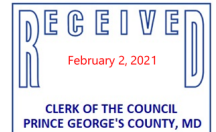


February 2, 2021



D.R. Horton  
181 Harry Truman Parkway, Suite 250  
Annapolis, Maryland 21401

Re: Notification of Planning Board Action on  
**Detailed Site Plan DSP-19062**  
**Westphalia Town Center North**

Dear Applicant:

This is to advise you that, on **January 28, 2021**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

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

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

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

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

Sincerely,  
James R. Hunt, Chief  
Development Review Division

By: *Henry Zhang for JM 2/1/2021*  
Reviewer

Attachment: PGCPB Resolution No. **2021-10**

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

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on January 21, 2021, regarding Detailed Site Plan DSP-19062 for Westphalia Town Center North, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) is for construction of 34 single-family detached dwelling units and 605 single-family attached (townhouse) dwelling units, including 133 on condominium parcels and 472 on fee-simple lots.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	M-X-T/M-I-O	M-X-T/M-I-O
Use	Vacant	One-family detached and one-family attached
Total Gross Acreage	88.06	88.06
Lots	0	506
Parcels	1	64
Dwelling Units	0	639
Single-Family Detached	0	34
Single-Family Attached	0	605

**Parking Requirements\***

<b>Total Parking Spaces</b>		<b>PROVIDED</b>
		<b>1,501*</b>
<b>34</b>	<b>Single-family Detached</b>	
	2 garage spaces per unit	68
	2 driveway parking space per unit	68
<b>178</b>	<b>20-Foot Front Loaded Townhouse Units</b>	
	1 garage space per unit	178
	1 driveway parking space per unit	178
<b>68</b>	<b>24-Foot Front Loaded Townhouse Units</b>	
	2 garage spaces per unit	136
	2 driveway parking spaces per unit	136
<b>359</b>	<b>20-Foot Rear Loaded Townhouse Units</b>	
	1 garage parking space per unit	359
	1 driveway parking space for 27 units	27
	<b>5,597 sq. ft. Community Center and 2,400 sq. ft. Pool</b>	
	Standard Parking	26
	Accessible Parking	2
	<b>On-Street Standard Parking Spaces</b>	155**
	<b>On-Street Parallel Parking Spaces</b>	168**

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

\*\*The DSP and parking schedule should show that sufficient handicapped parking spaces have been provided for the on-street spaces, in accordance with Section 27-566 of the Prince George’s County Zoning Ordinance.

- 3. Location:** The overall Westphalia Town Center is located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road, in Planning Area 78 and Council District 6. The property is located on Tax Map 90 in Grids E-4, F3 and F4; and Tax Map 91 in Grids A3 and A4. The property is part of Parcel 229 recorded in the Prince George’s County Land Records at Liber 33613 folio 471. The subject property is zoned M-X-T within the Military Installation Overlay (M-I-O) Zone.

4. **Surrounding Uses:** The property is located to the northeast of the core of the Westphalia Town Center development and is surrounded by properties in the M-X-T Zone to the east, south, and west. To the south is Meridian Hill Way and beyond are existing one-family attached dwelling units and vacant property, with more vacant property to the west, which are all part of the Westphalia Town Center Development. The property is bounded to the north by vacant land proposed for Sections 5 and 6 Parkside residential development in the Residential Medium and M-I-O Zones. The DSP is bounded to the east by the public right-of-way of Melwood Road and existing one-family detached dwelling units in the Residential-Agricultural (R-A) Zone.
5. **Previous Approvals:** The subject property was rezoned to the M-X-T Zone from the Light Industrial, Planned Industrial/Employment Park, and R-A Zones by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). The property is also the subject of Conceptual Site Plan CSP-07004, which was approved with conditions by the Planning Board on December 18, 2008 (PGCPB Resolution No. 08-189). It was approved with conditions by the Prince George's County District Council on May 19, 2009, with a first revised Order of Approval issued on June 8, 2009, and a second revised Order of Approval issued on September 21, 2009.

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

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

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

6. **Design Features:** The subject site, approximately 88 acres, covers the northeastern portion of the overall Westphalia Town Center project, which has a total land area of 478.48 acres. The applicant proposes to construct 34 single-family detached, 605 single-family attached (townhouses), and a 5,597-square-foot community center with a pool. Master-planned roads, Woodyard Road (MC-632) and Water Lily Way (C-636) will run north and south through the development connecting the Westphalia Town Center and Parkside developments. A grid of streets will provide connectivity throughout the development.

Single-family detached units will be located on either side of the community center in the northeast portion of the site. The edges of the subject site and the master plan rights-of-way will be lined with three-story, rear-loaded townhouses. Pockets of front-load garage townhouses will be located on the west side of the development and surrounding the community center. The east side of C-636 will remain woodlands and buffer from the existing adjacent single-family

detached homes and the historic Melwood Road. All units will have garage parking, and on-street parking will be provided throughout the development.

**Architecture:** All residential architectural models to be used in Westphalia Town Center North has been reviewed in accordance with the approved Umbrella Architecture DSP-13001. The applicant has utilized the guidelines to select architectural options, such as type of roof, elevation, building material, color, and other features, in order to assemble a quality residential product.

The proposed single-family attached house types range in size from a base finished area of 1,500 to 2,471 square feet, and a height of approximately 24 feet for the two-story units and approximately 41 – 44 feet for the three-story units. The units feature gabled roof lines, dormers, cross gables, and high-quality detailing such as brick accents on the windows, and front entries defined with brick rows or columns. The proposed front façades offer optional finishes including vinyl, brick, and cement board siding, with shutters, specialty windows, and/or front porches.

The proposed single-family detached house types range in size from a base finished area of 1,906 to 2,804 square feet, and a height of approximately 22.5 to 30 feet. The units feature gabled roof lines, dormers, cross gables, and high-quality detailing such as metal roofs, brick accents on the windows, and front entries defined with brick rows or columns. The proposed front façades offer optional finishes including vinyl, shingle-shake, brick, stone, and cement board siding, with shutters, specialty windows, metal railings, balconies, front porches, and options for two to three car garages.

<b>Three-Story Single-Family Attached Models</b>	<b>Elevations</b>	<b>Base Square Footage</b>
Lafayette – 20-foot-wide, front-load, one-car	A–H, J-N, P &	1,969
Royal – 24-foot-wide, front-load, two-car garage	N, P, Q, R, S &	2,471
Columbus – 20-foot-wide, rear-load, two-car	A - E	1,786
<b>Two-Story Single-Family Attached Models</b>	<b>Elevations</b>	<b>Base Square Footage</b>
Andrews – 24-foot-wide, front-load, two-car	A - E	1,934
Delmar II – 20-foot-wide, rear-load, one-car garage	A - E	1,509
Delmar – 20-foot-wide, front-load, one-car garage	A - E	1,500

<b>Single-Family Detached Models</b>	<b>Elevations</b>	<b>Base Square Footage</b>
Galen	A - C	2,340
Eastover Right	A - D	2,169
Hayden	A - C	2,511
Hanover	A, B, J & K	2,804
Deerfield	A & B	1,906

The applicant will provide a mixture of front loaded attached and detached, and rear loaded townhouses. The townhouses will include two- and three-story models. All units will have some brick on the front façade and the applicant will provide three-story units and a greater percentage of brick along master planned roads and adjacent to existing development. All units are required to have a minimum number of architectural elements on the side elevations as conditioned herein.

