



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

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

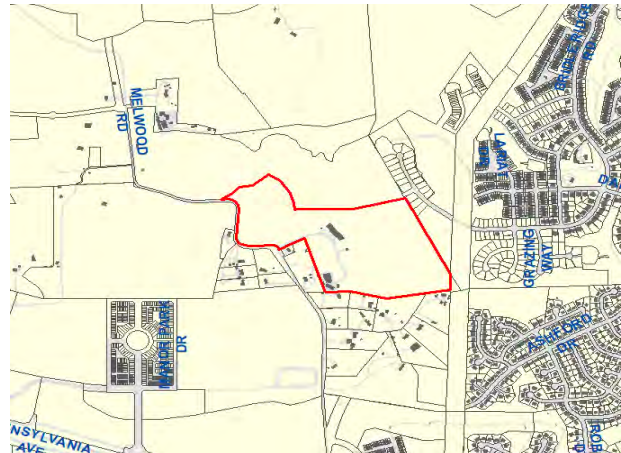
Conceptual Site Plan

The Enclave at Westphalia

CSP-19004

REQUEST	STAFF RECOMMENDATION
Development of 475 single-family attached dwelling units.	APPROVAL with conditions

Location: On the east side of Melwood Road, approximately 3,900 feet north of the intersection of MD 4 (Pennsylvania Avenue) and Woodyard Road.	
Gross Acreage:	68.70
Zone:	M-X-T/M-I-O
Dwelling Units:	475
Gross Floor Area:	N/A
Planning Area:	78
Council District:	06
Election District:	15
Municipality:	N/A
200-Scale Base Map:	206SE09
Applicant/Address: Braveheart, LLC 7419 Baltimore-Annapolis Boulevard Glen Burnie, MD 21061	
Staff Reviewer: Jeremy Hurlbutt Phone Number: 301-952-4277 Email: Jeremy.Hurlbutt@ppd.mncppc.org	



Planning Board Date:	04/16/2020
Planning Board Action Limit:	04/22/2020
Staff Report Date:	03/31/2020
Date Accepted:	02/12/2020
Informational Mailing:	05/30/2019
Acceptance Mailing:	02/11/2020
Sign Posting Deadline:	03/17/2020

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

Table of Contents

EVALUATION CRITERIA.....	3
FINDINGS	3
1. Request	3
2. Development Data Summary.....	4
3. Location	4
4. Surrounding Uses.....	4
5. Previous Approvals	4
6. Design Features	5
COMPLIANCE WITH EVALUATION CRITERIA.....	5
7. Prince George’s County Zoning Ordinance	5
8. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance	15
9. Other site plan-related regulations.....	15
10. Referral Comments	16
RECOMMENDATION.....	21

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan CSP-19004
Type 1 Tree Conservation Plan TCP1-006-2016-02
The Enclave at Westphalia

The Urban Design Section has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION CRITERIA

This conceptual site plan application was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance in the Mixed Use-Transportation Oriented (M-X-T) Zone and site design guidelines;
- b. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- c. The requirements of other site-related regulations; and
- d. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design Section recommends the following findings:

1. **Request:** The subject application proposes a conceptual site plan (CSP) for the development of 475 one-family attached (townhouse) dwelling units.

2. Development Data Summary:

	EXISTING	PROPOSED
Zone	M-X-T/M-I-O	M-X-T/M-I-O
Use(s)	Vacant	One-Family Attached Dwellings
Gross Acreage	68.70	68.70
Floodplain Acreage	2.35	2.35
Net Developable Acreage	66.35	66.35
Total Gross Floor Area (sq. ft.)	42,050 (to be removed)	897,750
Dwelling Units Total (Townhouses)	0	475

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

Base Density Allowed	0.40 FAR
Residential	1.00 FAR*
Total FAR Permitted	1.40 FAR
Total FAR Proposed	0.31 FAR

Note: *Additional density is permitted, in accordance with Section 27-545(b)(4) of the Zoning Ordinance, Optional method of development, for providing 20 or more dwelling units.

3. **Location:** The subject project is located on the eastern side of Melwood Road, approximately 3,900 feet north of its intersection with MD 4 (Pennsylvania Avenue), within Planning Area 78 and Council District 6. The project is located northeast of the Town Center area of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). This site is located within Conical Surface (Right Runway) Area E of the Military Installation Overlay (M-I-O) Zone.
4. **Surrounding Uses:** The subject property is bounded to the north by vacant land approved for single-family residential development as part of the Parkside development in the Residential Medium Development Zone; to the east by a powerline and single-family attached development in the Rural Residential (R-R) and Residential-Agricultural (R-A) Zones; to the south by single-family detached residential development in the R-A Zone and Melwood Road; and to the west by Melwood Road, vacant land in the Mixed Use-Transportation Oriented (M-X-T) Zone, and residential development in the R-R Zone.
5. **Previous Approvals:** The site is the subject of Special Exception SE-1103, approved by the Prince George's County Planning Board on November 20, 1964, for an orphanage (German's Orphans Home) and Special Exception SE-2496, approved by the Prince George's County District Council on April 13, 1971. There are several existing, vacant structures on the property, including the largest, a 24,000-square-foot building. There are several other structures which include a greenhouse, a stage, a gazebo, a shed, a pavilion, and two other buildings that all will be removed as part of the subject project. The most current approval, in 2017, was Detailed Site Plan DSP-16045 for a rehabilitation facility, which was never constructed. The Westphalia Sector Plan and SMA rezoned the property from the R-A Zone

to the M-X-T Zone. The site is also subject to approved Stormwater Management (SWM) Concept Plan 59055-2019-00.

6. **Design Features:** The subject site is proposed to be developed with 475 one-family attached (townhouse) dwelling units in two development pods, separated by a stream valley. The development proposes access from a master plan road, P-615, which is located just north of this property, within the Parkside development, as approved by Specific Design Plan SDP-1302. There will be a single access point to each development pod from the road. The CSP shows a circular street network with gridded blocks extending from the main spine roads. All townhouses are shown to have direct access to the streets, with sidewalks on both sides of the street throughout the development. Trails will connect the development pods to each other on the south end of the central stream valley and to the Melwood Legacy Trail in the southwest corner of the site.

There is a small area of land, indicated on the plan to be dedicated, on the far western portion of the site for a master plan collector roadway, C-636. Melwood Road, which is adjacent to the site on its western and on a portion of the southern boundary, is shown to terminate in a cul-de-sac and will be converted to a trail north of that.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the following requirements of the Zoning Ordinance:
 - a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in mixed-use zones.
 - (1) The proposed one-family attached dwellings are permitted uses in the M-X-T Zone. Per Footnote 7 of the Table of Uses, the maximum number and type of dwelling units should be determined at the time of CSP approval. Therefore, this property would be limited to 475 townhouse units, as proposed in this CSP.
 - (2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:
 - (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**

- (1) Retail businesses;**
- (2) Office, research, or industrial uses;**
- (3) Dwellings, hotel, or motel.**

This CSP is permitted to include a single residential use, pursuant to Section 27-547(e) of the Zoning Ordinance, which provides:

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

More specifically, the subject project meets this requirement, as it was included in the Westphalia Sector Plan and SMA for which a comprehensive land use study was conducted by technical staff prior to initiation. It conforms to the goals, policies, and recommendations of the plan, which was for low-density residential on the property.

- b. Section 27-548 of the Zoning Ordinance, M-X-T Zone regulations, establishes additional standards for development in this zone. The CSP's conformance with the applicable provisions is discussed, as follows:

- (a) Maximum floor area ratio (FAR):**

- (1) Without the use of the optional method of development—0.40 FAR**

- (2) With the use of the optional method of development—8.0 FAR**

The maximum floor area ratio (FAR) proposed for the subject development is 0.31, within the limits set above without the optional method. Although the code allows gross floor area (GFA) equal to an FAR 1.0 to be permitted where 20 or more dwelling units are provided, the applicant is not proposing to use the optional method of development.

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

The applicant proposes to include the uses on the M-X-T-zoned property in multiple buildings on more than one lot, as permitted by the M-X-T regulations.

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

This requirement is not applicable, since this application is for a CSP. The subsequent DSP approval will provide regulations for development on this property.

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

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining incompatible land uses at the time of DSP.

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

The FAR for the proposed development is 0.31. This will be refined further at the time of DSP, relative to the final proposed GFA of the buildings, in conformance with this requirement.

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

There are no private structures within the air space above, or in the ground below public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject case.

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

The subject project has frontage on Melwood Road, but proposes to cross the abutting property to the north, known as the Parkside development, to access master-planned road P-615. At the time of preliminary plan of subdivision (PPS), appropriate frontage and vehicular access for all lots and parcels must be properly addressed.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the**

streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

The subject CSP proposes 475 townhouse units. Conformance with these specific townhouse requirements will be reviewed at the time of PPS and DSP, when detailed lot and building information is available.

