficulties are not self-  
4 inflicted.

5           The next is the applicant must apply for a tree  
6 conservation variance because the County's grandfathering  
7 clause violates the State Forest Conservation Act. The  
8 State Forest Conservation Act requires a variance to remove  
9 specimen trees in all circumstances. The applicant cannot  
10 meet the requirement for a variance to remove specimen trees  
11 under Section 25199D.

12           In response, applicant has an approved TCPI and  
13 therefore does not need specimen tree variance as already  
14 approved for removal.

15           The next comment was that the Planning Board  
16 cannot approve a TCPI before a receives a copy of an  
17 approved erosion and sediment control plan. Condition  
18 requires that applicant -- the conditions set forth by staff  
19 does require the applicant to submit a copy of an approved  
20 erosion and sediment control plan prior to certification  
21 which we will do.

22           Next, the applicant has not exhausted all onsite  
23 preservation techniques as is required under Section 25-  
24 1202C in the Environmental Technical Manual. In response,  
25 applicant has been prepared -- application has been prepared

1 based on the previously approved TCP1 for the overall  
2 Westphalia Business Center development and the Prince  
3 George's County Woodland Conservation manual.

4           Applicant agrees with the findings of the staff  
5 review of the TCPII plan submitted. I'm sorry. I  
6 apologize. And the applicant agrees with the findings of  
7 staff as it reviewed the TCPII.

8           And with that, Mr. Chair and members of the Board,  
9 I know that was a mouthful. But I thought it important that  
10 we respond specifically to the comments.

11           I want to say again in closing that this project  
12 has been going on for over a year and a half. We have spent  
13 considerable time with the staff. We have spent an  
14 inordinate amount of time, and we did so gladly with the  
15 community. I have had Zooms, I have had in person, and I  
16 have had group. I've had individual to make sure that we  
17 were submitting a project that could be a standard bearer  
18 for the Westphalia Town Center.

19           And we are so pleased and so proud that we are the  
20 first commercial development to go into the Westphalia Town  
21 Center. And with that, we would ask for the Planning  
22 Board's consideration of approval of this project. Thank  
23 you.

24           CHAIRMAN: Thank you, Ms. Camp. If you could turn  
25 your microphone off. Thank you.

1           Commissioner, is there any request before we turn  
2 to folks who are in opposition? Any questions for Ms. Camp?

3           UNIDENTIFIED SPEAKER: I have one clarifying  
4 question, Mr. Chair.

5           And let me thank you, Ms. Camp, for the very  
6 comprehensive response to those issues and items raised by  
7 the public. I think that your getting in front of that will  
8 serve the discussion well.

9           My clarifying question is with regards to the FAR.  
10 I just want to make sure that I heard you correctly that  
11 you're proposing to, or did reduce, the floor area ratio for  
12 Parcel 33 from .25 to .19; did I hear that correctly? I  
13 just want to -- your reference is to the FAR, the  
14 modification you referenced.

15           MS. CAMP: Yes, ma'am. It is from .25 to .19.  
16 You are correct.

17           UNIDENTIFIED SPEAKER: Got it. Okay. Thank you  
18 very much. Appreciate it.

19           MS. CAMP: Thank you.

20           CHAIRMAN: Other questions for the applicant?  
21 Okay. So let us turn to folks who have signed up to speak.  
22 I've got -- let me go through the list and see who's here.  
23 And I also want to swear folks in again just to make sure  
24 that we're doing it by the book.

25           So I have Ms. White, Arma White, I have a Denise



1 France-Steele, Destini Harris, Chantel Fuqua, Chinonye  
2 Whitley, Corryne Carter, Briana Bostic, Parrissa Scott, and  
3 Alexandra Votaw.

4 Folks, if you could come on and just acknowledge,  
5 just so I know who's here.

6 MS. HARRIS: I'm here, Destini Harris.

7 MS. FRANCE-STEELE: Denise France-Steele is here.

8 MS. BOSTIC: I'm here. Briana Bostic is here.

9 CHAIRMAN: Great.

10 MS. WHITE: Hi. Arma White's here.

11 CHAIRMAN: Great. Thank you.

12 Did I hear Angel Ross?

13 And Ms. Scott?

14 Ms. Votaw? Ms. Votaw, are you there?

15 All right. I don't hear Ms. Votaw. She is an  
16 attorney who was, I imagine, representing some folks, but I  
17 don't know who. And she is not here. So maybe it's the  
18 technology. I don't know. Let me check with staff.

19 Do we see her online?

20 Okay. All right. So then just let me go through  
21 the list. Each of you --

22 I'm sorry. Mr. -- is it [Roc] or [Ro-cay], Carlos  
23 (phonetic sp.)?

24 MR. ROQUE: I've got a question. So I was kind  
25 of -- I connect. It was, like, ten, twenty. I'm

1 representing a Mr. Eric (phonetic sp.) and we're building a  
2 screened porch. But I don't know if you guys already passed  
3 my case or not.

4 CHAIRMAN: Oh, you know what? We did. I'm fine  
5 to have you step in this way. So we heard your case. That  
6 case was approved earlier this morning. You are good to go.  
7 You can go on about your way.

8 MR. ROQUE: Thank you so much. All right.

9 CHAIRMAN: All right. Sorry, folks.

10 So let me just go through the list as I have the  
11 list, and I will give each person opportunity to speak. And  
12 we'll see if Ms. Votaw if we find her at some point. But in  
13 any case, let me start with my list.

14 I have Angel Ross. Is Angel Ross on the line?

15 Next I have Ms. White, Arma White. I heard Ms.  
16 White before. I think she is on the phone.

17 Is that right, Ms. White?

18 MS. WHITE: I am here. Is this the time -- ss  
19 that what you're saying --

20 CHAIRMAN: This is the time to speak. The floor  
21 is yours. You have up to three minutes to speak. We'll  
22 keep a clock going just to manage the time. But if you  
23 could introduce yourself, say your name and address for the  
24 record. And the floor is yours. You have up to three  
25 minutes to speak.

1 MS. WHITE: All right. thank you. Good  
2 afternoon, everyone. My name is Arma White. I'm a  
3 homeowner in Parks at Westphalia, 3501 Gentle Breeze Drive.  
4 And I first just want to thank you all for the opportunity  
5 just to speak and provide this testimony today.