**Recreation:** A large stormwater pond will occupy much of the northeast corner of the property with a 5,597-square-foot community center located south of the pond. A 2,200-square-foot pool, playground “A”, entry plaza, open lawn, and other amenities will also be located between the community center and pond. The one-story community center building will have a large and varied hipped roof with a cupola to top off the building. The building will be composed of a stone veneer base with gray siding broken up by windows and columned porches and front entrance. A 13,720-square-foot dog park will be located on the west side of the pond adjacent to Woodyard Road. Trails around the pond will provide connections between these amenities and the Melwood Legacy Trail to the northeast. Two other playgrounds will be located west of Woodyard Road. Snapping Turtle Park on the north end of the property near the intersection of Snapping Turtle Lane and Water Rock Way will be home to playground “C”. Playground “B” will be in Bullfrog Park which is located on the south end of the site between Bullfrog Lane and Watercolor Way. Pastel Park will provide a central green with a gathering space with benches at the intersection of Bluestone Way and Manor Park Drive. A linear passive park will be located on either side of Woodyard Road called Dry Creek Park, which will have a dry stream bed with pedestrian bridges. These facilities are keeping with the 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 (SWM) ponds, as well as neighborhood pocket parks.

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 approval of DSP-12043.

**Lighting:** The applicant will provide private street and alley lighting throughout the development. The submitted photometric plan shows that there is adequate lighting for pedestrians and vehicles within the private rights-of-way and indicates minimum spillover at property lines.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George’s County Zoning Ordinance:** The DSP application has been reviewed for conformance to the requirements of the M-X-T and M-I-O Zones of the Zoning Ordinance, as follows:
  - a. The subject application has been reviewed for conformance with the requirements of Section 27-547, Uses permitted, of the Zoning Ordinance. The proposed one-family detached, and one-family attached dwelling units are permitted in the M-X-T Zone and are in conformance with the type and numbers approved on the CSP-07004-02.

- b. This DSP is in conformance with the applicable site design guidelines, as referenced in Section 27-283 of the Zoning Ordinance, and contained in Section 27-274 of the Zoning Ordinance, as previously established at the time of CSP-07004-01 approval regarding parking and circulation, lighting, green areas, amenities, grading, and public spaces.
- c. Section 27-546, Site Plans, of the Zoning Ordinance, includes requirements for approval of a DSP in the M-X-T Zone, as follows:

**(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:**

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

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

**(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 for the third phase of a larger project known as Westphalia Town Center, which already includes existing residential uses and planned commercial and residential uses. The overall town center will allow for an orderly development of land in the vicinity of three major interchanges along 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;**

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 part 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 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 town center plan takes full advantage of the development potential of the site, allowing for both public and private development, as well as a mix of various uses that create a viable community. This DSP is the next 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 a mix of residential and nonresidential uses in proximity to one another will facilitate walking and bicycling and will position the town center for the development of transit services. A complete pedestrian system connecting to surrounding destinations is provided. The entire design, with some minor amendments, 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;**



This DSP presents a compact residential section, which is located in proximity to the proposed commercial main street of the Westphalia Center. This will facilitate a 24-hour environment once the development is completed as planned.

**(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 one phase of the larger development including only residential development with a mixture of housing types.

**(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 will provide buffers and screening to transition from existing uses. The proposed buildings will use architecture that ensures the utilization of various design features to create a distinctive character that will be consistent with future development and can respond to, build on, and further develop the visual identity and character of the town center.

**(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 multiple public spaces 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 are beyond the scope of a single-purpose project.

**(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 includes various single-family detached units and townhouses. Numerous design options, that can be chosen from the residential models 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 models are provided in this DSP to provide an opportunity to achieve excellence in physical, social, and economic planning. The architectural designs have their own individual character while still relating to the existing and proposed developments around them to create a cohesive community.

**(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 88 acres of the Westphalia Town Center property, as included in the CSP, but includes 14 percent of the approved total attached residential density. The site plan is designed around the large public space in the northeast corner. The site layout and the proposed residential blocks and alleys system are in general conformance with the design guidelines and standards intended to implement the

previously approved development concept recommended by the sector plan.

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

This DSP is one phase of Westphalia Center, which was approved as a planned regional urban community. The proposed development included in this DSP is the third 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 catalyze the improvement of the adjacent community.

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

The 34 single-family detached and 605 townhouses proposed in this DSP are compatible with the rest of the planned regional urban community, based on the previously approved CSP. This DSP is designed to be physically and visually integrated with the approved adjacent development by retaining similar architectural character along Woodyard Road and Meridian Hill Way. The linear open space and curve of Woodyard Road along with different product types and amenities surrounding the stormwater pond 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 third 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 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 the previously approved CSP-07004-01, the Westphalia Town Center will be developed in five phases and each phase is designed to allow for effective integration of subsequent phases as a self-sufficient entity. This DSP is in the second 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 CSP-07004-01 and PPS 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.

**(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 a large stormwater pond in the northeast corner of the property. Trails will surround the pond and connect the community center, pool, terrace, and playground area, with the proposed dog park to the west and the Melwood Legacy Trail to the north. This important public open space relocates the community center from the northwest corner of the site as shown on the CSP to be adjacent to the pond to

create a larger amenity space. The applicant also proposes three open spaces on the west side of Woodyard Road. The north and south open spaces will have playgrounds and the central one will have a gathering space. The specific design of these public open spaces is in keeping with the approved Special Purpose 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.

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

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

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

The Planning Board finds that the most recent adequacy finding for the overall M-X-T site was made in 2009 with PPS 4-08002, and the proposed DSP falls within the allowed trip cap.

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

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

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

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

- (1) The design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change, and a referenced exhibit of record for the property shall provide guidance for the development regulations to be incorporated into the Conceptual Site Plan.**
- (2) The limitations on the lot size and lot width requirements in Section 27-548(h) shall not apply.**

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

**(f) Regional Urban Community Regulations**

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

- (A) The maximum percentage of attached dwelling units, which includes but is not limited to townhouses, two over twos and triplexes, shall be fifty percent (50%) of the total units in the project;**

The CSP approval included a total of 5,000 dwelling units, including up to 2,500 townhouses. The total attached dwelling units included in the two previously approved residential DSPs and the subject application is 1,533. This requirement is met.

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

This requirement has been superseded by State legislation entitled Natural Resources – State and Local Forest Conservation Funds (HB 272/SB 234) from 2019 relative to fees. The submitted Type II tree conservation plan (TCPII) has been found to be in conformance with current applicable legislation, as conditioned herein.

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

The DSP has an approved SWM concept plan.

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

The proposed residences meet these setbacks, as there is no floodplain within this DSP area.

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

The proposed DSP conforms to this requirement, as no townhouse building group contains more than eight dwelling units.

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

This DSP is not within the core area of the regional urban community. However, the proposed 1,501 parking spaces exceed the normal parking requirement for the residential uses, which is 1,327 spaces. The Planning Board concludes based on the parking study provided that overall parking needs created by this proposed development will be adequately met with the proposed parking spaces.

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

The DSP demonstrates conformance with this requirement, as all townhouses are proposed to have a minimum width of 20 feet and a minimum base finished square footage of 1,500 square feet.

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

The DSP does not demonstrate conformance with this minimum setback requirement as it shows a minimum four-foot front setback from some private rights-of-way. The reduced setback is shown on a limited number of lots, including Lots 18-24 Block B, Lots 8-20 Block F, Lots 31-39 Block K, and Lots 28-33 Block N. The applicant indicated that they can meet the required seven-foot setback on these lots by switching unit types and



some minor shifts in the lotting pattern. Therefore, a condition is included herein, requiring the DSP be revised to conform to this regulation.