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

This subsection of the regulations for the M-X-T Zone is inapplicable to the subject project, as it does not involve the development of multifamily buildings.

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

This requirement does not apply to this CSP, as the Westphalia Sector Plan and SMA identified no planning issues connected with the subject property. The CSP has been reviewed for conformance with the applicable regulations in the M-X-T Zone.

- c. In accordance with Section 27-546(d) of the Zoning Ordinance, in addition to the findings required to approve a CSP, the Planning Board shall make the following findings for projects in the M-X-T Zone:

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

The proposed development is in conformance with this requirement and serves the purposes of the M-X-T Zone. For example, one purpose of the M-X-T Zone is to promote orderly development of land in the vicinity of major intersections to enhance the economic status of Prince George's County. The proposed development, consisting of residential uses, will provide increased economic activity proximate to the intersection of MD 223 (Woodyard Road) and MD 4 and the Westphalia Town Center. In addition, the proposed attached dwellings will allow more density on the site, while preserving the environmental features. This CSP promotes the many purposes of the M X-T Zone and contributes to the orderly implementation of the sector plan.

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

The subject property was rezoned to the M-X-T Zone by the Westphalia Sector Plan and SMA. There were no design guidelines or standards prescribed for the property. As such, the development proposed in this CSP will be subject to the applicable requirements of the M-X-T Zone and the required findings for approval of a CSP in the Zoning Ordinance.

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

The proposed residential development has two access points to the north. The proposed development is physically integrated with the existing adjacent development by virtue of sidewalk and trail connections, and visually integrated by providing attract views. The subject project will assist in catalyzing development of the Westphalia Town Center located within walking distance of the subject property.

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

The subject project is compatible with the existing and proposed development in the vicinity, which is primarily residential in nature.

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

The proposed residential development will be one of the uses that makes up the overall tapestry of the future Westphalia Town Center. The proposed development will be accessible and integrated with the greater mix of uses within the Westphalia Sector Plan and SMA by virtue of the planned vehicular and pedestrian connections throughout the sector plan 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 project is to be completed in a single phase. Therefore, this normally required finding need not be made for the subject project.

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

A network of sidewalks provides a framework for pedestrian connections that mirrors that of the street network. Trails branch out to make connections between the pods of development and to the Melwood Legacy Trail in the southwest corner of the property. The pedestrian system will be further refined during preparation of the DSP, to ensure convenient, safe, and comprehensive pedestrian facilities, in accordance with this required finding.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

The above finding is not applicable because the subject application is a CSP. Further attention should be paid to the design of pedestrian and public spaces at the time of DSP.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be**

adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The applicant submitted a traffic impact study (TIS) dated November 2019. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the 2012 "Transportation Review Guidelines, Part 1" (Guidelines). The following critical intersections, interchanges, and links, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/3387	F/3658
Ritchie Marlboro Road at White House Road (signalized)	B/1005	A/910
Ritchie Marlboro Road at Westphalia Road/Orion Drive *	66.6 seconds	100.9 seconds
Ritchie Marlboro Road at North Riding Road *	200+ seconds	80.1 seconds
Ritchie Marlboro Road at Marlboro Ridge Road *	C/1185	A/624
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Background traffic has been developed for the study area using 16 approved, but unbuilt, developments within the study area. The following intersections were analyzed based on planned improvements to be provided by some of those approved developments. Those improvements are as follows:

- Ritchie Marlboro Road at White House Road (signalized)
Northbound Ritchie Marlboro Road is being restriped to provide two left-turn lanes and one shared left/through/right.
- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
Westphalia Road will be realigned to form a four-way intersection with Orion Lane, which is currently offset by approximately 200 feet.

A 0.25 percent annual growth rate, for a period of six years, has been assumed for through movements along the primary routes. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/4040	F/4608
Ritchie Marlboro Road at White House Road (signalized)	B/1037	A/990
Ritchie Marlboro Road at Westphalia Road/Orion Drive * Tier 3 – CLV Test	172.1 seconds B/1141	126.5 seconds C/1230
Ritchie Marlboro Road at North Riding Road * Tier 3 – CLV Test	>200 seconds D/1435	>200 seconds A/781
Ritchie Marlboro Road at Marlboro Ridge Road *	D/1329	A/741
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Using the trip rates from the Guidelines, as well as the *Trip Generation Manual, 9th Edition* (Institute of Transportation Engineers), the study has indicated that the subject application represents the following trip generation:

Trip Generation Summary						
Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Proposed 475 townhomes	67	266	333	247	133	380

Under total traffic, the following critical intersections identified above, when analyzed with the programmed improvements and total future traffic as developed using the Guidelines, including the site trip generation as described above, operate as follows:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/4091	F/4708
Ritchie Marlboro Road at White House Road (signalized)	B/1086	B/1052
Ritchie Marlboro Road at Westphalia Road/Orion Drive * Tier 3 – CLV Test	>200 seconds C/1274	>200 seconds D/1399
Ritchie Marlboro Road at North Riding Road * Tier 3 – CLV Test	>200 seconds F/1662	>200 seconds B/1010
Ritchie Marlboro Road at Marlboro Ridge Road	D/1329	A/778
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

The results of the analyses show that the following intersections fail the Tier 3-CLV Test:

- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
- Ritchie Marlboro Road at North Riding Road (unsignalized)

Both intersections will require the provisions of signal warrant studies. In addition, the TIS indicated that the link of P-615, between the proposed development and Ritchie Marlboro Road, will operate adequately from the standpoint of congestion.

One of the conclusions cited in the applicant's TIS was the fact that, with monetary contributions towards the construction of the planned interchange at the MD 4/Westphalia Road intersection, the development would meet the requirements for transportation adequacy, pursuant to Subtitle 24 of the Prince George's County Code.

On October 26, 2010, the County Council approved Council Resolution CR-66-2010, establishing a Public Facilities and Financing Implementation Program (PFFIP) district for the financing and construction of the MD 4/Westphalia Road interchange. Pursuant to CR-66-2010 (Sections 6, 7, and 8) staff has prepared a cost allocation table (Table) that allocates the estimated \$79,990,000 cost of the interchange to all properties within the PFFIP district. CR-66-2010 also established \$79,990,000 as the maximum cost on which the allocation can be based. The allocation for each development is based on the proportion of average daily trips (ADT) contributed by each development passing through the intersection, to the total ADT contributed by all the developments in the district passing through the same intersection. The ratio between the two sets of ADT becomes the basis on which each development's share of the overall cost is computed. This contribution will be determined at the time of PPS.

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

The above finding is not applicable because the subject application is a CSP. This requirement will be evaluated at the time of DSP for this project.

- (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 subject property measures 68.70 acres and, therefore, does not meet the above acreage requirement. Further, it is not being developed as a mixed-use planned community. Therefore, this finding need not be made for the subject project.

- d. The CSP is in conformance with the applicable CSP site design guidelines contained in Section 27-274 of the Zoning Ordinance. The subject development provides a more compact urban layout and, in accordance with Section 27-274(a)(11)(B), the units front on roadways.
- e. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Therefore, the parking calculations should be removed from the CSP, as conditioned herein. Adequate visitor parking for all residential units will need to be addressed at the time of DSP.

8. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance: The site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland.

The site contains a total of 50.35 acres of woodlands and 2.35 acres of wooded floodplain. The site has a woodland conservation threshold of 15 percent or 9.94 acres. The Type 1 Tree Conservation Plan (TCP1-006-2016-02) proposes to clear 31.82 acres of woodland, resulting in a total woodland conservation requirement of 17.89 acres. The TCP1 proposes to meet the requirement fully with on-site preservation. Technical revisions are required to the TCP1 prior to certification of the CSP, as conditioned herein.

9. Other site plan-related regulations: Additional regulations are applicable to site plan review that usually require detailed information, which can only be provided at the time of DSP. The discussion provided below is for information only:

- a. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area in TCC. The subject site is 68.70 acres and the required TCC is 6.87 acres. Conformance to the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of approval of a DSP for the project.
- b. **2010 Prince George's County Landscape Manual:** This M-X-T development will be subject to the requirements of the Landscape Manual at the time of DSP. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.

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

- a. **Historic Preservation**—In a memorandum dated February 25, 2020 (Stabler to Hurlbutt), incorporated herein by reference, the Historic Preservation Section noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject site is high. A Phase I archeology survey was completed on a 28-acre portion of the subject property in 2008. Two archeological sites were identified; Site 18PR1104 comprised of a mid-19th to late-20th century dwelling site and site 18PR1105 identified as an early to mid-20th century trash scatter. Phase II investigations were recommended on both sites.