6 So I have a major concern about the application at  
7 the reference site. Prior to purchasing my home, I was  
8 informed that the zoning area would be like residential,  
9 hotel, retail, and office. And that once construction would  
10 begin that it would be a different site than what we're  
11 looking at now. So I know we have this proposed application  
12 for the warehouse. And it doesn't appear that it conforms  
13 with the prior use. It also looks like it conflicts with  
14 the master plan for Westphalia.

15 So I'm not in favor of the proposed industrial  
16 warehouse. I feel like it would have a direct impact on the  
17 quality of life due to the traffic. As we know, warehouses  
18 bring a different traffic to the area. Again, this site  
19 sits in the middle of two neighborhoods, the Westphalia  
20 Parkside, the Westphalia Town Center. And to me, it just  
21 doesn't seem logical to have a town center in the middle of  
22 the community.

23 And just with the traffic impact that it will  
24 bring, just the amounts of trucks. The truck routes, the  
25 types of trucks, we're unaware -- again, the lady that spoke

1 earlier, we don't even know who will be the resident of this  
2 facility. They're searching. So we just don't -- there's a  
3 lot of unknowns that we don't know what may go in there.  
4 What types of trucks, the number of trucks, like I said,  
5 before the routes or how many within a twenty-four period.

6           Also, there's just concerns about just the air  
7 pollution. Just the potential for increased air pollution  
8 in this area with additional traffic and, more specifically,  
9 the trucks that spoke about earlier. They would just have a  
10 direct impact as well as the removal of the trees. It's  
11 very concerning.

12           As we know, trees as act as a barrier, as a  
13 filter. And just the removal of that, we wouldn't have that  
14 barrier just to kind of assist with air pollution as well as  
15 the concerns with noise.

16           Just in this area with Westphalia, we know Route 4  
17 is a very busy road within PG County. I think it's  
18 considered one of the busiest roads. And then we kind of  
19 couple that in with just the noise of bringing in this  
20 facility in the midst of our community, we just have major  
21 concerns with that noise.

22           A lot of us just fall in this community because  
23 it's not directly in that D.C. area where it's completely  
24 compacted and extremely business. We wanted the comfort to  
25 just kind of be in away from everything like in a quiet

1 community that helps with the anxiety and the stress and  
2 everything that we're going on in this new climate now. And  
3 then when we keep bringing this type of development into a  
4 community, it just basically collides with that.

5           And again, I'll be clear. It's not that we're  
6 opposed to just construction in our areas, but it's the type  
7 of construction like this industrial -- this industrial site  
8 it just definitely is something that we do not want and is  
9 not welcome in our community. And I just ask the Board to  
10 closely examine this application and consider the concerns  
11 of the homeowners and the community. Thank you.

12           CHAIRMAN: Thank you, Ms. White, for your  
13 thoughtful remarks. I appreciate you taking the time to  
14 speak.

15           Next, we have Denise France-Steele.

16           Ms. France-Steele, are you on the line?

17           MS. FRANCIS-STEELE: Yes, I am, sir.

18           CHAIRMAN: Okay. If you could introduce yourself  
19 for the record. And again, we have a timer going, so you  
20 have up to three minutes to speak. And the floor is yours.

21           MS. FRANCIS-STEELE: Thank you, sir.

22           Good afternoon, Mr. Chair and members of the  
23 Board. My name is Denise France-Steel. I live at 4705  
24 Imperial Oaks Lane which is in the Parkside portion of the  
25 adjacent area.

1           One of the issues that I have is not only am I a  
2 resident --

3           CHAIRMAN: Ms. Steele, I'm going to interrupt  
4 you -- Ms. France-Steele, let me interrupt you for a second.

5           I just realized I believe I neglected to -- did I  
6 do the oath again? So I forgot to. We'll take this as a --

7           MS. FRANCIS-STEELE: I did it the first time.

8           CHAIRMAN: You did it the first time. Okay.

9           MS. FRANCIS-STEELE: Yeah.

10          CHAIRMAN: And hold on, Ms. White, did you do it  
11 the first time?

12          MS. WHITE: Yeah, I was on the first time when it  
13 was done, I think like closer to the 10 o'clock hour. So  
14 that's --

15          CHAIRMAN: Perfect, okay. So just in case,  
16 anybody who's on the line who's expecting to speak, let me  
17 do it again just to make sure that we are covering all the  
18 bases. If you've already done it, you don't have to do it  
19 again.

20          But do you solemnly swear or affirm under the  
21 penalties of perjury that the response is given and  
22 statements made will be the whole truth and nothing but the  
23 truth?

24          I'm going to take everyone as being sworn in. And  
25 again, let the minutes reflect that the oath was

1 administered by the Chair for the evidentiary hearing.

2           And I apologize for the interruption, Ms. France-  
3 Steele, and you can continue. And we'll even reset the  
4 clock for you. I apologize.

5           MS. FRANCIS-STEELE: No problem. I understand.  
6 So I live on Imperial Oaks in Parkside. One of my  
7 biggest -- well, I have several concerns. One is that when  
8 the applicant is speaking, and she's saying she took our  
9 meeting with us previously, she took those things into  
10 consideration and it's acceptable to us, I personally find  
11 that offensive because not everybody in Parkside, especially  
12 those that would be considered applicants or residents of  
13 standing or a person of standing, this structure would be  
14 built less than 1,000 feet from my property.

15           One thing I would like the members to take into  
16 consideration when they're voting is the majority of the  
17 people that will be in this line of site and visible, this  
18 does not conform with the conceptual site plan nor the  
19 master plan that was originally provided to us. And most  
20 of us some sort of lot premium because we would have an  
21 unobstructed wood line view, and now that is not going to be  
22 the case. Thus our property values are going to be  
23 affected.

24           Also as it relates to the when she made a response  
25 to the CSP. This does not -- this does not meet retail, nor

1 is it office space. This is actually classified as an  
2 industrial building which does not meet the standard nor the  
3 requirement.

4           The FAR variance that is requested, I would  
5 respectfully ask that you deny that (indiscernible). She  
6 openly stated that it requires you to build a larger  
7 building with a bigger foot (indiscernible) although it is  
8 not as high. In all honesty, it doesn't matter because an  
9 industrial building is not what we as the community wanted.  
10 And I know it's definitely not what I thought I would be  
11 getting when I was looking at the master site plan and chose  
12 my lot specifically. I knew what I was looking for and I  
13 knew what my dollars were going to be providing.