- e. **Military Installation Overlay (M-I-O) Zone:** The subject property is located within Conical Surface (20:1) – Right Runway and the Noise Intensity Zone of the M-I-O Zone. The maximum height for structures in this area is 499 feet above the runway surface. All proposed architecture will need to demonstrate conformance with this height restriction. All houses proposed within the Noise Intensity Zone Area Label: 60 db – 74 db will be required to mitigate the interior noise levels per a PPS condition of approval.
- 8. Conceptual Site Plan CSP-07004-01:** The Planning Board approved CSP-07004 for a mixed-use town center known as Westphalia Center project, consisting of up to 5,000 dwelling units; 800,000-1,400,000 square feet of retail space; and 4,000,000-4,500,000 square feet of office space, as well as up to 600 hotel rooms, on December 18, 2008. The District Council approved the CSP on September 21, 2009. CSP-07004-01, which fully replaced and modified the conditions of CSP-07004, was approved with conditions by the District Council on February 24, 2014. Of the 41 conditions attached to the approval of CSP-07004-01, the following are applicable to the review of this DSP:
- 1. Prior to certificate approval, the following revisions shall be made to the CSP:**
    - l. Show a buffer area along the full length of historic Melwood Road and the Twin Knolls Subdivision, including the Fringe area. The buffer along the Fringe area shall be a minimum of 30 feet. The buffer along the remaining length of historic Melwood Road and the Twin Knolls Subdivision, excluding the Fringe area, shall be a minimum of 75 feet wide and an average of at least 150 feet wide.**

The subject property is outside of the Fringe area and the applicant submitted an exhibit showing the minimum 75-foot-wide buffer. It is to be provided with retained woodland and supplemental plantings, along Melwood Road and the Twin Knolls Subdivision, with a varied width ranging from 96 to 179 feet, in conformance with this requirement.
    - †\*i. A maximum of 68 front-loaded garage attached units shall be allowed within the Moore Property portion of Westphalia Center. Their location shall be restricted to areas adjacent to a stream valley or preserved environmental features, preventing the use of a rear alley to serve the dwellings. Within the town center portion of Westphalia Center, front-loaded garages may be approved at the time of detailed site plan review provided that:**

- (1) The total number of front-loaded garage townhouse units shall not exceed ten percent of the total number of townhouse units allowed in the Westphalia Town Center project, excluding Moore Property. No more than 20 percent of the units within any separate DSP.**
- (2) Front-loaded townhouse units shall only be included on the interior of blocks and front-loaded units are not allowed for units fronting on public streets, except in situations where environmental conditions will not allow the use of rear alleys.**
- (3) All entry door features on front-loaded units must be located on the ground level. No walk-up second level entries are permitted.**
- (4) Front-loaded townhouse units shall be built no more than approximately ten feet from the front lot line.**
- (5) All front-loaded garage doors shall include architectural features, such as windows.**
- (6) No front-loaded garages shall protrude in front of the overall façade of the townhouse unit.**

The applicant is requesting to amend CSP-07004-01, via this DSP, as allowed by Section 27-282(g) of the Prince George's County Zoning Ordinance. In this instance, amendments are requested to modify the CSP to increase the maximum number of front-loaded garage townhouse units.

DSP-19009, Westphalia East, was approved for 46 front-loaded townhouses, in conformance with this condition. This DSP proposes 246 front-loaded townhouses for a total of 292 front-loaded townhouses, which exceeds the 10 and 20 percent mentioned in the original condition. The applicant requests to amend part (1) of this condition to read as follows:

“The total number of front-loaded garage townhouse units shall not exceed 10 percent of the total number of townhouse units allowed in the Westphalia Town Center project, excluding Moore Property, unless modified by the Planning Board at the time of DSP.”

The proposed front-loaded garage units will be mainly located on the west side of Woodyard Road and near the community building. These units will provide greater variety in the product offered in the development, in accordance with the design guidelines in Section 27-274(a)(10) of the Zoning Ordinance. Rear-loaded units will screen these units from the existing development, and master plan roadways.

The applicant has also requested an amendment to part (4) of the condition to allow for front-loaded townhouse units to be built a maximum of 22 feet from the front lot line to allow for parking in the driveways. Given the location of these units at the interior of the development, in accordance with part (2) of the above condition, the Planning Board finds this acceptable. The amended part (4) is proposed to read as follows:

“Front-loaded townhouse units shall be built no more than approximately ten feet from the front lot line, unless modified by the Planning Board at the time of DSP.”

The Planning Board approves the applicant’s request to modify parts (1) and (4) of this condition, and an amended CSP-07004-01 resolution will be adopted. All other parts of this condition are met with the subject application.

15. **Prior to approval of a detailed site plan (DSP) for specific buildings for either Moore Property or the balance of Westphalia Center, excluding Moore Property, the applicants of Moore Property and the balance of Westphalia Center, separately, shall obtain approval of a special-purpose DSP to establish regulating standards for signage and to identify appropriate locations for transit stops, in consultation with the Prince George’s County Department of Public Works and Transportation and the Washington Metropolitan Area Transit Authority. The special-purpose DSP shall also show the site plan details of the public open spaces and establish a timing plan for improvement of these public spaces and the public trail system. This condition requires approval of two special-purpose DSPs: one encompassing the entire Westphalia Town Center site, excluding Moore Property, and another for Moore Property. This condition shall be construed such that Moore Property may proceed prior to the entire Westphalia Center. However, standards established in the first special-purpose DSP shall be evaluated with respect to the feasibility of their inclusion in the subsequent special-purpose DSP for the balance of the Westphalia Center site, and the subsequent plan shall be evaluated in its review with respect to the standards and requirements established in the Moore Property special-purpose DSP. Regulating standards established by a previous special-purpose DSP for any portion of the Westphalia Center project shall provide guidance for similar standards to be established in a subsequent special-purpose DSP for the balance of Westphalia Center.**

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

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

Green building techniques were identified on the DSP and include Energy star rated appliances, recycled concrete for temporary drives, and Home Energy Rating System-inspected homes for all construction. Pressurized blower door tests on all finished homes, duct blast testing on all ductwork in unconditioned space, low volatile organic compound glues, low volatile organic compound paint, Energy Star rated windows and doors, and high-efficiency gas furnaces.

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

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

The DSP shows the required residential lot landscaping with tables on the landscape plans that are discussed in Finding 13.

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

The open space dedicated for the future community center is in conformance with the Special Purpose DSP-12043 and includes a 5,597-square-foot community center, dog park, pool, playgrounds and gathering areas. The proposed private recreational facilities are found to be adequate and properly sited.

**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.**

Covenants and recreational facility agreements have been recorded for Westphalia Town Center previously and will have to be revised per the facilities proposed herein.

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

The applicant's submission displays the indicated pedestrian safety features. Crosswalks are shown throughout the subject site where sidewalks intersect with roads, streets, and alleys, but not at all intersections. The Planning Board conditioned additional crosswalks listed below.

In addition, the applicant's submission displays curb ramps to reflect a perpendicular design rather than diagonal arrangement. The perpendicular curb ramps are designed to directly guide pedestrian to the crosswalk, while a diagonal ramp directs pedestrians into the center of the intersection. The perpendicular design meets the Prince George's County Department of Public Works and Transportation Urban Street Design Standards (DPW&T, 2017), and the subject site is located within a *2014 Plan Prince George's 2035 Approved General Plan* Center. The Planning Board conditioned that all diagonal ramps be replaced with perpendicular style ramps, as long as that matches existing ramps .

**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.**

Condition 4 of the Special Purpose DSP describes a detailed analysis for conformance to this requirement. The applicant has developed a comprehensive plan for private recreational facilities within the Westphalia Town Center. The size, timing of recreational facilities, and other amenities shown on the DSP are in conformance with Special Purpose DSP-12043. The DSP includes a chart that proposes the community center, pool and surrounding facilities are to be constructed prior to the 150th residential building permit, with Playground 'B' by the 450th, the pocket park and dog park by the 500th, and Playground "C" by the 600th.

**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.**
- 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.**

The applicant has provided a phasing plan in the DSP, which is consistent with the CSP phasing that shows this property within Phase 4 and meets subcondition i. The construction of 34 single-family detached homes, and 605 townhouses dwellings will add to the requirements of subcondition a. above. The 14 percent attached dwellings in this phase brings the total attached dwelling units to

35 percent and complies with subcondition b. above. The existing DSP-13006, DSP-19009, and proposed DSP-19062 result in a combined 1,479 dwelling units that exceeds the 1,400-unit trigger of subcondition c., and the required commercial square footage will have to be constructed before the full build out of the total residential units. The required tabulation sheet has been provided per subcondition i.