The original Phase I study did not include the entire property; therefore, Historic Preservation staff recommended that the portion of the property not covered in the earlier study be surveyed for archeological resources. Phase I investigations of the portion of the property not previously surveyed and Phase II evaluations of Sites 18PR1104 and 18PR1105 were conducted on the subject property in June 2019. No additional archeological sites were identified on the portions of the property not previously investigated. Phase II evaluation of Sites 18PR1104 and 18PR1105 did not identify any intact soil layers or features. Both sites were extensively disturbed by the destruction of buildings located in those areas in the late 20th century. Therefore, no further work was recommended on the subject property. Historic Preservation staff concurs that no additional archeological investigations are necessary on the subject property.

- b. **Community Planning**—In a memorandum dated March 19, 2020 (McCary to Hurlbutt), incorporated herein by reference, the Community Planning Division indicated that, pursuant to Part 3, Division 9, Subdivision 2, of the Zoning Ordinance, master plan conformance is not required for this application. However, pursuant to Section 27-546(d)(2), the proposed development is in conformance with the design guidelines intended to implement the development concept recommended by the Westphalia Sector Plan and SMA.
- c. **Transportation**—In a memorandum dated March 17, 2020 (Burton to Hurlbutt), incorporated herein by reference, the Transportation Planning Section indicated that they determined that, pursuant to Section 27-546 of the Zoning Ordinance, the plan conforms to the required findings for approval of the CSP. Adequacy, however, will be fully tested and determined at the time of PPS through the application of Section 24-124 of the Subdivision Regulations.

The property is in an area where the development policies are governed by the Westphalia Section Plan and SMA, as well as the 2009 *Approved Countywide Master Plan of Transportation*. The site will initially have access to P-615, an unbuilt, east-west, master-planned primary residential roadway that will connect the existing Marlboro Ridge development to the east and the Westphalia Town Center to the west. P-615 will eventually connect to MC-632 and C-636, west of the site. As of this writing, no decision has been made regarding the timing of the opening of P-615 and other roads to the west of the proposed site. Consequently, the TIS assumed that the site will have two full movement access points that will carry all site traffic

to Ritchie Marlboro Road, by way of North Riding Road and Marlboro Ridge Road. If at the time of permitting, P-615 is not open to traffic to the west of the site, then the residents whose properties front on Marlboro Ridge Road could see an increase in daily traffic of approximately 3,800 trips. While this may not pose an issue from a capacity standpoint, many citizens may see this increase as a safety issue. This will need to be further evaluated at the time of PPS.

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a CSP, as described in the Zoning Ordinance, if approved with conditions.

- d. **Trails**—In a memorandum dated March 17, 2020 (Ryan to Hurlbutt), incorporated herein by reference, the trails coordinator provided the following summarized comments:

The proposed development is only residential. Future commercial development is planned for the Westphalia development, which will further support the purposes of the M-X-T Zone. Several roadways and trail facilities are also planned within the area of the sector plan, which will provide residents with alternate methods of transportation within the vicinity of the project.

Due to the conceptual nature of the project, plans showing detailed conformance with complete streets principles have not been submitted. The submitted plans reflect that the pedestrian circulation network serves both sides of all internal roads, and features a pedestrian connection which will link the two pods of development.

During the review of the PPS and DSP, Transportation Planning staff will review pedestrian and bicyclist facilities in further detail, including the provision of sidewalks on both sides of all internal roads, and connections to P-615 and the Melwood Legacy Trail from the subject site.

The western/southwestern portion of the subject property is fronted by Melwood Road, which features the planned Melwood Legacy Trail shared roadway. The subject property will not have any vehicular access from Melwood Road. However, the location of Melwood Road presents an opportunity to link the internal bicycle and pedestrian network of the subject property to the Melwood Legacy Trail, establishing a more connected bicycle and pedestrian network within the Westphalia area. There is currently an existing driveway that connects the subject property to Melwood Road, and the applicant has updated the CSP to reflect a pedestrian connection in this area.

- e. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated March 19, 2020 (Sun to Hurlbutt), incorporated herein by reference, DPR provided a list of the Westphalia Sector Plan goals, policies, and strategies related to park and recreational issues.

The Westphalia Sector Plan and SMA introduced the concept of a Central Park, a single major recreational complex serving the entire Westphalia area. The planned Westphalia Central Park is 276 acres of open space. The Enclave at Westphalia

project is located approximately one-half mile from Westphalia Central Park. This Central Park will be accessible to the residents of this community through a system of roads and hiker/biker trails along future P-615, which connects to the future Woodyard Road. This large urban park will serve as a unifying community destination and an amenity for the entire Westphalia Sector Plan area. By participating in the Westphalia Park Club, the developers of Wood Property will support construction of the park.

DPR staff believes that the applicant should provide private on-site recreational facilities to serve the residents within the proposed community and make a monetary contribution in the amount of \$3,500 per dwelling unit in 2006 dollars into a "park club" for the design and construction of the major public recreational facilities in the Westphalia Central Park, as per the recommendations of the Westphalia Sector Plan and SMA. This will be further reviewed and determined at the time of PPS and DSP, when appropriate conditions will be implemented.

- f. **Environmental**—In a memorandum dated March 21, 2020 (Finch to Hurlbutt), incorporated herein by reference, the Environmental Planning Section offered the following:

Natural Resources Inventory/Environmental Features

An approved Natural Resources Inventory, NRI-090-05-02, in conformance with the environmental regulations that became effective on September 1, 2010, was submitted with the application. The site contains regulated environmental features (steep slopes, streams, floodplains, and their associated buffers), which comprise the primary management area (PMA), as well as specimen trees. The site statistics table on the NRI does not include any acreage for the PMA for the site, or the linear feet of regulated streams. Prior to certification of the CSP, the NRI shall be revised to include a complete site statistics table with all required elements and associated quantities.

The delineated PMA appears to correctly show the regulated environmental features on the CSP and TCP1, but the graphic line for the PMA is not identified on the TCP1 legend, and the CSP has no legend. Technical corrections are recommended for both plans.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Environmental Technical Manual."

A Subtitle 25 variance statement of justification (SOJ), dated September 11, 2019, in support of a variance was received for review. The SOJ requested the removal of seven of the eight specimen trees identified on the site, of which six were rated in excellent condition. Staff recommended a deferment of this review until later in the development process, when more detail with regard to the necessary infrastructure

to develop the site, such as the ultimate rights-of-way, building locations, and location of SWM facilities, can be provided.

The applicant withdrew the Subtitle 25 variance request in a letter dated March 9, 2020 (Bickel to Finch). Prior to approval, the TCP1 shall be revised to provide a note below the specimen tree table to state that no variance was approved with the CSP for specimen tree removal.

Preservation of Regulated Environmental Features/Primary Management Area

The site contains regulated environmental features including streams, stream buffers, 100-year floodplain, and steep slopes, which comprise the PMA.

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

No SOJ for environmental impacts or impact exhibits was submitted with the CSP. The applicant's comments indicate that impacts to environmental features would be addressed at the time of PPS, when more detailed information will be available. At the time of PPS, a revised NRI shall be required which provides a complete site statistics table of the environmental features of the site, and a detailed SOJ for environmental impacts with quantification and associated exhibits shall be provided.

There are no impacts to regulated environmental features with this CSP because no SOJ was submitted and no limit of disturbance (LOD) is shown on the plans. Prior to certification, the CSP and TCP1 shall show an LOD that fully preserves all regulated environmental features.

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, are the Adelpia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay occurs on or in the vicinity of this property; and a small area of

Marlboro clay evaluation area is located in the northwest corner of the property and is shown on the NRI. The limits of the evaluation area shown on the NRI shall also be shown on the TCP1 using the Environmental Technical Manual standard symbols and labeling.

Currently, no impacts are proposed near the Marlboro clay evaluation area. The County may require a soils report, in conformance with County Council Bill CB-94-2004, during the permit review process if work is proposed within this evaluation area.