14           This also puts in a situation of which if that  
15 build is constructed, individuals will have the ability to  
16 walk from that warehouse directly through the back of these  
17 homes. And the communities need to not have a fence line.

18           The other thing that I wanted to bring up is that  
19 she is saying the it's not in the -- it's on the edge and  
20 not in the fringe zone. However, if you look at the  
21 conceptual site plan where these buildings are supposed to  
22 be built, it does say, fringe, unless there is an update  
23 site plan that has not been provided.

24           And for me, it's not what I thought I was buying  
25 into. You have people that have spent their life savings up



1 to a quarter of a million dollars for these homes. And  
2 you're telling us that we're going to be relegated to be  
3 looking at an industrial building. And there is nothing for  
4 us as community members.

5 And also the last thing I wanted to say is she  
6 stated that there's (indiscernible) had been submitted for  
7 infrastructure on retail space. That application has not  
8 yet been submitted.

9 CHAIRMAN: Okay. Ms. France-Steele, thank you  
10 very much. I'm sure the applicant -- we may have some  
11 questions about some of the things you're bringing up. I'm  
12 sure the applicant in their rebuttal will respond to some of  
13 this as well. So thank you for taking the time.

14 Next, we have Destini Harris.

15 Ms. Harris, I see you. And if you could introduce  
16 yourself, name and address for the record. And the floor is  
17 yours. You'll have up to three minutes. Take it away.

18 MS. HARRIS: Good day, everyone. My name is  
19 Destini Harris. I live at 9103 Garden Knoll Lane in  
20 Parkside, Westphalia.

21 A couple of things, and I'm going to try to be as  
22 quick, but the first thing that I recognize back in January  
23 on the 12th when I listened in on the initial Planning Board  
24 meeting that this was supposed to come up with was a topic  
25 of discussion as the responsibilities of the Prince George's

1 County Planning Board, and that is to serve as citizen  
2 representatives for their communities. That is us. And  
3 helping to plan, shape, and maintain livable neighborhoods  
4 and healthy lifestyles for residents and the families of  
5 Prince George's County. That is the responsibility of this  
6 Planning Board.

7           We are the citizens, not the applicant. And so it  
8 really disturbs me, even as the attorney that just came on,  
9 when she talked about being disturbed. I want you all to  
10 think about how do we, as the citizens, the people who live  
11 here, feel when our concerns have been relegated, as she  
12 said, to lighting, buffering, and some architectural  
13 features. That was never our main concerns.

14           This is not a new situation. This was fought back  
15 in 2019. It was dropped because of some things that they  
16 didn't do right. So now I feel like the applicant, the  
17 attorney, they're trying to cross every T, dot every I,  
18 because they know where this community stands as far as  
19 having these warehouses built in our neighborhood.

20           She said that they worked with the community. I  
21 don't know how many people are signed up to speak today.  
22 It's the middle of the day. People have to work. But I  
23 know that literally about twenty -- I'm sorry, two weeks  
24 ago, there was a meeting about this. And there were over  
25 fifty people represented on the line in opposition to this.

1           And so I am, as she said, very disturbed that they  
2 are literally boxing us into warehouses. This is not the  
3 only warehouse in our community. On September 29th of last  
4 year, Vista 95 Logistics Center was approved. They're  
5 supposed to begin construction this spring. This is going  
6 to be on the north side of Westphalia Road. It is a 48.3  
7 acre complex of warehouse -- another warehouse building  
8 which will have trucks there.

9           We also have the Capital Electric Headquarters  
10 that is literally right on the other side on Westphalia  
11 Road, again another warehouse. So traffic right now is  
12 already bad coming on and off of Pennsylvania Avenue. It is  
13 only going to get worse.

14           And I just employee this Planning Board to again  
15 think of the citizens. Would you want to be boxed in by all  
16 of these trucks? Would you want to contend with this type  
17 of traffic every single day when you are trying to enter and  
18 leave your neighborhood?

19           This is not about a two-story versus a one-story  
20 building. The citizens of this neighborhood do not want  
21 this here. And we're going to fight it. Thank you.

22           CHAIRMAN: Thank you, Ms. Harris. Much  
23 appreciated.

24           Next, we have Chantel Fuqua.

25           Did I pronounce that correctly? I see you in

1 front of us -- there we go. Go ahead. Ms. Fuqua? You can  
2 go ahead and speak. Your microphone is -- you're unmuted,  
3 so if you speak, we'll hear you.

4 MS. FUQUA: (Indiscernible).

5 CHAIRMAN: Try again. All right. Almost. Try  
6 again. We can hear you, but we don't -- but it's very  
7 muted. Ms. Fuqua, let me ask you to call in. It looks like  
8 you're coming in on a computer.

9 Is that what we're seeing?

10 It might be better for you to call in with the  
11 number that you see.

12 Did she get a number?

13 So if you call in with that number, I'm going to  
14 move on to the next speaker, but we're not going to forget  
15 you. We'll come back to you, and please try to call in,  
16 okay?

17 Next, we have Chinonye Whitley.

18 Ms. Whitley?

19 I saw her before, but I think she dropped off.

20 Next we have a Corryne Carter.

21 Ms. Carter, are you on the line?

22 Next, we have Ms. Bostic, Briana Bostic.

23 Ms. Bostic --

24 MS. BOSTIC: Hi, everyone.

25 CHAIRMAN: -- are you on the line?

1 MS. BOSTIC: Can you hear me?

2 CHAIRMAN: We can hear you perfectly, yes. If you  
3 could identify your name and address for the record. And  
4 you have up to three minutes, and the floor is yours.

5 MS. BOSTIC: Hi, everyone. My name is Briana  
6 Bostic, and I've lived at 4207 Whispering Lane. I like to  
7 state my agreement with the items outlined in the additional  
8 backup files on pages 1,016 through 1, 021 and pages 1,009  
9 and 1,010.

10 The application does not comply with CSP 0700401  
11 conditions 1 and 17. The applicant does not propose any  
12 dedication for transit station in the parcel in the  
13 application. And it does not satisfy section 27-3605(e) (3)  
14 which requires the regulated environmental features be  
15 preserved or restored in a natural state to the fullest  
16 extent possible.