**35. The developer shall pay a fee-in-lieu to satisfy woodland conservation requirements in accordance with CB-29-2008.**

This condition was reviewed as part of PPS 4-08002, resulting in Condition 37 of the PGCPB Resolution No. 09-93, which describes a process and priorities for how the woodland conservation requirement should be met.

State legislative changes to the use of fee-in-lieu enacted on October 1, 2019 limit the use of fee-in-lieu to fulfill woodland conservation requirements and supersede the County's legislation. The submitted TCPII correctly addresses the issue, if revised as conditioned herein.

**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 and quite frequently align. A review by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) generated no specific comments on alleys.

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

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

A revised TCPII-029-12-13 has been submitted with the current application for Section 5 of Westphalia Town Center-North. The woodland conservation worksheet shown on the TCPII is phased and shows how the requirement will be met for the entire site and for individual sections. The TCPII is discussed in detail in Finding 14.

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

A revised SWM Concept Letter (44782–2007-04) was approved by DPIE and submitted with the current application, which addresses both the overall Westphalia Town Center property and the adjacent Moore property (530.27 acres). SWM for the entire site shall be provided with on-site ponds, underground storage, a regional lake, stream restoration, or a combination of the above. On-site pre-treatment is required for all options. In keeping with Condition 8 of the CSP, the SWM ponds must be designed as amenities to the community, to the fullest extent possible.

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.**

Minimum 10-foot-wide public utility easements (PUEs) along the public rights-of-way, which are required to be shown on the plat, are also shown on the DSP at all locations except along property fronting Melwood Road.

5. **At the time of final plat, the applicant shall dedicate rights-of-way consistent with the approved preliminary plan of subdivision.**

Public rights-of-way have been shown on the DSP which are in general agreement with the approved PPS. During review of the DSP, the alignment and location of public streets, including master plan roads was modified from what is reflected on the PPS. The Planning Board approves of the proposed street grid pattern, including connections to the Moore property and Parkside (Smith Home Farm), which are maintained with the modifications proposed and found to be consistent with the approved PPS.

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.**

An exhibit showing the proposed location of PUEs along public and private streets, as well as other internal locations, was submitted with the application. Though the PUEs' positions differ in certain locations from those approved on the PPS, the PUEs shown on the exhibit are in substantial conformance with the Subdivision Regulations and the approved PPS, except for the frontage along Melwood Road. The PUEs shown on the DSP match those on the exhibit.

The property fronts Melwood Road along the northeast boundary line for approximately 292 feet. Melwood Road is a public road with a 60-foot ultimate right-of-way, which is shown on the DSP as terminating in a cul-de-sac for which public right-of-way appears to have been conveyed from the subject property. The section of Melwood Road beyond the cul-de-sac, which is located off the subject property, is proposed to be closed and converted to a trail in the future. A 10-foot PUE is required to be established during the time of subdivision, in conformance with Section 24-122 of the Prince George's County Subdivision Regulations, along public roads and as required by Condition 7.d. above. The applicant has justified not showing this PUE by arguing that this easement will be in isolation and will not serve any purpose. This justification assumes that there are no existing utilities to be relocated and does not anticipate future development of, or adjacent to Melwood Road.

A PUE coordination letter, dated December 17, 2020 from Mr. Nat Ballard of Rodgers Consulting and addressed to Mr. Hurlbutt of the Urban Design Section, was also submitted to document the field meeting carried out with the Potomac Electric Power Company (PEPCO) to ensure adequate utility easements are provided. The DSP and associated plans were referred to the public utility companies, including PEPCO, Verizon, Comcast, Washington Gas, Washington Suburban Sanitary Commission (WSSC), and AT&T. Comments from the utility companies were not included in the documents submitted with this application. Prior to record plat, as conditioned herein, the applicant should provide confirmation from the utility companies that all required PUEs are sufficient to serve the site.

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

**prior to approval of the detailed site plan by the Planning Board. Or as modified by any subsequent revisions to CSP-07004.**

The proposed DSP includes a number of private recreational facilities located on open space parcels to be conveyed to the homeowners association and are in general conformance with those shown on the PPS. The applicant proposes six facilities, which include: a 2,200-square-foot pool and 5,597-square-foot community center adjacent to the 8,300-square-foot Playground "A" (Ripple Park) and terrace that are located south of the large stormwater pond; Playground "B" (Bullfrog Park) which will be 1,922 square feet; a pocket park; the 2,302-square-foot Playground "C" (Snapping Turtle Park), and a 13,720-square-foot dog park. These facilities are in general conformance with CSP-07004 and Special Purpose DSP-12043.

- 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.**

MC-637 does not lie within the property which is subject to this DSP. All dwelling units fronting on MC-632 and C-636 have been designed to be rear-loaded. Only a limited number of lots included in this DSP have frontage on C-636, but they do not have direct access to this master plan road. Alleys have been used throughout the DSP to access individual units.

- 21. In conformance with the approved Westphalia sector plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following, with triggers for construction to be determined with the special purpose detailed site plan:**
- a. Construct the master-plan trail along the subject site's portion of Cabin Branch. The trail alignment shall follow the existing sewer easement to the extent practical and will cross the Westphalia Center, Moore Property, and Smith Property applications.**
  - b. Construct the master-plan trail along the subject site's entire segment of Back Branch on the alignment proposed by the applicant on the Trail Alignment Exhibit. The stream valley trail shall be completed in phase with the completion of the associated proposed roadways and the stormwater management pond. If some or all of Private Road QQ is eliminated (per discussion with the applicant and EPS), the master-plan trail shall still be constructed on or near the same alignment as envisioned in the sector plan.**

- c. Construct the minimum eight-foot-wide master-plan trail along the subject site's entire frontage of the north side of MC-634 and A-66. In the vicinity of the town center, this trail may be replaced by a decorative wide sidewalk and streetscape. Treatment alternatives can be evaluated at the time of DSP.**
- d. Pedestrian safety features, traffic calming, and pedestrian amenities will be evaluated at the time of each DSP.**
- e. The approved Westphalia sector plan recommends that Melwood Road be designated as a Class III bikeway with appropriate signage. Because Melwood Road is a County right-of-way, the applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$1,260 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. Any appropriate safety improvements necessary along this County OP minimal maintenance road will be determined by DPW&T and should accommodate bicycle movement.**
- f. Provide minimum ten-foot-wide sidewalks along both sides of the town center boulevard.**
- g. Mark and label the six-foot-wide sidewalks on the urban residential road 70-foot right-of-way.**
- h. 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. The optional zone may be reduced to 28 feet in order to accommodate this change.**
- i. Provide minimum ten-foot-wide sidewalks (clear pedestrian zones) along both sides of the town center boulevard. The optional zone for the town center boulevard may be reduced to 26 feet.**
- j. Modify the width of the "urban sidewalks" included on the north-south urban mixed-use roads to be a minimum of eight feet. The optional zone for the north-south urban mixed-use roads may be reduced to 28 feet.**
- k. Provide minimum sidewalks of six feet along both sides of MC-632 as approved on the street sections for CSP-07004.**
- l. Provide six-foot-wide sidewalks and designated bike lanes along MC-637 as approved on the street sections for CSP-07004.**

- m. Standard sidewalks shall be provided along both sides of all internal roads (excluding alleys), unless modified by DPW&T.**
- n. Each DSP shall be referred to WSSC for additional review and comments concerning the stream valley trail alignment within the sanitary sewer easement.**
- o. Each DSP shall identify the limits of the public use easements to ensure that the easements are reflected on the final plat(s).**

MC-632 is displayed on the applicant's submission and runs north-south through the property with a five-foot-wide bicycle lane and an eight-foot-wide side path along both sides. The Cabin Branch Trail, Back Branch Trail, MC-634, MC-637, and A-66, are not on the subject property and are therefore beyond the scope of this project. There are seven-foot-wide sidewalks along Meridian Hill Way, and standard, five-foot-wide sidewalks along both sides of most other streets, consistent with this condition of approval.