- g. **Prince George's County Fire/EMS Department**—At the time of the writing of this staff report, the Fire/EMS Department did not provide comments regarding the subject project.
 - h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 10, 2020 (Giles to Hurlbutt), incorporated herein by reference, DPIE offered numerous comments that will be addressed through their separate permitting process, which require dedication and a number of road improvements.
 - i. **Prince George's County Police Department**—At the time of the writing of this staff report, the Police Department did not provide comments regarding the subject project.
 - j. **Prince George's County Health Department**—At the time of the writing of this staff report, the Health Department did not provide comments regarding the subject project.
 - k. **Maryland State Highway Administration (SHA)**—At the time of the writing of this staff report, SHA did not provide comments regarding the subject project.
 - l. **Verizon**—At the time of the writing of this staff report, Verizon did not provide comments regarding the subject project.
 - m. **Potomac Electric Power Company (PEPCO)**—At the time of the writing of this staff report, PEPCO did not provide comments regarding the subject project.
 - n. **Westphalia Sector Development Review Council (WSDRC)**—At the time of the writing of this staff report, WSDRC did not provide comments regarding the subject project.
11. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

12. As required by Section 27-276(b)(4) for approval of a CSP, based on the level of design information submitted with this application, which shows no proposed impacts, the regulated environmental features on the subject property have been preserved and/or restored, to the fullest extent possible.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Conceptual Site Plan CSP-19004 and Type 1 Tree Conservation Plan TCP1-006-2016-02 for The Enclave at Westphalia, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made to the plans and additional specified material be submitted:
 - a. Revise the natural resources inventory to include a complete site statistics table, which includes all required elements and associated quantities in conformance with the Environmental Technical Manual.
 - b. Show the limits of disturbance on the CSP and Type 1 tree conservation plan that fully preserves all regulated environmental features.
2. Prior to certificate approval of the conceptual site plan, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. Add the correct TCP1 number to the Woodland Conservation Worksheet and the TCP approval block.
 - b. Revise the legend to be consistent with the Environmental Technical Manual standard symbols and labeling, as needed. Forest Preservation shall be corrected to Woodland Conservation. The graphic line for the primary management area shall be added to the legend.
 - c. Use the correct graphic line, as included in the revised legend, to identify the primary management area on the plan, in accordance with the approved natural resources inventory.
 - d. Remove the disposition column from the Specimen Tree Table.
 - e. Add the following note under the Specimen Tree Table: "No Subtitle 25 Variance for the removal of specimen trees was approved with CSP-19004."
 - f. Label Melwood Road as a designated scenic road.
 - g. Delineate the location and width of buffering required by Section 4.6-2, Buffering Development from Special Roadways, of the 2010 Prince George's County Landscape Manual, along the frontage with Melwood Road so areas of existing trees for preservation can be identified.

- h. Add a limit of disturbance to the plan.
 - i. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. Prior to issuance of any building permits within the subject property, unless modified at the time of preliminary plan of subdivision pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance, 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:
- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
 - Ritchie Marlboro Road at North Riding Road (unsignalized)

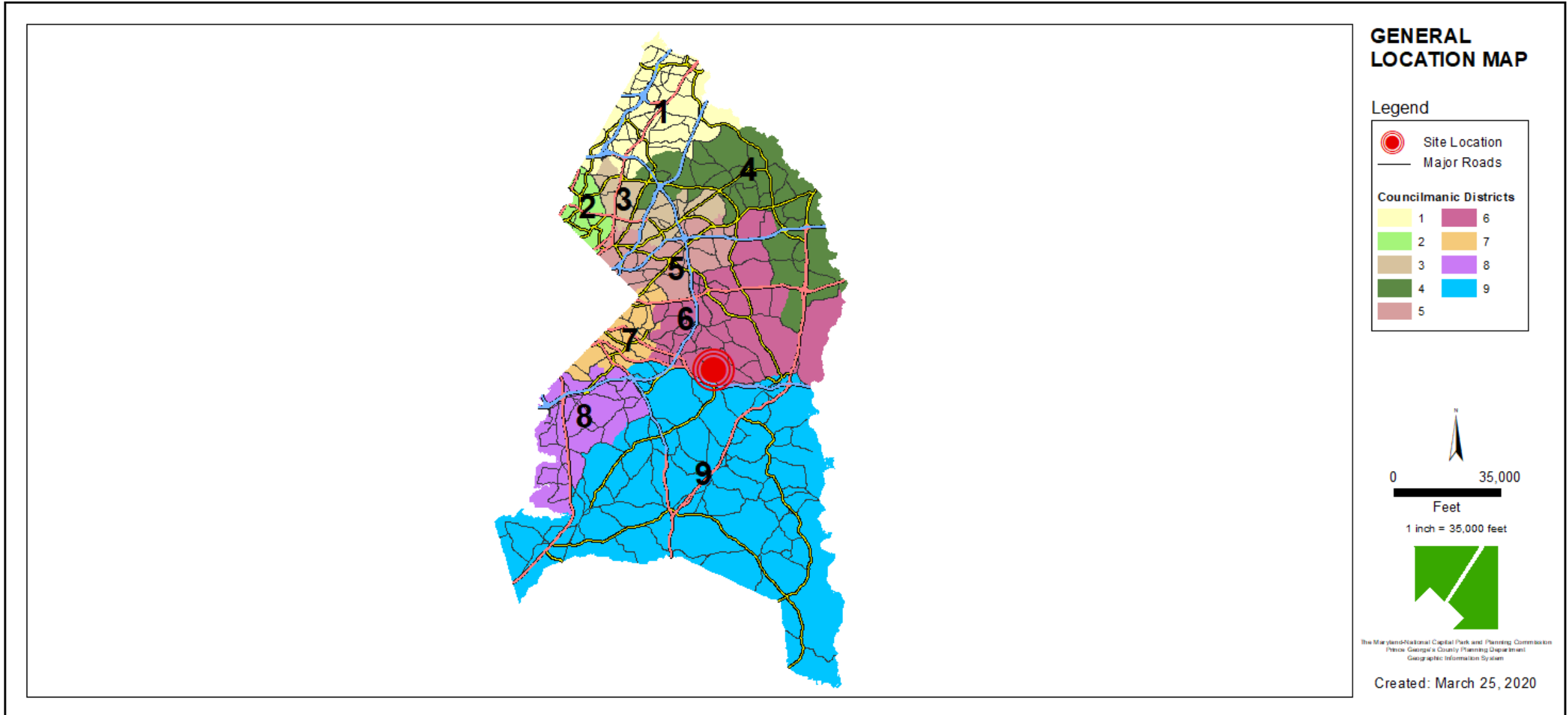
Conduct a traffic signal warrant study at the intersections above, and install these signals if deemed to be warranted and approved by the Prince George's County Department of Permitting, Inspections and Enforcement.