17 The applicant's request for a variance to section  
18 27-4204(d) (3) does not satisfy the required findings under  
19 section 27-36160 and is a substantial impairment to the  
20 general and sector plans. The State Forest Conservation Act  
21 requires a variance to remove specimen trees in all  
22 circumstances. The applicant cannot meet the requirements  
23 for a variance to remove specimen trees.

24 Other concerns that remain unaddressed include  
25 extensive light, air, noise, water pollution and hazardous

1 traffic conditions. You have not stated who will occupy  
2 this space which is even more concerning because residents  
3 will not know what's coming. This strategy feels deceptive.  
4 There is no sediment control plan for a site adjacent to  
5 homes which is a short-sighted health hazard.

6           The statement provided on page 1,1008 of the  
7 additional backup files, statement from the Prince George's  
8 Department of Health. There is a mention of a desktop  
9 health impact assessment review of the detailed site plan.  
10 And this is insufficient evidence of estimation about the  
11 problem of dust and air pollution that will come about  
12 during the construction of and during the function of the  
13 proposed industrial use for the business center. There's no  
14 information about particulate matter in the air and soil,  
15 and increased diesel fuel exhaust will affect the health of  
16 residents.

17           A desktop assessment will not matter if the  
18 neighborhood becomes a cancer cluster or if young children  
19 and adults in the adjacent neighborhood, which is very  
20 adjacent, experience increased respiratory illness.

21           My concern is that there is no reliable and  
22 trustworthy HOA representation for the residents of this  
23 community. Residents across the County are not aware of how  
24 the recent rezonings put them at risk for similar  
25 developments.

1           And the lack of meaningful health assessment,  
2 notification to residents, community engagement until it's  
3 time to approve final plans, and the nature of the  
4 relationships between developers, lobbyists, and elected  
5 officials is a demonstration of lack of integrity that needs  
6 to change in order for the County to see itself actualized  
7 for what it really is, a beautiful place where families  
8 gather and grow and where people from all of the world come  
9 arrive looking to connect for their education and  
10 participate. And I'm grateful for the participation and  
11 building the communities they want to see. Thank you.

12           CHAIRMAN: Thank you, Ms. Bostic. Appreciate you  
13 taking the time.

14           I believe we have Ms. Fuqua on the line. Hold on  
15 one sec. I'm going to have staff working to make sure that  
16 her voice can be heard.

17           In addition to that, did I leave anybody out? Is  
18 there anybody else who has signed up to speak, who is  
19 registered to speak, who I have not called on? Come on the  
20 line or make your voice heard just to make sure.

21           MS. FUQUA: Good afternoon. This is Chantel  
22 Fuqua. Can you hear me?

23           CHAIRMAN: Yes. We can actually. We can hear you  
24 quite well. If you could introduce yourself. I'm glad you  
25 were patient with us. If you could state your name and

1 addressed for the record. You'll have up to three minutes  
2 to speak and take it away.

3 MS. FUQUA: Thank you, Mr. Chair. The testimony  
4 has been a challenge this morning and afternoon. My name is  
5 Chantel Fuqua. My address is 6007 Ella Beall Court. That's  
6 in Upper Marlboro.

7 I'm calling because I am a member in the HOA in an  
8 adjacent neighborhood. We're, like, right across 4, right  
9 across Pennsylvania in (indiscernible). I do believe that  
10 the residents of Westphalia just in general, and Parkside,  
11 they are at a significant disadvantage in terms of their  
12 opposition for this project because they don't have control  
13 of the HOA. And the builder basically, and this applicant,  
14 they keep building homes, so the residents don't have a  
15 voice in this particular situation.

16 We have several concerns as adjacent homeowners.  
17 We're concerned about the health and safety of residents  
18 just in general. We're concerned about the pollution. As  
19 other homeowners have also stated, we're concerned about  
20 chemicals, environmental, about people developing cancer  
21 because of fumes that will come from this warehouse and  
22 other commercial endeavors.

23 We're concerned about safety. That's already an  
24 issue. The traffic and congestion around the 4 and  
25 especially in the morning where people are trying to go to



1 work, it's significant basically. You can leave right here  
2 at the 4 and Westphalia like (indiscernible) and be stuck  
3 basically in between there and Fruitland Parkway if you're  
4 trying to go to D.C. It can take you almost fifteen minutes  
5 basically to cover that length.

6           There are already eighteen-wheelers that are  
7 coming through here. And we don't even know what would  
8 happen basically. The increasing congestion could be  
9 twenty-five fold in terms of just being able to travel  
10 through the stretch.

11           We're also concerned about being flanked by  
12 commercial development. The Cardoza (phonetic sp.) project  
13 basically, so that will be on the side where our  
14 neighborhood is. That is a continuing issue basically.  
15 That would start to make our area basically, which we hope  
16 when we purchase here basically, that it will be a peaceful  
17 residential area. It will start to becoming unsafe and also  
18 more like an urban development, more like we're in D.C. And  
19 I believe that residents bought out here in Prince George's  
20 County because they were looking for a certain particular  
21 type of neighborhood and living experience.

22           And then lastly, I think I'll end on property  
23 values. As my other concern, homeowners have said people  
24 have put a lot of money into their property. I put down a  
25 significant amount of my own money on my property. And all

1 of my fellow, let's say, homeowners have in this area  
2 basically. And we're concerned about losing that. And  
3 we're really asking basically the Counsel to value us as  
4 Prince George's residents basically to value us as  
5 contributing to the tax base and to really vote in  
6 opposition of this project. So thank you for allowing me to  
7 have some comments this afternoon.

8           CHAIRMAN: Thank you, Ms. Fuqua. Really  
9 appreciate you working through the testimony and good to  
10 hear your voice on this issue.

11           All right. Is there anyone else from the public  
12 who has signed up to speak who I have not gotten to yet? I  
13 just want to make sure because we've had some testimony  
14 issues. So jump on, let us hear your voice or see your face  
15 just to make sure. Okay. All right.