- 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.**

As conditioned herein, the unmitigated and mitigated 65 dBA-Ldn noise contours must be shown on the DSP and TCPII plan on the north side of Presidential Parkway, because Section 5 contains residential uses. These contours should not affect the DSP area, but should be shown to confirm this and for consistency with the TCPII.

- 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.**

This condition is applicable to building permits for all residential buildings located west of Public Road EE, which was the designation given to master plan road C-636 in the approved PPS 4-08002. The DSP refers to C-636 as "Water Lily Way" and does not propose any residential units east of this road. Therefore, this condition is applicable to, and will be enforced to, all residential building permits within 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.**

A note has been added to the TCPII below the specimen tree table to indicate that the trees within 100 feet of the limits of disturbance have been survey located, and further identified five specimen trees proposed for removal with the development of Section 5.

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

Conditions 42, 43, 47 and 48 all made references to two trip caps; an overall trip cap of 6,186 AM peak-hour trips and 8,526 PM peak-hour trip, and a secondary trip cap of 1,610 AM and 1,719 PM peak trips. The larger cap represents the maximum amount of

development allowed without the need for a new test of transportation adequacy. The secondary trip cap represents the maximum level of development allowed without the need for any off-site road improvements. As of this writing, and pursuant to Condition 43 specifically, The Planning Board is in receipt of a traffic phasing analysis (Table 1) that documents the level of development to-date.

<b>Table 1 – Traffic Phasing Analysis</b>			
		AM Peak	PM Peak
Approved DSP-13006 (Phase 1)	346 Townhouse units	242	277
Approved DSP-19009 (Phase 1A)	75 Single family units	56	68
	580 Townhouse units	406	464
<i>Pending DSP-19062 (Phase 4)</i>	<i>34 Single family units</i>	<i>26</i>	<i>31</i>
	<i>605 Townhouse units</i>	<i>424</i>	<i>484</i>
<b>Total development to date</b>		<b>1,154</b>	<b>1,324</b>
Grandfathered trips (Condition 48 – PGCPB No. 09-93)		1,610	1,719
<b>Grandfathered trips remaining</b>		<b>456</b>	<b>395</b>

The results from Table 1 show that the total development of Phase 1, Phase 1A and the pending application total 1,154 AM and 1,324 PM peak trips and will fall within the trip caps referenced in Conditions 42, 47 and 48.

- 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.**

The applicant does not propose any vehicular access to Melwood Road with this DSP.

- 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.**

The statement of justification states that all structures will have an automatic fire suppression system, as required. A general note should be added to the plans, which addresses this condition.

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

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

A parking analysis was submitted by the applicant and the provided parking was found to be adequate. The application shows a base parking requirement of 1,327 spaces. The plan proposes 1,501 spaces, which is deemed to be adequate by the Planning Board.

- c. Minimized to the fullest extent possible the direct vehicular access from lots and parcels onto master-planned roads.**

The DSP shows no direct vehicular access onto master-planned roads.

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

- 11. Special Purpose Detailed Site Plan DSP-12043:** The Planning Board approved Special Purpose DSP-12043 on May 2, 2013, with seven conditions. Those conditions related to building permits will be enforced at that time. The conditions relevant to the review of this DSP warrant discussion, as follows:

- 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 one phase 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 Planning Board approves of this DSP with conditions that have been included herein.

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

A phasing table was provided on the DSP.

- 12. Umbrella Detailed Site Plan for Residential Architecture DSP-13001:** The umbrella DSP for residential architecture includes different townhouse models with varied frontage widths, and one single-family detached model. Those models will be used in all of the residential development of the Westphalia Town Center project, including this DSP, if desired. The umbrella DSP for residential architecture was approved by the Planning Board on September 26, 2013 with two conditions, neither of which are relevant to the subject DSP.
- 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*. According to Section 4.8, the landscape requirements for a regional urban community shall be determined at the time of CSP, pursuant to Section 27-544 of the Zoning Ordinance.

The landscaping requirements were established in Condition 18, of which subconditions 18a, 18b, and 18c are applicable to this review. There are three single-family detached lots that are larger than 9,500 square feet and each single-family detached lot has at least one shade tree per lot.

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 605 townhouse units, therefore, a total of 303 shade trees and 303 ornamental, or evergreen trees are required. The landscape plan provides 304 shade trees, 227 ornamental trees, and 76 evergreen trees that meet the above requirements. A condition has been included herein to revise the landscape table to reflect the requirements of CSP-07004-01, Condition 18.



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.

**14. 1993 Prince George’s County Woodland Conservation and Tree Preservation Ordinance:**

This property is subject to the provisions of the Woodland Conservation Ordinance adopted in 1993 and contained in the Woodland Conservation and Tree Preservation Policy Document for the purposes of this review. TCP2-029-12 was first approved with DSP-12017 on October 18, 2012 for the entire 482.57-acres. It is a large phased TCPII, which includes over 60 plan sheets which tracks development of the overall site, clearing which occurs, and the satisfaction of woodland conservation requirements.

The most recent TCPII approval with the Westphalia Town Center project was TCPII-029-12-10 for Westphalia Town Center – East (Section 4, DSP-19009) approved on October 20, 2020. Pending revisions to TCP2-029-12- include Revision -11, a TCPII for rough grading of Section 5, which is under review for approval by the Planning Board, and Revision -12, a staff level revision associated with DSP-12017-02, subject to approval by the Planning Director. A consistent format has been provided with TCP2-029-12, which has been maintained and revised as needed with subsequent applications, and with each TCP2 revision, after revisions are made for each phase of development. All sheets of the TCP2 are required to be signed to demonstrate compliance with current and appropriate requirements.

TCP2-029-12-13 has been prepared in a format that is partially consistent with the previous approvals and requires modification to bring it into fuller consistency with the adopted format and allow for fuller consistency in future revisions. Changes have been proposed to the sheet numbering system, changes to extent of sheets, and misplaced or missing information which are not supported by the Planning Board, TCP2-029-12-12, or the most current revision shall be used as the template for preparation of TCPII-029-12-13. The required modifications to the draft TCPII submitted with the current application, are included herein as conditions to be satisfied prior to plan certification. Fuller consistency will also be required for TCPII-029-12-11 for rough grading, which is anticipated to move forward prior to certification of the current application.

The TCPII includes two different types of woodland conservation worksheets on Sheet 1A: a phased worksheet addressing the overall project, which includes columns for the different sections of the development; and an “Individual TCP2 with Previously Approved TCP1 or 2 Worksheet”, which addresses requirements for a specified section. These two types of worksheets are cross-checks to confirm the woodland conservation requirement and how it is being fulfilled.

The phased worksheet prepared for the -12 revision was not used as the basis for this revision, and as a result all previous revisions have not been incorporated in the current calculations. The phased worksheet presented has several major issues which have resulted in miscalculation of requirements and woodland conservation required. Quantities contained in Section 1 have not been revised to reflect the identification of a separate section, Section 5, which has a new column on the worksheet. As total area of the site on Line 24 is shown as 548.35 acres, which is not consistent with the 460.29-acre site, resulting in various miscalculations within the phased worksheet.

The overall worksheet on the current TCPII revision provides information for the identified sections of the overall application, and individual worksheets are provided for Sections 1 through 5, but the overall worksheet is not consistent with the baseline information established with the -12 revision. The overall worksheet and individual worksheet require revisions to correctly reflect prior approvals and reconcile with revisions proposed with the -13.