ITEM: 9

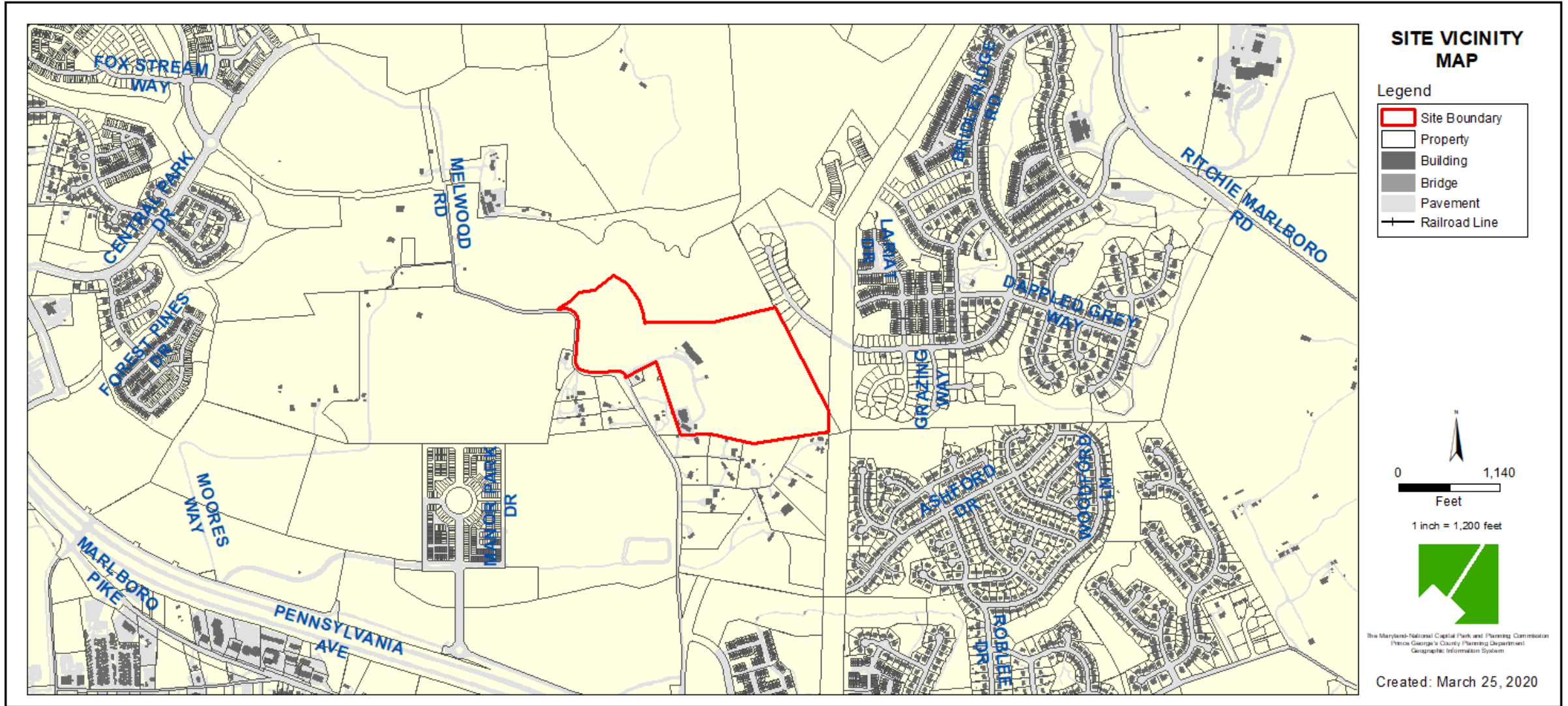
CASE: CSP-19004

ENCLAVE AT WESTPHALIA

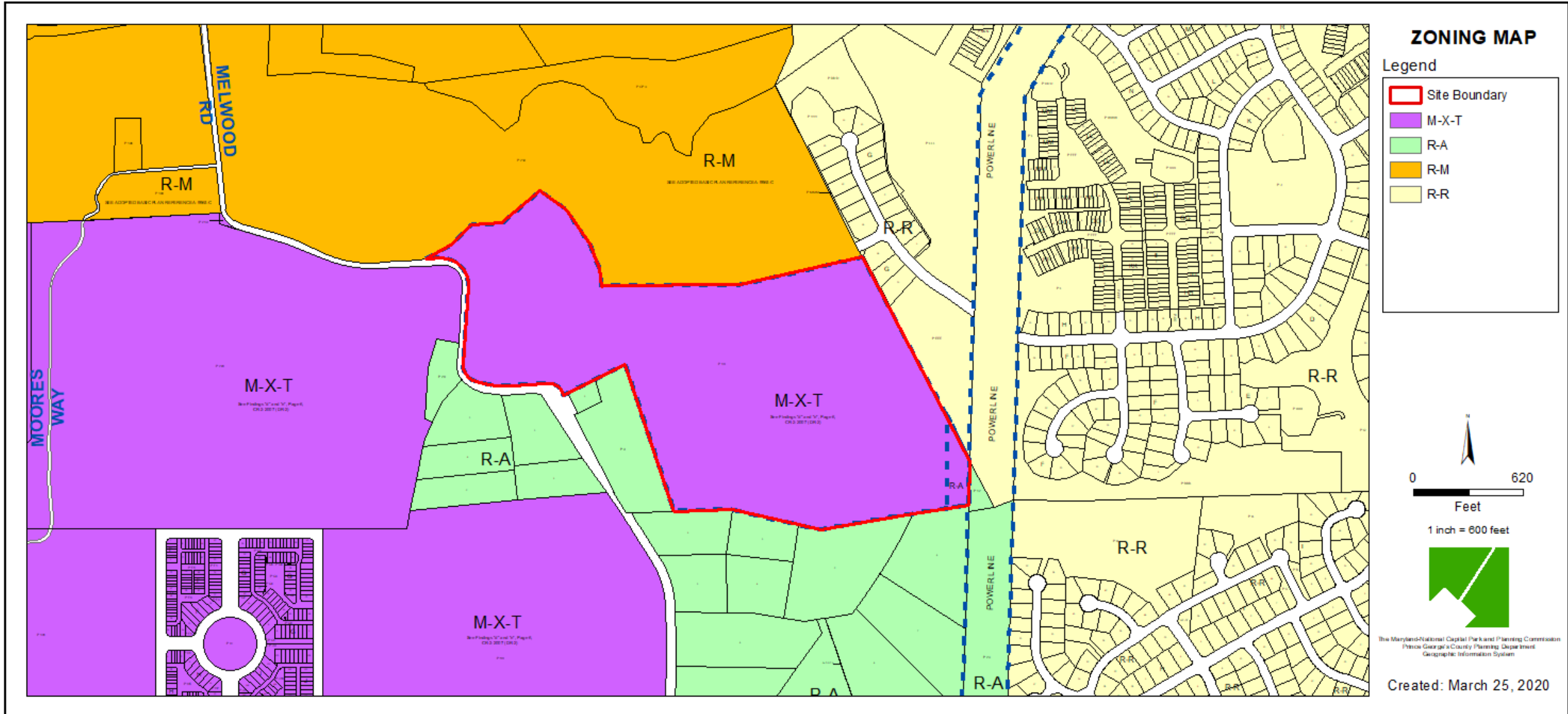
GENERAL LOCATION MAP



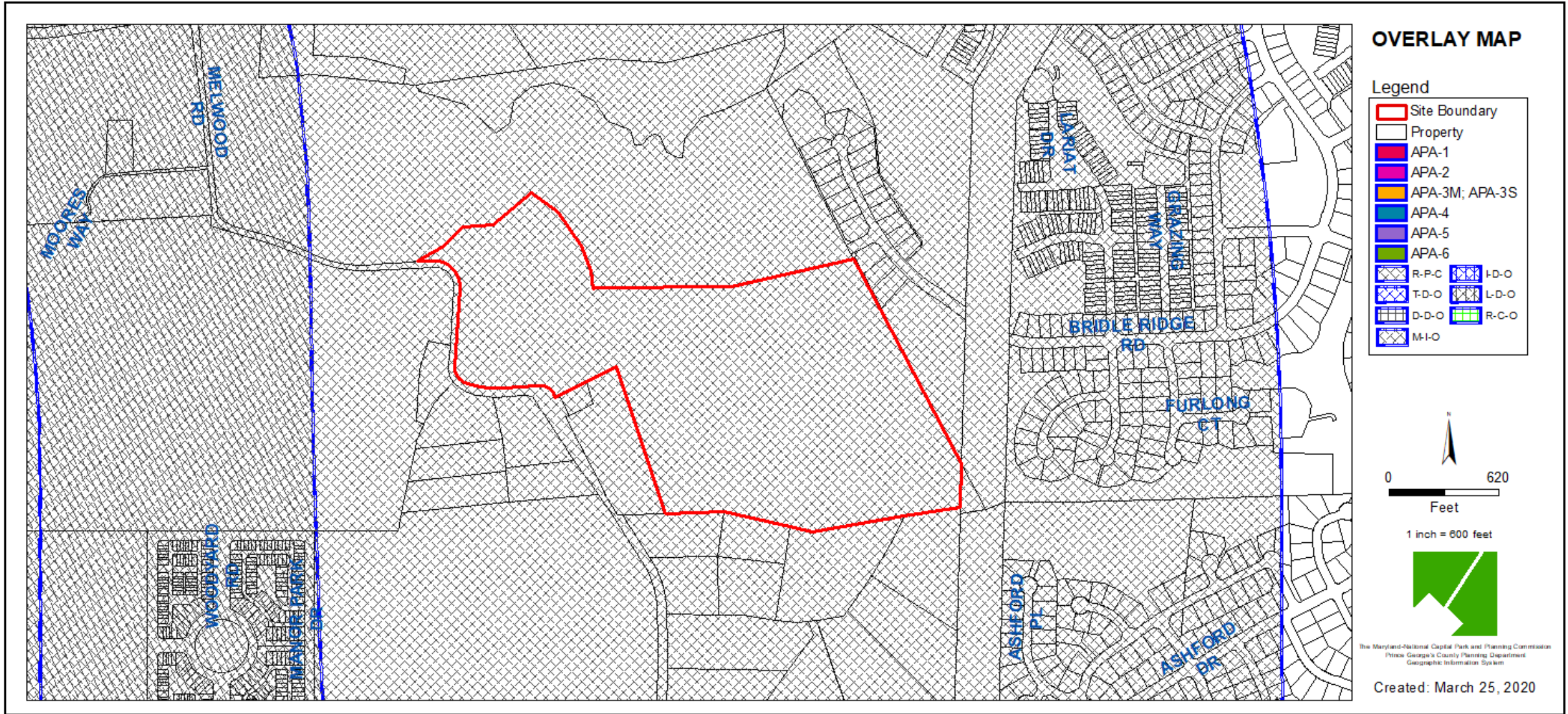
SITE VICINITY



ZONING MAP



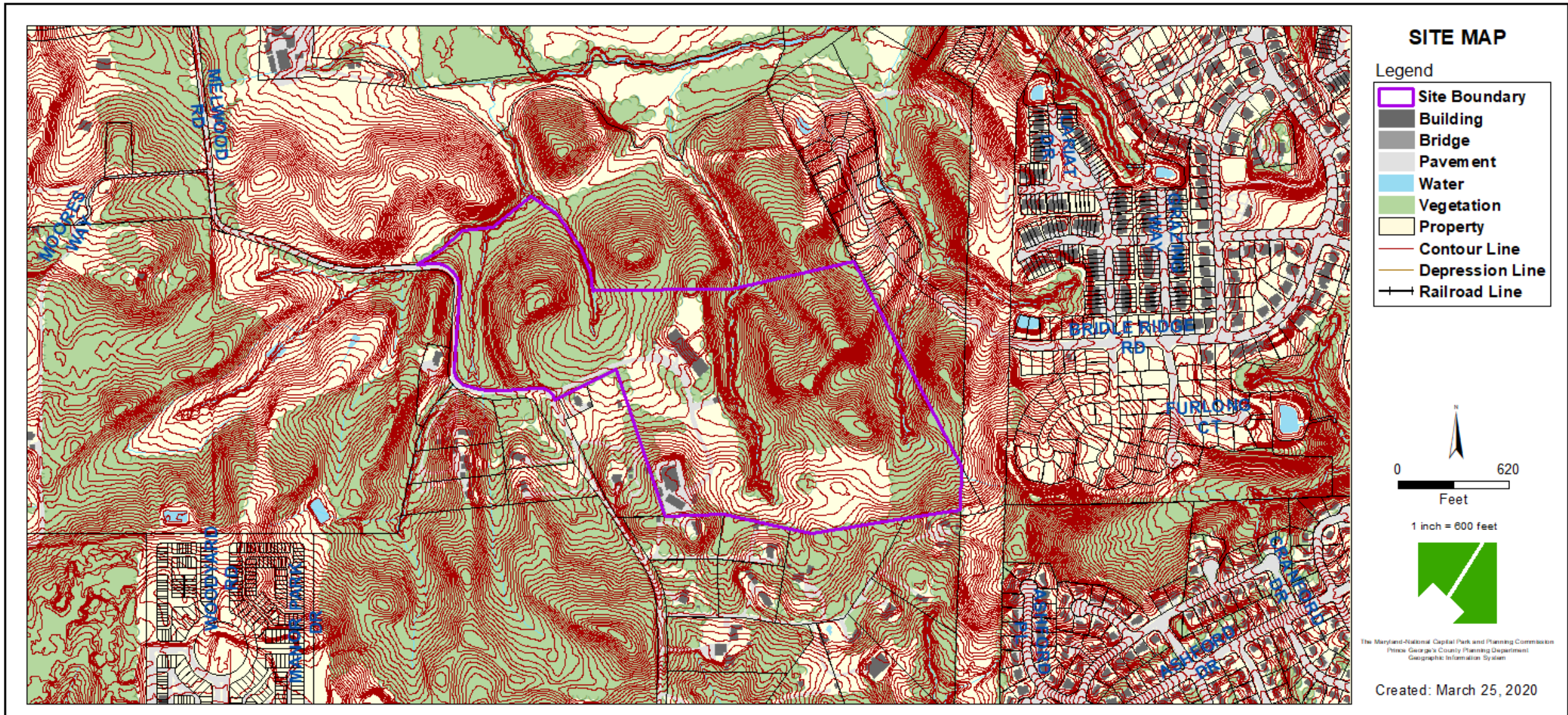
OVERLAY MAP



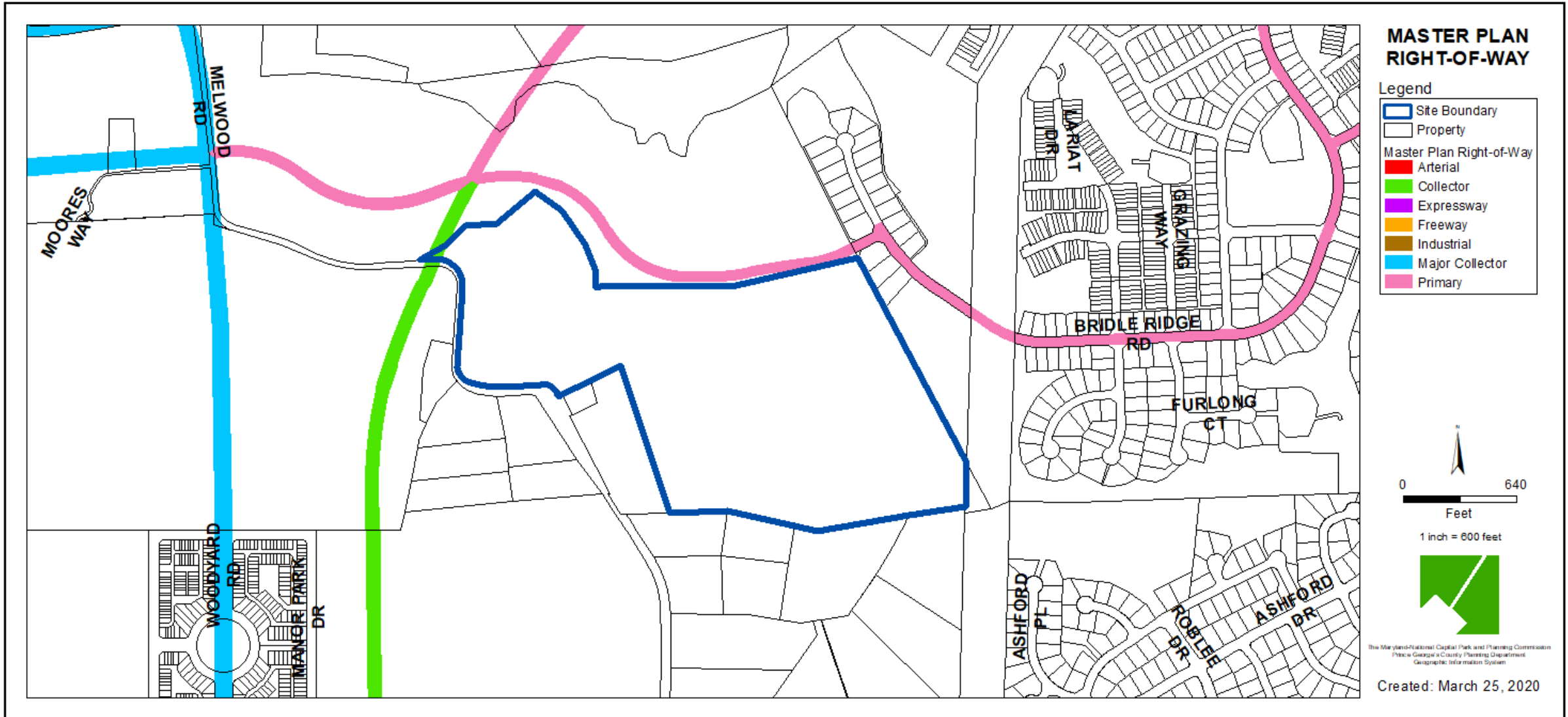
AERIAL MAP



SITE MAP



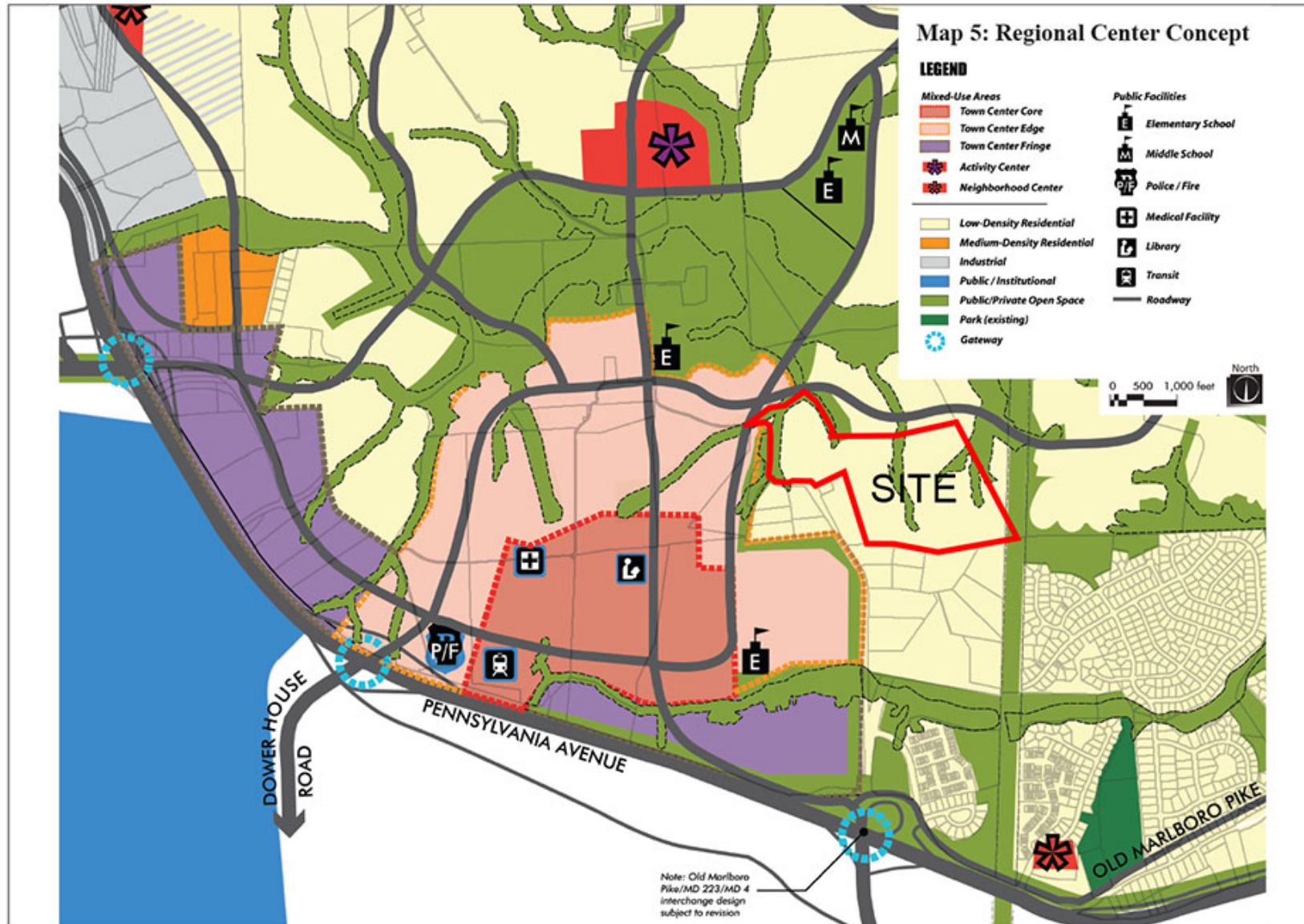
MASTER PLAN RIGHT-OF-WAY MAP



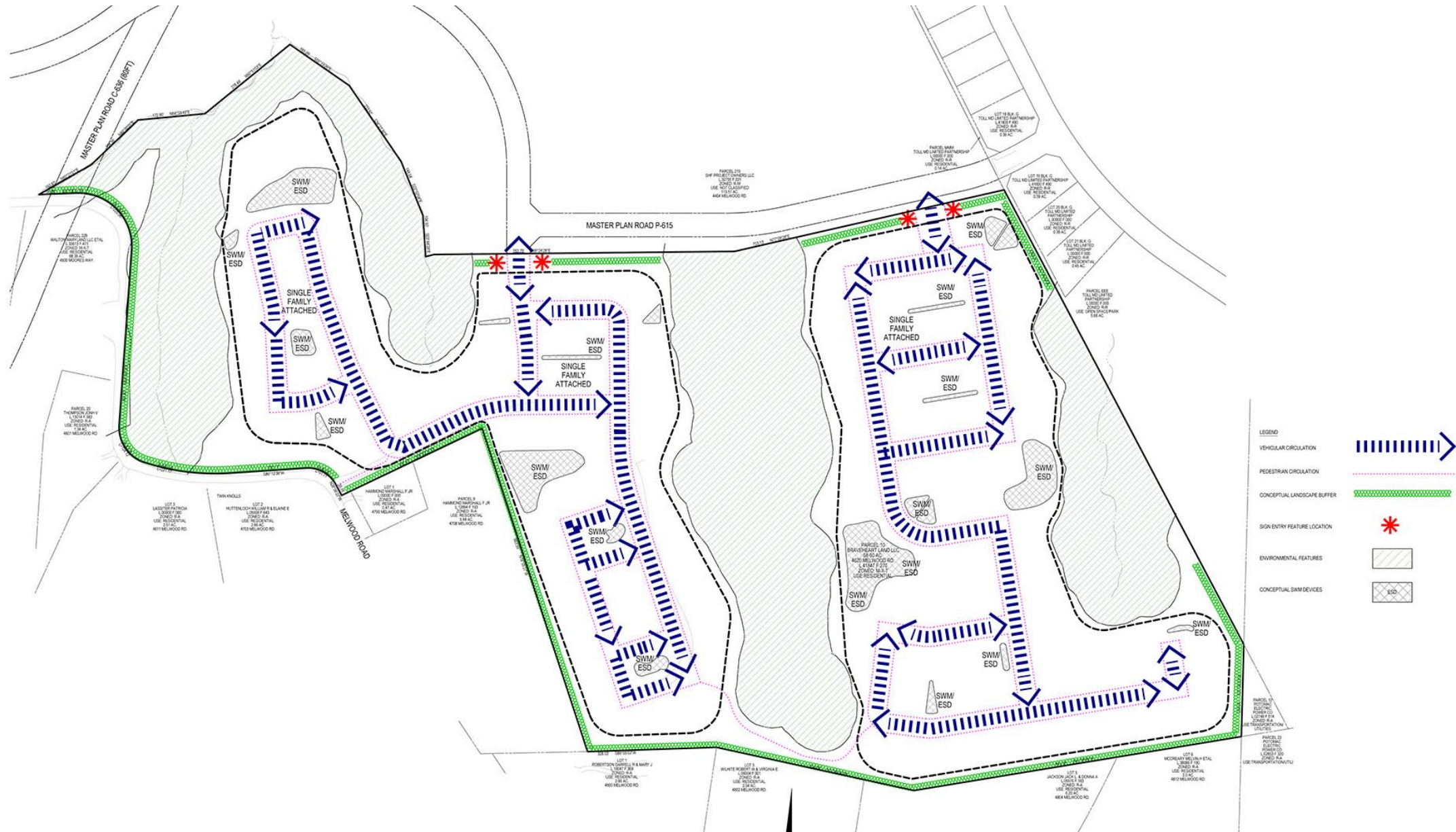
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



SITE LOCATION MAP WITHIN WESTPHALIA



CONCEPTUAL SITE AND LANDSCAPE PLAN



LEGEND

VEHICULAR CIRCULATION	
PEDESTRIAN CIRCULATION	
CONCEPTUAL LANDSCAPE BUFFER	
SIGN ENTRY FEATURE LOCATION	
ENVIRONMENTAL FEATURES	
CONCEPTUAL SWM DEVICES	



STATEMENT OF JUSTIFICATION
THE ENCLAVE AT WESTPHALIA
CSP-19004
12/5/19

Applicant

Braveheart Land, LLC
2077 Somerville Road
Suite 206
Annapolis, MD 21401
Contact: Kevin Setzer

Attorney

Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
Contact: Thomas Haller
301-306-0033

Engineer

Soltesz
4300 Forbes Boulevard, Suite 230
Lanham, Maryland 20706
Contact: David Bickel
301-794-7555

TABLE OF CONTENTS

1.0 INTRODUCTION/OVERVIEW/ORIENTATION	1