16           Then I will turn it back to the applicant for  
17 any -- well, actually first.

18           Are there any questions for any of the folks  
19 who've spoken before here from the applicant?

20           COMMISSIONER WASHINGTON: No questions other than  
21 to thank the citizens for obviously attending and expressing  
22 their very clear passion with regards to this case and this  
23 project. But I think it's appropriate to note, and I cannot  
24 recall with my apologies the individual who stated it, but  
25 spoke about the Planning Board's responsibility to the

1 citizens and the public. And we absolutely do.

2           And I would also like to say that each of us as  
3 Planning Board members are also citizens and the public and  
4 proud Prince Georgians. And we love this county greatly and  
5 deeply and certainly as a neighbor and as a citizen can  
6 appreciate how sometimes project may not align with what  
7 one's vision or what they had envisioned with regards to  
8 their community and neighborhood. And I would venture to  
9 say that I know myself and even my colleagues have likely  
10 all been impacted by this.

11           But first and foremost, I think it's again  
12 important to say that our responsibility is to make sure  
13 that we're following the law. And in so doing, you're  
14 oftentimes going to find a lot of varied opinions about  
15 that.

16           And I just thought it worth saying that, Mr.  
17 Chairman. So thank you. That's it.

18           CHAIRMAN: I appreciate the words. And I would  
19 associate myself with the remarks of Commissioner  
20 Washington.

21           And the thing that I would add to this -- and Ms.  
22 Camp when you go with your rebuttal and close, you may want  
23 to take some of this up.

24           So to Commissioner Washington's point, we're very  
25 concerned about making sure that we're minimizing negative

1 impact on folks in the community. And we want to grow the  
2 way in what we consider to be a healthy way. And the  
3 applicant has rights too. And so the zoning of this  
4 property allows these kinds of uses.

5           And one thing that we want to be mindful of is  
6 again to make sure that we're staying in our lane is to make  
7 sure that when we take up issues like this, we are not  
8 getting in the way of what the developer has a right to  
9 develop. But again, taking into account minimizing the  
10 negative impacts.

11           And so there are some things I heard, Ms. Camp,  
12 that raised some concerns for me. One of them is if it is  
13 the case that the developer said to these homeowners that  
14 they would have an unobstructed wood view, that has nothing  
15 to do with you, Ms. Camp, your client because you have the  
16 right to develop this property. But it does concern me that  
17 it's possible that these homeowners were lied to by the  
18 developer of these homes. And again, I was involved in that  
19 at all. But yeah, it's zoned M-X-T next to it or it was.  
20 So I don't know why these homeowners would be told that this  
21 would be woodland next to them.

22           Now, the flipside of that, though, is I am  
23 concerned about the buffer. And I'm concerned about what  
24 the applicants -- what the homeowners can and can't see. So  
25 my quick look on this is that the buffering is not that

1 robust. And so I'm quite curious to hear from you all, Ms.  
2 Camp and other members of the applicant's team, exactly what  
3 you are planning in terms of the -- yeah, the screening.

4 And similarly, there was a question that somebody  
5 brought up about the fence line saying that there's no fence  
6 line -- no fence being planned which doesn't make sense to  
7 me. But if that's the case, so is there sort of free  
8 walking access from the --

9 Ms. Camp, I can't hear anything you're saying if  
10 you're speaking to us. I see that you're wanting to  
11 contribute, but hold the thought because we can't hear you  
12 anyhow.

13 So I have questions about the fence. I have  
14 questions about the (indiscernible) and the screening.  
15 Those are the big things. Other issues around the  
16 noxiousness of the use, there are all sorts of ways in which  
17 that issue is regulated. But it is an allowed use for this  
18 site. So that's not something that we're going to get too  
19 in the weeds about even though there are environmental  
20 standards that have to be met.

21 So with that -- but before I turn to you, Ms.  
22 Camp, I did see that Ms. Whitley has come on the line. And  
23 so I want to give her the chance to speak as well.

24 So Ms. Whitley, as I said with the other folks, if  
25 you could introduce yourself, state your name and address

1 for the record. I'm going to give you up to three minutes  
2 to speak. And the floor is yours. You froze Ms. Whitley.

3 MS. WHITLEY: (Indiscernible) thank you for giving  
4 me the opportunity to speak.

5 CHAIRMAN: Ms. Whitley, you're very choppy. Hold  
6 on one second.

7 MS. WHITLEY: I'm sorry.

8 CHAIRMAN: Let it buffer for a second. Hold on.  
9 You know what? Ms. Whitley, let me make a suggestion. Turn  
10 off your camera.

11 MS. WHITLEY: And I'll also turn off my camera.

12 CHAIRMAN: Turn off your camera and maybe we'll be  
13 able to hear you better. Try again.

14 MS. WHITLEY: And I can (indiscernible) if you  
15 want me -- do you want me to dial in? That might also help.

16 CHAIRMAN: We can hear you now. So you can go  
17 ahead and speak. But Ms. Whitley, before you go, I just  
18 want to make sure you were sworn in. Ms. Whitley, were you  
19 sworn in when I asked everyone -- when I asked them to take  
20 the oath, were you online? Yes?

21 MS. WHITLEY: Yes. I was watching when the --

22 CHAIRMAN: Okay. Thank you. Okay.

23 MS. WHITLEY: Yes.

24 CHAIRMAN: And so you took the oath? You're sworn  
25 in, right?

1 MS. WHITLEY: Yes.

2 CHAIRMAN: Okay. All right. Then the floor is  
3 yours. You have up to three minutes to speak and take it  
4 away.

5 MS. WHITLEY: Okay. I think there may be a bit of  
6 a delay, so I will try to be (indiscernible) applicants and  
7 my fellow neighbors, my name is Chinonye Whitley, PhD. I am  
8 a resident of the Parkside at Westphalia community in Upper  
9 Marlboro, Maryland. And I live (indiscernible) which is  
10 directly impacted by the location of the proposed buildings  
11 in the DET-2022-001.

12 My home is direct -- application. My -- directly  
13 behind the townhouses that would -- the building. So I can  
14 see the townhouses from the back of my house. And I'm very  
15 strongly opposed to this application for a number of  
16 reasons.

17 First, I'm opposed because of the potential air  
18 pollution that can be caused by the additional traffic that  
19 would be parking, idling, and coming in and out of the  
20 facilities that are being proposed. I have two children,  
21 one is eleven-year old girl, the other is a four-year old  
22 boy. And I'm very concerned about potential environmental  
23 impacts to their health in terms of asthma and other issues  
24 that could come about.