The individual revised TCPII with DSP-19062 for Section 5, provided on a sheet which should be identified as Sheet 1B for consistency with previous approvals, indicates that the woodland conservation requirement is 25.72 acres. The applicant proposes to satisfy the requirement with 3.10 acres of on-site preservation, 1.86 acres of on-site afforestation, 0.34 acre of natural regeneration, 3.60 acres of "Street Tree Credit", and 16.82 acres of off-site woodland conservation.

The Planning Board does not support the crediting of natural regeneration as woodland conservation on a highly developed site such as this because of the danger of infestation with invasives on open bare soil which has been subject to grading and compaction. On-site afforestation/reforestation is approved for these areas, resulting in revisions to the worksheets, plans, and planting schedules.

Insufficient information has been provided about the use of Street Tree Credit to demonstrate if it meets the definition and criteria contained in the ordinance, is appropriate where proposed, provides sufficient soils volume, or whether the quantity of credit proposed is accurate. No locations for street trees to be credited have been identified on the plan set. A Street Tree Credit schedule on a sheet labeled as 1 of 13, indicates that canopy and ornamental trees are proposed on public and private streets, but does not identify location or types of trees, the size of trees, or whether native trees are proposed. The table indicates a total of Street Tree Credit of 2.55 acres, which is not consistent with the individual worksheet.

To be credited as woodland conservation street tree planting must demonstrate conformance with the requirements of Section 25-122(c)(1)(L.) and cannot be "street trees" which are already required on public streets under other sections of the County Code. Sufficient information must be submitted and included on the plan set to demonstrate if and how much woodland conservation can be credited under this methodology and provide for implementation as Street Tree Credit; or the woodland conservation will need to be fulfilled through an alternative method.

A minimum of 4.96 acres of on-site woodland conservation shall be provided on Section 5, which represents 5.67 percent of the net tract area, which is far below the minimum 15 percent threshold requirements for the M-X-T zone, but consistent with the approved TCP1. Any portion of the woodland conservation requirement that cannot be met on-site, shall be provided through off-site woodland conservation. After any revisions to the TCPII plan are made for consistency with the DSP, all calculations shall be reconciled in any table or worksheet on the plan prior to certification.

### **Buffering of Existing Adjacent Residences**

The TCP2 proposes the retention of a buffer on Section 5 consisting of 3.10 acres of on-site preservation, and 1.86 acres of on-site afforestation/reforestation with 1-inch caliper stock at a rate, balled and burlapped (B&B) planting material at a rate of 300 trees per acre, per a table shown on Sheet 1 of 13. This is consistent with the TCP1 and responds to adjacent property owners who have expressed their concern about the adequacy of the buffering provided and the size of the trees proposed. Prior to certification of the DSP, the TCP2 shall be revised to adjust the reforestation planting schedule to reflect the correct planting areas and quantities, and any other technical revisions necessary to provide the required buffer treatment. Conditions are listed and included herein to address required technical revisions.

- 15. Prince George's County Tree Canopy Coverage Ordinance:** The site is subject to the requirements of the Tree Canopy Coverage Ordinance and must provide a minimum 10 percent of the site to be covered by tree canopy because the site is zoned M-X-T. As the site measures 88.39 acres, approximately 8.84 acres (385,027 square feet) of tree canopy must be provided. The site plan proposes 3.10 acres (135,036 square feet) in on-site woodland conservation, 19.54 acres (851,162.4 square feet) of existing trees, and 205,800 square feet in proposed landscape trees. Therefore, the total tree canopy coverage on the site, 1,191,998 square feet, exceeds the requirement.

- 16. Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are included herein by reference, and major findings are summarized, as follows:

- a. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated December 18, 2020 (McCray to Hurlbutt), that found, pursuant to Section 27-548.24 of the Zoning Ordinance, this application conforms to the 2014 *Plan Prince George's 2035 Approved General Plan* and the Westphalia Sector Plan and SMA.
- b. **Transportation**—The Planning Board adopts, herein by reference, a memorandum dated December 16, 2020 (Burton to Hurlbutt), which provided a review of conditions attached to prior approvals, found the site circulation to be adequate, as proposed, and concluded that, overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance.
- c. **Trails**—The Planning Board adopts, herein by reference, a memorandum dated November 25, 2020 (Ryan to Hurlbutt), which provided a review of conditions attached to prior approvals, as well as the following summarized discussion:

For the unconstructed portion of C-636 the applicant has provided an eight-foot mulch trail to connect to the off-site Melwood Legacy Trail. The Planning Board recommends that DPIE replace the proposed eight-foot-wide trail with a minimum eight-foot-wide sidepath alongside the extension of C-636 at time the road is constructed.

- d. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board adopts, herein by reference, a memorandum dated December 3, 2020 (Sun to Hurlbutt), in which DPR provided comments on previous conditions of approval and had no comments.
- e. **Environmental**—The Planning Board adopts, herein by reference, a memorandum dated December 19, 2020 (Finch to Hurlbutt), which included a discussion of relevant previous conditions of approval, which have been incorporated into findings above, and approves of the DSP and TCPII, subject to conditions that have been included herein.

#### **Natural Resources Inventory/Existing Conditions**

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

#### **Preservation of Regulated Environmental Features/Primary Management Area (PMA)**

Impacts to the primary management area (PMA) were approved with PPS 4-08002 for the overall Westphalia Town Center. The impacts are grandfathered for this project and the most current application includes limits of environmental impacts that are in full conformance with the previously approved impacts. No additional information regarding impacts to regulated environmental features is needed at this time.

#### **Specimen Trees**

This project is grandfathered from the current environmental regulations found in Subtitles 24, 25, and 27 that became effective in 2010. Because of this grandfathering, no variance for the removal of specimen trees is required. Based on the TCPII and a tree summary memorandum dated April 22, 2019, as submitted, there are more specimen trees located on the site than were identified on previous versions of the plan.

In accordance with a detailed forest stand delineation prepared by JM Forestry Services, LLC, dated February 21, 2019, Specimen Tree Table 1 has been updated to “Identify specimen trees from original NRI which are either dead, not found or have been removed”; identify “Specimen tree which are shown on the specimen tree tables but which are no longer part of the subject NRI application (Moore Property and SHA ownership” Specimen Tree Table 2 (Additional Trees Added Per Updated NRI) has also been added to the plan.

Within the limits of Section 5, trees 9, 10, 202, 203 and 204 are proposed to be removed with this application according to a note provided on the plans. Three of the trees are located centrally within the subject application area and need to be removed for the reasonable development of the site and are in fair or poor condition. Two of the specimen trees (ST-203 and 204) are fair to good quality and minor impacts to the critical root zone are proposed. Although the species *Liriodendron tulipifera* does not tolerate development

well, there seems to be no reason to remove these trees from a proposed preservation woodland conservation area.

The Planning Board supports the clearing of specimen trees ST 9, 10, and 202, as shown on the TCPIL, but does not support removal of ST-203 and 204, which is not indicated as necessary by the limits of disturbance delineated or impacts to the critical root zone.

- f. **Historic Preservation**—The Planning Board adopts, herein by reference, a memorandum dated November 24, 2020 (Stabler to Hurlbutt), which indicated that the subject property was previously surveyed for archeological resources in 2006.

A Phase I archeological survey was completed on the overall 530.27-acre Westphalia Center property in September and October 2006. Eleven archeological sites, 18PR843, 18PR844, 18PR845, 18PR846, 18PR847, 18PR848, 18PR849, 18PR850, 18PR851, 18PR852, and 18PR853, were identified in the survey. The sites also did not contain intact artifact deposits of sufficient research value to require further investigation. No further work was recommended on any of the eleven historic archeological sites identified on the Westphalia Center property. The Planning Board concurs with the conclusions of the Phase I archeology report that, due to the lack of research potential of these sites and their compromised integrity, no further work is necessary on the eleven historic archeological sites identified on the Westphalia Center property.