2.0 ZONING HISTORY AND SUMMARY OF DEVELOPMENT PROPOSAL	1
3.0 ANALYSIS OF CONFORMANCE WITH THE REQUIREMENTS OF THE M-X-T ZONE	3
4.0 ANALYSIS OF CONFORMANCE WITH THE REQUIREMENTS OF A CONCEPTUAL SITE PLAN	10
5.0 CONCLUSION	26

STATEMENT OF JUSTIFICATION
THE ENCLAVE AT WESTPHALIA
CONCEPTUAL SITE PLAN CSP-19004

1.0 INTRODUCTION/OVERVIEW/ORIENTATION

Braveheart Land, LLC (the "Applicant") files this Conceptual Site Plan for approximately 68.7 acres of land located at 4620 Melwood Road in Upper Marlboro, Maryland. The property is more particularly identified as Parcel 10 on Tax Map 91 among the records of the State Department of Assessments and Taxation. The property is currently zoned M-X-T.

2.0 ZONING HISTORY AND SUMMARY OF DEVELOPMENT PROPOSAL

As noted above, the Subject Property is zoned M-X-T. Prior to being zoned M-X-T, the Subject Property was zoned R-A. The site was placed in the M-X-T Zone pursuant to the adoption of the 2007 Approved Westphalia Section Plan and Sectional Map Amendment.

Prior to being rezoned to the M-X-T zone, the property was the subject of Special Exception SE-1103, which was approved by the Planning Board on November 20, 1964 for an orphanage (German Orphans Home). The site is also the subject of Special Exception SE-2496, which was approved by the District Council on April 13, 1971. Pursuant to these approvals, a facility containing 42,050 square feet was constructed. The site has been utilized for institutional uses for over 50 years.

In 2016, the property was the subject of Conceptual Site Plan application CSP-15003. The purpose of this application was to allow for the construction of an 85,733 square foot, 120 bed group residential facility and medical facility for recovering alcoholics and drug addicts. This application was approved by the Planning Board pursuant to Prince George's County Planning Board Resolution PGCPB No. 16-142.

In addition to the Conceptual Site Plan, Preliminary Plan of Subdivision 4-16009 was approved on December 1, 2016, pursuant to Prince George's County Planning Board Resolution PGCPB No. 16-143. In conjunction with this application, an archeological study was performed for the areas proposed for development. Finally, Detailed Site Plan DSP-16045 was approved by the Planning Board on April 27, 2017. All of these approvals are still valid and in effect. However, the construction of the proposed rehabilitation facility did not move forward and the Applicant purchased the property.