25 Two, I'm very concerned about my ability to enjoy

1 the property that I have purchased. I am a two-time  
2 purchaser in this community. I once owned a town  
3 (indiscernible) in the community and then when I also  
4 opposed the original (indiscernible) to come here is  
5 (indiscernible) was no longer -- it was (indiscernible)  
6 withdrawn, I felt safe enough to buy a single family home in  
7 the community because I didn't have to worry about an  
8 industrial warehouse being placed near my residential  
9 community.

10 I'm also concerned that the fourteen-foot wall  
11 that has been proposed will not sustain or reduce the noise  
12 that can come from the building. We already live near Joint  
13 Base Andrews, and we hear large booms. We had to  
14 acknowledge and accept that when we bought (indiscernible)  
15 homes. But we did not have to accept additional noise that  
16 could come from this potential development.

17 I do (indiscernible) the developer (indiscernible)  
18 are clear on the (indiscernible) --

19 CHAIRMAN: Ms. Whitley, we lost you again. Dr.  
20 Whitley, I'm sorry, we lost you again. Dr. Whitley, are you  
21 there?

22 Unfortunately, technology is not cooperating. I  
23 don't now if we have any comments from her in writing. Do  
24 we? Did she contribute? All right. If she works her way  
25 back online, even if the applicant is still in rebuttal or



1 close, I'll give her the opportunity to finish her remarks  
2 if that's okay, colleagues. Okay.

3 So Dr. Whitley, if you hear this, if you fight  
4 your way back on, we'll give you a chance to complete your  
5 remarks for sure.

6 And with that, I'll turn it back to the applicant.  
7 Ms. Camp, are you with us?

8 MS. CAMP: Can you hear, Mr. Chair?

9 CHAIRMAN: We actually can hear you well. Can you  
10 hear us okay?

11 MS. CAMP: I can hear you great.

12 CHAIRMAN: Okay. Technology sounds fine with you,  
13 so the floor is yours for rebuttal and close.

14 MS. CAMP: Okay. And I hope you'll bear with me  
15 because I was trying to take notes, so I'm going to have to  
16 look as I go forward.

17 Let me start by saying again --

18 CHAIRMAN: Let me just say, Ms. Camp. You heard  
19 my comments. And we have Ms. Whitley -- I'm going to try to  
20 get her back on. But you heard --

21 Hold on, Ms. Whitley.

22 You heard my comments about the screening and the  
23 fence line, the buffering and all that. So I definitely  
24 want you to address that.

25 But before you go --

1 MS. WHITLEY: I'm just trying to --

2 CHAIRMAN: Ms. Whitley, we can hear you now.

3 MS. WHITLEY: Okay. I'm sorry. I'm not sure  
4 where I left off, what the last remarks were that you were  
5 able to hear.

6 CHAIRMAN: You were talking about your eleven-year  
7 old daughter and your four-year old son.

8 MS. WHITLEY: Oh, dear. Okay, so most of them.  
9 Thank you for the opportunity for me to restate what I was  
10 saying. I wanted to say very quickly that first, I am very  
11 concerned about the air pollution. Second, I'm very  
12 concerned about the additional traffic that is already  
13 difficult for the (indiscernible) as well as the  
14 (indiscernible) additional industrial area (indiscernible)  
15 around this community.

16 I wanted to state that (indiscernible) heard this  
17 already, I previously owned a townhouse in the community.  
18 And when I learned that there would not be a warehouse built  
19 in 2019, it gave me comfort to be able to buy a single  
20 family home in the community which is actually closer to the  
21 location of the proposed facilities.

22 I also wanted to state that I really want to  
23 demonstrate that there will be reduced enjoyment of the area  
24 due to the traffic due to our reduced ability to travel  
25 around the area with additional trucks. I don't feel

1 comfortable with my children being able to bike around the  
2 area with all of the additional traffic that will be added  
3 to the area.

4           And so with that, I will pause from my comments.  
5 But I do hope that you consider that other types of  
6 establishments such as retail and mixed use housing could be  
7 placed in that place rather than a large industrial  
8 warehouse which doesn't serve any of the residential needs  
9 of the community that is directly adjacent to the proposed  
10 building, so thank you.

11           CHAIRMAN: Thank you, Dr. Whitley. And I'm glad  
12 we were able to hear your remarks, and I'm glad you figured  
13 out the technology.

14           Okay. Commissioners, any questions for Dr.  
15 Whitley before we turn it back to the applicant? No? Okay.

16           All right. Thank you very much. Thank you.

17           Ms. Camp, back to you.

18           MS. CAMP: Okay. Can you hear me, Mr. Chair?

19           CHAIRMAN: We can hear you and we can see you.

20           MS. CAMP: Okay.

21           CHAIRMAN: And there are no echoes. It's all  
22 clear.

23           MS. CAMP: Oh, great, great, great. So again,  
24 please bear with me as I try to look down and up to address  
25 the comments that were made. Let me first say I want to

1 thank the citizens and residents of the area because I think  
2 it's exceedingly important that they are involved in the  
3 process and appreciate the comments that were made today.

4           So I'm going to start with the comment dealing  
5 with the buffer, the tree removal. When we met with the  
6 residents there, one of the things that we were committed to  
7 was making sure that we had an adequate buffer between the  
8 residential and the -- between the residential area and the  
9 commercial area. And what we did was two things. Well, no,  
10 actually more than two things.

11           One is we preserved woodland conservation, so we  
12 maintained trees that were mature trees on the property. In  
13 addition to that, we are planting trees to add to the buffer  
14 to make sure that, one, the trees are tall and the trees are  
15 wide. So we have been very, very specific about how we have  
16 handled trees. We are not removing trees. What we are  
17 doing is adding trees.

18           I will also note that we have there in the  
19 response to the comments about noise and movement, we have a  
20 retaining wall, we have a noise wall, and we have a  
21 stormwater management facility that will address some of the  
22 transient movement that might have gone along between the  
23 commercial and the residential. I'm not sure if I said it,  
24 but we have a retaining wall, a noise wall, and fencing.

25           We also have existing trees and we have new trees

1 that we showed and discussed with the community to make sure  
2 that we were respectful of the need between the commercial  
3 and the residential.