The subject property does not contain and is not adjacent to any Prince George's County Historic Sites or resources. This proposal will not impact any historic sites, historic resources, or significant archeological sites.

- g. **Prince George's County Fire/EMS Department**—The Fire Department did not offer comments on the subject application.
- h. **Permits**—The Planning Board adopts, herein by reference, a memorandum dated August 31, 2020 (Chaney to Hurlbutt), incorporated herein by reference, which offered numerous comments that have been addressed through revisions to the plan or as conditioned herein.
- i. **Subdivision**—The Planning Board adopts, herein by reference, a memorandum dated December 21, 2020 (Gupta to Hurlbutt), which provided a review of conditions attached to prior approvals, and required revisions to the plan which are conditioned herein.
- j. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopts, herein by reference, an email dated July 8, 2020 (Wright to Hurlbutt), incorporated herein by reference, WSSC offered numerous comments, that will be addressed in separate a permit process

- k. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopts, herein by reference, a memorandum dated August 3, 2020 (Giles to Hurlbutt), in which DPIE offered numerous comments, that will be addressed through the separate permit process.
  - l. **Prince George’s County Health Department**—The Planning Board adopts, herein by reference, a memorandum dated November 24, 2020 (Adepoju to Hurlbutt), in which the Health Department offered comments on the application which have been forwarded to the applicant.
  - m. **Prince George’s County Department of Public Works and Transportation (DPW&T)**— DPW&T did not provide comments on the subject project.
  - n. **Prince George’s County Police Department**—The Planning Board adopts, herein by reference, a memorandum dated July 10, 2020 (Contic to Hurlbutt), in which the Police Department offered no comments at this time on the applicant.
  - o. **Verizon**— Verizon had not offered comments on the subject application.
  - p. **Potomac Electric Power Company (PEPCO)**— PEPCO did not offer comments on the subject application.
  - q. **Westphalia Sector Development Review Advisory Council (WSDRAC)**—WSDRAC did not offer comments on the subject application.
17. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
18. In accordance with Section 27-285(b)(4) of the Zoning Ordinance, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on consistency with the limits of disturbance on the previously approved CSP-07004-02 and Type 1 Tree Conservation Plan TCPI-014-08-03, and PPS 4-08002 and TCP1-014-08-01. No additional regulated environmental features impacts proposed by the current application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type II Tree Conservation Plan TCPII-029-12-13, and further APPROVED Detailed Site Plan DSP-19062 for the above described land, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the applicant shall:
  - a. Provide crosswalks crossing Glistening Pond Way and Water Lily Way at their intersection.
  - b. Provide crosswalks crossing Pond Junction Road and Water Lily Way at their intersection.
  - c. Provide crosswalks crossing all legs of all intersection along Woodyard Road.
  - d. Provide crosswalks crossing all legs of all intersections along Watercolor Way.
  - e. Provide crosswalks crossing all legs of all intersection along Manor Park Drive.
  - f. Provide crosswalks crossing all legs of all intersection along Meridian Hill Way.
  - g. Provide a standard sidewalk along both sides of Watercolor Way for its full extent within the subject site.
  - h. Provide a standard sidewalk along both sides of Bluestone Way for its full extent within the subject site.
  - i. Replace all diagonal style curb ramps with Americans with Disabilities accessible perpendicular style curb ramps unless modified by DPIE with written correspondence. For ramps along existing portions along Meridian Hill Way only, ramps on the northern side of the road shall match the ramps on the existing southern side of the road, unless modified by DPIE, with written correspondence.
  - j. Provide and label bicycle racks at playgrounds and the community center.
  - k. Add a General Note stating that “An automatic fire suppression system shall be provided in all new buildings, unless the Prince George’s County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”
  - l. Show and label a 10-foot-wide public utility easement abutting the Melwood Road right-of-way.
  - m. Show and label the right-of-way width for Melwood Road and the right-of-way conveyance for this cul-de-sac with recording reference.
  - n. Correct the total number of Lots in General Note 7.
  - o. Revise General Note 16 to reflect the latest approved revision to the stormwater management concept plan.

- p. Show the M-I-O-Zone line for 60 dbA – 74 dbA noise intensity area on all applicable plan sheets.
  - q. Provide a minimum of three architectural features on all side elevations and four or more, plus a minimum of first floor brick or stone, on highly visible units.
  - r. Include provisions for additions, decks, sheds, fences, and pools for the townhouses and the single-family detached lots under the Development Standards on the site plan coversheet.
  - s. Clarify on the plans and parking schedule that sufficient handicapped parking spaces have been provided for the on-street spaces in accordance with Section 27-566 of the Prince George’s County Zoning Ordinance.
  - t. Demonstrate conformance to Section 27-544(f)(2)(H) of the Prince George’s County Zoning Ordinance by providing a minimum front setback from any public or private right-of-way of seven feet.
  - u. Show the unmitigated and mitigated 65 dBA-Ldn noise contours on the DSP and TCPII plan on the north side of Presidential Parkway.
  - v. Provide all dimensions on the template sheets for chimneys, front porches, rear porches and/or decks, optional garages, etc.
  - w. Indicate that the maximum lot/parcel coverage in the Development Standards chart for townhouses is a building coverage.
  - x. Provide side and rear elevations for all architectural models for review by the Urban Design Section as designee of the Planning Board.
2. Prior to certification of the detailed site plan (DSP), the Type II tree conservation plan (TCPII) shall be revised as follows:
- a. TCPII-029-12-12 (Presidential Parkway West) shall be used as a base to provide a consistent format and calculations for the revised TCPII.
  - b. On all plan sheets:
    - (1) Provide an approval block in the current format with additional lines as necessary to provide space for signature for the -13 revision. Complete and correct information about the -13 revision and for all previous TCPII revisions approvals shall be provided.
    - (2) Revise the sheet title block as appropriate to be “Westphalia Town Center”.



- (3) Include a description, date, and initials in the revision table in the title block on any and all sheets that are revised with the -13 revision.
  - (4) Provide a key map which correlates and cross-references the new TCPII plan sheets numbering and boundaries proposed with the sheet numbering system used on the overall TCPII plan set.
  - (5) Revise the numbering of the full plan set as needed so all areas of the plan can be identified in the set in a consistent manner. The introduction of a separate set of numbering for plan sheets for Section 5 shall be cross-referenced and reconciled with all sheets in the set as needed using key maps or other techniques.
  - (6) Provide a consistent legend on all plan sheets to address graphic elements and labeling shown on the plans. The elements shown on Sheet 1 of 62 should be consistent with the legend elements found on Section 5, sheets 5-01-5-12, as follows:
    - (a) Add “Specimen Tree to be Retained”.
    - (b) Provide legible graphic differentiation between Woodland Cleared (WCA) and Woodland Cleared – Previously Approved (WC-PA).
    - (c) Correct the TCP2 referenced in WC-PA to TCP2-029-12-08.
    - (d) Revise WP-NC to WR-NC (Woodland Retained-Not Credited).
    - (e) Add symbols for the following: WC Area (temporary construction signage), WC Area (permanent signage) and afforestation/reforestation signage.
    - (f) Differentiation between the graphic for WRA and WCPA in the legend.
- c. Provide individual woodland conservation sheet summary tables on all sheets of Section 5, confirming the areas of various woodland conservation treatments consistent with those identified on the Woodland Conservation Table on Sheet 1A. Areas of woodland clearing, preservation, afforestation, and reforestation, etc., shall be identified by acronyms for methodology and lettering as identifier for specific areas as demonstrated on the -12 revision.
  - d. Add the detailed information for Section 5 from Individual Woodland Conservation Sheet Summary Tables to the Woodland Conservation summary table.
  - e. On Sheet 1 (Cover Sheet):