4           The other thing that I want to speak to is  
5 obstructed view. I cannot speak to what another builder or  
6 developer said to that community. But let me assure you, we  
7 never made any representations about the -- no  
8 representations with respect to obstruction. In fact, I  
9 will point out that in the original plan, there was to be a  
10 seven-foot garage -- seven-story garage which was going to  
11 be very intrusive and very obstructive. There was also, in  
12 one of the plans, to put an eighty-five foot high building.

13           Each one of our buildings is smaller than what was  
14 put on the sector plan or any previous approvals. So when  
15 you look, and we have given to the community a presentation  
16 that shows you cannot see from the residential areas what  
17 we're doing, just because of the topography and the way it's  
18 done, the way that the -- I'm sorry, the way that the trees,  
19 the mature trees there, and eventually what will happen with  
20 the new trees. So we feel pretty strongly with respect to  
21 the view. We still very strongly with respect to the  
22 buffer.

23           Let me also say there's a lot of conversation  
24 about an industrial use. I would like to note again, we are  
25 asking for approval of this application under the TAC-E

1 zone. In there, there is a table of uses that allow for  
2 commercial uses and allows for industrial uses. We would  
3 not -- there's another process that talks about permitting  
4 and what you do afterwards. But here, we have not said we  
5 are doing industrial warehouse or distribution warehouse.  
6 What we have said is that we will be in accord with one of  
7 the uses that is allowed under the TAC-E zone.

8           The other thing I think I heard from some of the  
9 community members was concern about air pollution and  
10 traffic. You may recall those who have been around a while.  
11 This was a significantly larger project when it was under  
12 the 2007 plan. There was significantly more residential,  
13 significantly more commercial, significantly more  
14 everything.

15           And then the County passed the 2035 plan. What  
16 that did was move this area from a regional urban center to  
17 a local center and significantly reduced what was going to  
18 be in here. At one point, it was thought that there was  
19 going to be a transit center, that there be a metro. All of  
20 that has gone away. So in fact, because of the reductions  
21 of density, what you're going to see is less pollution, less  
22 traffic than you would if the original development had  
23 occurred.

24           Let me then -- I think I've talked about it all,  
25 but I'm going to save this one, and this one is on a

1 personal note and is probably of most concern to me. I have  
2 been in this county since 1968. I've been a land use  
3 attorney since 2007. And before that, I was chair of my  
4 zoning committee in my community.

5 I take very, very seriously the responsibility of  
6 developers to be about a part of the communities in which  
7 they site. I loved when the residents said the Planning  
8 Board represents the community, represents the citizens.  
9 Well, I see that as people individuals. I also see that as  
10 developments. I see that as businesses.

11 If this community is going to grow and be of  
12 quality, we have to have a broad perspective of what makes  
13 up community. We take seriously our obligation as a member  
14 of this community. And I would hope that as you are looking  
15 at this case that we would look at it broadly and understand  
16 the importance of everybody as a stakeholder being a part of  
17 this process and being valued as a part of this property.

18 Commissioner Washington and Mr. Chair, I was very  
19 happy to hear you talk about an expansive view of what we  
20 talk about when we talk about community. So for us, I think  
21 this project represents that kind of commitment to looking  
22 at the interest of all stakeholders.

23 And finally, I want to say that we are doing this,  
24 and we appreciate the understanding that this is inside of  
25 the zone. We are not trying to do anything that is not

1 permitted under the zone that we have submitted our  
2 application. We have met every condition that is required,  
3 and we plan on continuing to meet those conditions as we go  
4 forward in this project.

5           And I also could submit to you, Mr. Chair and  
6 members of the Board, that we will continue to have  
7 conversations with members of the community to make sure  
8 that we are being responsive. And if there are ways to  
9 improve the project, to make sure that we heard their voices  
10 and that we response to their voices.

11           And with that, I will conclude my remarks.

12           CHAIRMAN: Thank you, Ms. Camp.

13           That is -- yes.

14           MS. CAMP: I apologize. I did want to make a  
15 correction on my correction. It looks like, on the FAR from  
16 the .25, it is somewhere between -- I mean, 1.5 and 1.6. So  
17 staff was correct. And please accept our apology for that.

18           CHAIRMAN: What, I'm not understanding? Hit with  
19 me that again. What's the correction to the correction?

20           MS. CAMP: So Ms. Kosack made reference to from --  
21 I mean, .25 to .15. And we said --

22           CHAIRMAN: .19.

23           MS. CAMP: -- (indiscernible) to .19. It should  
24 say at .15 as she stated.

25           CHAIRMAN: Okay. Thank you.



1 MS. CAMP: Yes.

2 CHAIRMAN: Okay.

3 MS. CAMP: And apologies (indiscernible) for that.

4 CHAIRMAN: Colleagues, we've heard -- that's your  
5 closing. That's your rebuttal and closing.

6 So this concludes this public hearing for this  
7 matter. So unless there's any other questions -- under  
8 deliberation, are there any other questions that you have  
9 before we get (indiscernible). Any other questions you have  
10 for the applicant or staff?

11 If not, under deliberation, let me start. I hear  
12 loud and clear some of the concerns from parts of the  
13 community. I appreciate their coming forward and making  
14 their voice heard in this way. And it's difficult. I think  
15 that again the zone is the zone. And they have the -- the  
16 applicant has rights to develop according to the zone and  
17 within the uses of the zone. And I think part of our job in  
18 a situation like this is to make sure that we are minimizing  
19 any neighborhood impact.

20 Hearing from the applicant, as she talked about  
21 the screening and the fence line and the woods, and the  
22 multiple layers of fencing, that satisfies me in terms of  
23 minimizing the negative impact on the folks in the  
24 community. And I know it's difficult to talk to the  
25 community. And it's a lot nicer to be living next to the

1 woods than it is the warehouse. But the M-X-T Zone allows  
2 for, and we don't even know if it's going to be a warehouse.  
3 But the M-X-T Zone allows for commercial use. And so there  
4 will be another process. So that's my view.

5 My view is I believe that the applicant has met  
6 the standards to allow for us to go ahead and approve this.  
7 But I'm curious to see where you all are with this as well.

8 MS. COLEMAN: Sorry. Lisa Coleman (phonetic sp.),  
9 senior counsel for the record. I just wanted to clarify for  
10 the Board because you referenced the M-X-T Zone. This is  
11 actually in the TAC-E zone.