- (1) Provide a sheet title at the top of the sheet for Westphalia Town Center, updated and consistent with the title information provided with the -12 revision.
- (2) Identify on the location map and plan the location and outline of Section 5 Label with DSP and TCPII number.
- (3) Include the footprint of Section 5 development proposed with the current plan to the cover sheet map or indicate where in the plan set an overall map of the Section 5 development footprint can be found integrated with previous approvals.
- (4) Remove or revise notes included under the General Information Table necessary to reflect the current revision.
- (5) In the Revision Table add the purposes of all revision to date, including -13.
- (6) Revise and reconcile the Site Statistics table to accurately reflect the -13 revision to the TCP2 plan.
- (7) Revise Sheet Index as needed for revised plan and addition of new sheets.

f. On Sheet 1A:

- (1) Revise the phased worksheet to correctly reflect the -13 and all previous revisions to the TCP II. Any woodland conservation that cannot be met on-site shall be satisfied with off-site woodland conservation.
- (2) The Individual Worksheets shall be reconciled with the phased woodland conservation worksheet.
- (3) With reference to the first note provided under the phased woodland conservation table identify the first note as Note 1 and do not include an asterisk on the worksheet.
- (4) The second note below the phase worksheet shall be identified as Note 2, the double asterisk shall be removed from the worksheet and the note shall be revised as follows:

“Note 2. Prior to October 1, 2019 per CB-29-2008.”

- (5) A third note shall be added under the phased worksheet as follows:

“Note 3. On and after October 1, 2019, the requirements of adopted SB234 Natural Resources – State and Local Forest Conservation Funds supersedes local ordinance with regards to the use of fee-in-lieu of woodland conservation.”

- (6) The note with four asterisks under the Phased Worksheet shall be justified or revised as Note 5 to the plans or removed if no longer necessary.
  - (7) The Woodland Conservation Summary shall be revised to include any off-site clearing on the Moore Property proposed with this revision.
  - (8) Determine whether notes under the Individual Worksheet for Section 1 apply and whether they are still appropriate on the current plan.
- g. On Sheet 1B:
- (1) Update references as notes as needed to reflect the current plan.
  - (2) Removal natural regeneration area and provide as afforestation/reforestation.
  - (3) Revise amount of Street Tree credit allowed based on further information provided.
  - (4) Reconcile the Individual TCP2 Worksheet with the woodland conservation sheet summary table, woodland conservation summary table, and phased worksheet.
- h. On Sheet 2, revise the Specimen Tree Table to identify in the Disposition column the specimen trees located in Section 5 to be removed (ST-9, 10 and 202). ST- 203 and 204 shall be retained.
- i. On Sheet 2A, revise Note 1 to reflect the current revision -13 to the plan.
- j. On Sheet 2B:
- (1) Retain the reforestation planting schedule provided on -12 for Section 4 reforestation and label correctly.
  - (2) Provide a complete summary planting schedule for afforestation/ afforestation planting for Section 5, in a consistent format with the Section 4 afforestation planting schedule, and correctly label.
  - (3) Afforestation planting shall be consistent with the requirements of the Environmental Technical Manual for one-inch caliper balled and burlapped trees of 300 stems per equal or equivalent.
  - (4) Provide additional details and notes as indicated if Street Tree Credit is determined allowable for implementation including planting schedules, etc.

- (5) Remove the title Westphalia East and replace it with Westphalia Town Center on sheets which provide information which is pertinent to the entire plan set.
- k. On Sheet 1 of 13:
- (1) Reconcile the site statistics table with the phased and individual woodland conservation tables.
  - (2) Reconcile the two planting schedules provided for WRA-1 and WRA-2 with the requirements of the TCP2. Identify WRA by the letter identifier used on the woodland conservation summary sheet. Provide additional or expanded planting schedules as needed to fulfill afforestation/reforestation requirements for Section 5.
  - (3) Add a summary schedule of the Section 5 planting schedules to Sheet 2B.
  - (4) Revise the Specimen Tree Table to show the retention of ST-203 and 204.
  - (5) Provide sufficient information about the street credit proposed to justify woodland conservation credit in whole or part, and, if allowed: provide a full planting schedule for the street trees, show all street trees with 10-year canopy coverage on the plan, and provide a detail demonstrating the required soil volume has been provided.
  - (6) On the footprint provided for Section 5: label DSP area, the TCP2 area, and show the plan sheets boundaries and their Section 5 sheet number (Sheet 5-01 through 5-12).
- l. On Sheets 2 of 12 through 12 of 12:
- (1) Revise the match lines as needed around the boundary of the property to reconcile with sheet numbering of the overall TCP2. Include Match Line on external boundaries.
  - (2) Revise match lines interior to Section 5 to reference Sheets 5-01 through 5-12.
  - (3) Provide labeling for the Section 5 plan sheets in the key plan as which correlates to the overall plan numbering scheme.
  - (4) Provide the TCP2 approval block in a consistent format with the plan set.
  - (5) Provide Woodland Conservation Sheet Summary Tables on all sheets of the plan. Identify woodland conservation treatments identified by the plan by acronym-based methodologies and lettering (i.e., WCA-XX or WPA-XX)

based on the Woodland Conservation Woodland Conservation Summary Table, and reconciled Section 5 with that table.

- (6) Revise the legend on all sheets as previously indicated and as follows:

“Woodland Preserved- Not credited shall be revised to Woodland Retained-Not Credited.”
- (7) On plan sheets, acronyms used to identify specific treatment areas shall include the letter identifiers. The area used in conjunction with the acronym shall include the area shown on the individual plan sheet and not the entirety of Section 5.
- (8) Incomplete planting schedules based on initials for tree types and number shall be removed from the plant set, and standard planting schedules shall be provided for individual reforestation areas and labeled with the letter identifier.
- (9) The use of Temporary Tree Protection Fence (TPF) shall be shown on the plan wherever woodland protection is needed on-site along the limits of disturbance during grading. Temporary tree protection signage shall be shown, as indicated in the Environmental Technical Manual.
- (10) Permanent tree protection fencing shall be shown along the vulnerable edges of all afforestation/reforestation areas.
- (11) Permanent woodland conservation signage shall be provided along the exposed edges of all woodland preservation areas.
- (12) Provide consistent delineation of the primary management area on the plan set.
- (13) Provide consistent delineation of the limits of disturbance on the plan set.
- (14) When off-site grading is indicated on the plan, label the area, identify the area of the off-site grading, identify the ownership, and provide the following note:

“Off-site grading proposed with this plan is subject to obtaining written permission from the property owner prior to the issuance of grading permits.”
- (15) Revise the numbering of the Sheets as Sheets (5-01 through 5-012) of (total number of sheets in the TCP2 plan sheet.
- (16) Ensure all woodland conservation areas meet the minimum requirements for woodland conservation credits.

- (17) Ensure all symbols shown on the plan are unique and are in conformance with the Environmental Technical Manual and are labeled in the legend.
  - (18) Revise the TCP2 as needed to be in conformance with the requirements of the Environmental Technical Manual.
  - (19) Have the plan signed and dated by a qualified professional.
3. Prior to the approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- a. Water Lily Way (C-636)  
  
Construct Water Lily Way within the property's boundary unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
4. Prior to the approval of the record plat, the applicant shall provide confirmation from the utility companies that the 10-foot and 7-foot-wide public utility easements are sufficient to serve the site.

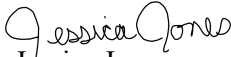
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

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 Doerner, with Commissioners Washington, Doerner, Geraldo and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, January 21, 2021, in Upper Marlboro, Maryland.

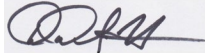
Adopted by the Prince George's County Planning Board this 28th day of January 2021.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:JH:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: January 25, 2021