12 CHAIRMAN: I was talking about the -- my  
13 apologies. The former zone was M-X-T Zone. And so thank  
14 you for that clarification, Ms. Coleman. I appreciate that.

15 Mr. Geraldo, you had something you wanted to --

16 COMMISSIONER GERALDO: I wanted to share the  
17 comments of Commissioner Washington and yours.

18 And what I wanted to mention to the developer, to  
19 Ms. Camp, is whether or not -- and I understand, and the  
20 Board understands, I think we all do in terms of the concern  
21 that the community, particularly in the Westphalia Parkside.  
22 So one suggestion, and the concern of the residents with  
23 regards to the size of the building and what they have to  
24 look at. And I was wondering whether or not, Ms. Camp, the  
25 developer considered at all putting up a green wall?

1           CHAIRMAN: We can't hear you, Ms. Camp.

2           MS. CAMP: Yeah, I'm sorry. We put up -- and  
3 through deliberation with staff, we have a retaining wall  
4 and we have a noise wall. And then we have a fence. And  
5 then we added on -- we actually could have removed the  
6 trees. We kept those trees, and then we have a berm, I  
7 think, down under there that kind of -- not a berm? Okay.  
8 I'm incorrect. And then we added the trees. So that's what  
9 we tried to do to mitigate any kind of negative impact  
10 between the commercial and the residential.

11           COMMISSIONER WASHINGTON: Okay. I was talking  
12 about -- the big wall, whether or not, you know, you see  
13 that in other areas where they make -- they turn the  
14 concrete wall into greenery that sort of adds -- takes away  
15 from the heaviness of the concrete.

16           MS. CAMP: Yeah. One of the things -- and I'm not  
17 sure ours is concrete. I don't know about the materials. I  
18 will say that their lower walls, these walls, are six foot.  
19 They had to be under six foot under the zoning ordinance.  
20 And there are actually two with a plaza that even makes it  
21 further away from the residential as required by this  
22 zoning.

23           I don't think because of the way it is behind the  
24 fencing trees, Commissioner, that you would even ever see  
25 that kind of foliage because it's covered up by the trees.

1 COMMISSIONER WASHINGTON: Okay. Thank you.

2 CHAIRMAN: Other questions? Anything else in  
3 deliberation? Okay. Do we have enough information to make  
4 a decision?

5 If so, what's your pleasure, Board?

6 COMMISSIONER WASHINGTON: Mr. Chairman, I move  
7 that we adopt the findings of staff to include the technical  
8 corrections as noted on the record by both staff and the  
9 applicant with respect to the FAR. In addition to deleting  
10 on pages 12 through 16 all references to the CSP as it is  
11 not a conformance finding required as a condition of  
12 approval.

13 In addition to the amended finding as outlined in  
14 applicant exhibit number 1. And with that, I move approval  
15 of DET-2022-001, variance to Section 27-4204(d)(3) and  
16 TCPII-029-12-16 along with the condition as outlined in  
17 staff's report and is further modified by applicant exhibit  
18 number 1.

19 MADAM VICE CHAIR: Second.

20 CHAIRMAN: Motion by Commissioner Washington is  
21 second by Vice Chair Bailey. Is there any discussion on the  
22 motion. Seeing no --

23 COMMISSIONER WASHINGTON: Other than --

24 CHAIRMAN: Yes, Commissioner Washington?

25 COMMISSIONER WASHINGTON: I'm sorry. I was just

1 going to, I guess, double down on my earlier comments and  
2 thank the citizens and thank the applicant as well.

3 We sometimes, in the spirit of all of us trying to  
4 get to the best possible place for our county, find  
5 ourselves where it's not as delicate a walk as we would like  
6 it to be, but progress nonetheless. So thank you,  
7 everybody, for your engagement.

8 CHAIRMAN: Yeah. Thank you for your thoughtful  
9 remarks.

10 MADAM VICE CHAIR: Yeah. I'd like to associate  
11 myself with Commissioner Washington's comments. That's  
12 exactly what I was going to say. Maybe not those same  
13 words, but to thank the citizens and the applicant. I do  
14 know that the applicant is not where they started  
15 originally. So they did listen to the citizens and made  
16 some adjustments to their plans.

17 And so I wanted to thank them for that. They did  
18 not satisfy all of the citizens, that's for sure.

19 But your efforts in working and listening to the  
20 citizens, I want to commend you on that. And I want to  
21 thank the citizens for coming.

22 We do hear you.

23 And we do know that -- the applicants know that we  
24 listen to you as well.

25 So thank you so very much for coming and sharing

1 your comments.

2 CHAIRMAN: Well said, both of you. And I  
3 certainly associate myself with all of those remarks.

4 If there's no further discussion on the motion, I  
5 will call the roll.

6 Commissioner Washington?

7 COMMISSIONER WASHINGTON: I vote aye.

8 CHAIRMAN: Vice Chair Bailey?

9 MADAM VICE CHAIR: I vote aye.

10 CHAIRMAN: Commissioner Geraldo?

11 COMMISSIONER GERALDO: I vote aye.

12 CHAIRMAN: You're still on mute. There we go.

13 I vote aye as well. The ayes have it, 4-0.

14 Thanks to everybody for taking the time to be heard on this  
15 case.

16 Ms. Camp, thank you very much.

17 MS. CAMP: Thank you too --

18 CHAIRMAN: Ms. Kosack, everybody, folks, this  
19 concludes all the items that I see on today's agenda.

20 Mr. Hunt (phonetic sp.), is there anything further  
21 to come before us?

22 MR. HUNT: Mr. Chair, there are no additional  
23 items before the Planning Board today. Have a great rest of  
24 your week.

25 CHAIRMAN: Thank you. And without objection,

1 folks -- without objection, we are adjourned. Thanks,  
2 everybody.

3 **(Whereupon, the proceedings were concluded.)**

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DIGITALLY SIGNED CERTIFICATE

ESCRIBERS, LLC, hereby certified that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings before the Prince George's County Planning Board in the matter of:

WESTPHALIA BUSINESS CENTER 1 AND 2

Detailed Site Plan, PPS DET-2022-001

By:  Date: April 10, 2023

Valerie R. Baxter, Transcriber