As noted above, the Subject Property was rezoned to the M-X-T zone by the 2007 Westphalia Sector Plan and Sectional Map Amendment. There were no design guidelines or standards prescribed for the Property, as there are for other properties in the Sector Plan. There are, however, general Design Principles which will be evaluated as part of the development review process. As such, the development approved in this CSP

is subject to the applicable requirements of the M-X-T zone and the Design Principles set forth in the Sector Plan applicable to development generally.

The Applicant proposes to raze the existing institutional uses and to construct a townhouse community consisting of up to 475 dwellings on the Subject Property. The existing improvements are accessed by a single point of access on Melwood Road, which is a narrow, substandard public roadway. The Subject Property lies just south of Sections 5 and 6 of the Parkside development which had recently been approved and which is in the early stages of development. These sections propose a mix of single family attached and smaller single-family detached homes. The Applicant proposes to provide access to the Subject Property from the roadway network being established to serve Sections 5 and 6 of Parkside, which is being developed in the R-M Zone.

3.0 ANALYSIS OF CONFORMANCE WITH THE REQUIREMENTS OF THE M-X-T Zone

The M-X-T zone generally requires that a Conceptual Site Plan in the M-X-T Zone include a mix of uses. Specifically, Section 27-547(d) states as follows:

(d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it

will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

- (1) Retail businesses;
- (2) Office, research, or industrial uses;
- (3) Dwellings, hotel, or motel.

COMMENT: As noted above, DSP-16045 was approved for approximately 87,533 square feet for a 120-bed group residential facility and a medical facility for outpatient services for 64 patients a day for recovering alcoholics, a single use. The proposed development is for the construction of up to 475 townhouses, also a single use. The approved project, and the proposed project, are permitted to include only a single use pursuant to Section 27-547(e) of the Zoning Ordinance, which provides:

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

The Planning Board previously found in DSP-16045 that the Subject Property meets these requirements, as it was included in the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment for which a comprehensive land use study was conducted

by technical staff prior to initiation. Although recommended for low-density residential development on the land use map included in the Westphalia Sector Plan, the property was rezoned to the M-X-T Zone by the District Council as part of Change Number 1 with the adoption of CR-2-2007. In the discussion of the change (Page 85), it was stated that "the M-X-T Zone is approved to promote implementation of the sector plan recommendation for mixed-use development within the Westphalia town center area. This zone allows a high-density, urban, pedestrian-oriented character within the center core and edge with supportive development in the fringe area." The proposed development is consistent with development with this vision of the M-X-T zone. Later, Plan Prince George's 2035 designated Westphalia Town Center as a Local Center, including the Subject Property. The property is located in the Established Communities area of the Growth Policy Map and designated as Mixed Use on the Generalized Future Land Use Map. More specially, in the Local Centers, the new housing mix is to include low-rise apartments and condos, townhomes, and small, single-family lots at an average net density for new development of 10-60 dwelling units/acre (see Table 16 of the General Plan). The proposed development, at less than 7 dwelling units per acre at maximum proposed density (due to development constraints) is consistent with this recommendation and is context sensitive,

given the surrounding Westphalia Town Center and Parkside developments.

Section 27-548, M-X-T Zone regulations, establishes additional standards for development in this zone. The CSP's conformance with the applicable provisions is discussed as follows:

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development - 0.40 FAR; and
- (2) With the use of the optional method of development - 8.00 FAR.

COMMENT: The floor area ratio will be addressed at the time of Detailed Site Plan based upon the total number of dwelling units and the size of each unit. Conceptually, however, the CSP reflects that up to 475 units could be constructed with an average of 1,890 square feet, which would result in an FAR of .3. As a result, the applicant does not anticipate the need to utilize the optional method of development to achieve a floor area ratio higher than .4. The Zoning Ordinance does not require that net acreage be used as the basis for calculating FAR. In this instance, given the acreage in the floodplain and the total area of the site, there is no significant difference regardless of how the FAR is calculated.

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

COMMENT: As a townhouse development, the development will consist of multiple buildings.

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

COMMENT: This requirement is not applicable since this approval is for a CSP. The subsequent DSP approval will provide regulations for the development on this property.

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

COMMENT: The development of this site is subject to the requirements of the 2010 Prince George's County Landscape Manual. Buffering and screening will be addressed at the time of DSP.

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

COMMENT: The FAR will be calculated in accordance with this provision at the time of DSP. Conceptually, the CSP reflects that up to 475 units could be constructed with an average of 1,890 square feet, which would result in an FAR of .3. At the time of DSP, unit sizes will be proposed which will allow the applicant to calculate the final FAR.

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

COMMENT: No private structures are proposed within the air space above, or in the ground below, public rights-of-way.

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

COMMENT: This requirement will be addressed at the time of preliminary plan of subdivision.

(h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous,

attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half ($\frac{1}{2}$) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development

as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

COMMENT: The standards for the development of townhouses was recently modified by CB-19-2018. Conceptually, the applicant is depicting lots which are 22' X 90', which conform to the regulations applicable to townhouses in the M-X-T zone. As the design progresses, a greater variety of lot sizes may be proposed. Lot sizes will be addressed at the time of Preliminary Plan and Detailed Site Plan. To date, no builder has been identified to allow the depiction of proposed townhouse units. The details of the unit facades will be addressed at the time of DSP.

- (i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.

COMMENT: The maximum height of multifamily buildings is so noted.

- (j) As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for

Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.

COMMENT: This provision is not applicable to this CSP as no guidelines or standards for the Subject Property were set forth in the Sector Plan.

4.0 ANALYSIS OF CONFORMANCE WITH THE REQUIREMENTS OF A CONCEPTUAL SITE PLAN

In the M-X-T zone, a conceptual site plan is required to be approved. In order to approve a Conceptual Site Plan, the Planning Board must make certain findings, which are set forth in Section 27-276(b) of the Zoning Ordinance. Section 27-276(b)(2) and (b)(3) are not applicable because the Subject Property is not a Mixed-Use Planned Community or a Regional Urban Community. Sections 27-276(b)(1) and (b)(4) are applicable to this application and will be addressed below.

Section 27-276(b)(1) provides as follows:

"The Planning Board may approve a Conceptual Site Plan if it finds that the Plan represents a most reasonable

alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make this finding, the Planning Board may disapprove the Plan."

COMMENT: The Applicant submits that the proposed CSP for the Enclave at Westphalia does represent a most reasonable alternative for satisfying the site design guidelines. As noted above, the Subject Property is located directly south of the Parkside development. Further, the Subject Property is divided into three development pods due to regulated environmental features. Two of these development pods will interconnect and provide access to an east-west roadway along the southern boundary of Parkside. The third development pod cannot be interconnected due to environmental constraints, but will be connected to the same east-west roadway. The retained woodlands will provide a desirable living environment. Interconnecting the proposed development to Parkside is preferable to providing access to Melwood Road, due to the condition of Melwood Road and the existing older single-family homes served by the road.

The Site Design Guidelines are contained in Section 27-274. These Site Design Guidelines address General matters, Parking, Loading and Circulation, Lighting, Views, Green Area, Site and Streetscape Amenities, Grading, Service Areas, Public Spaces, Architecture and Townhouses. Many of these Site Design Guidelines are most appropriately addressed at the time of

Detailed Site Plan or are inapplicable. Those that are relevant are addressed below.

Section 27-274(a)(1) General. The proposed plan should promote the purposes of the Conceptual Site Plan. The purposes of Conceptual Site Plans are listed in Section 27-272. The General Purposes include providing for development in accordance with the Master Plan and helping fulfill the purposes of the zone in which the land is located. In this case, the Subject Property was originally developed in a low-density residential zone and utilized as an institutional use. It was placed in the M-X-T zone as part by the 2007 Westphalia Sector Plan in order to implement the recommendations of that plan to establish a regional center. The two primary developments included in that regional center are the Westphalia Town Center and the Parkside development. The Westphalia Town Center comprises more than 500 acres and is being developed as a Regional Urban Community. It abuts the western edge of the Subject Property but does not have access to the Subject Property due to environmental constraints. The Parkside Development comprises in excess of 750 acres. As discussed above, the development proposed for the Subject Property will be compatible with the development ongoing and proposed in the Westphalia Town Center and Parkside developments.

The Specific Purposes of Conceptual Site Plans include explaining the relationships between the proposed uses and illustrating approximate locations of building and parking. The proposed CSP fulfills these specific purposes. The proposed residential divided into pods due to the existence of regulated environmental features, the retention of which will create a very desirable living environment.

Section 27-274(a)(2) Parking, Loading and circulation.

General guidance is given regarding the location of parking and loading facilities. The proposed townhouses will provide adequate parking for both the residents and guests. The circulation pattern is shown on the CSP, including the points of proposed interconnection with the roadway network in the Parkside development. Additional detail will be provided at the time of DSP.

Section 27-274(a)(3) Lighting. A photometric plan will be provided at the time of DSP which will demonstrate that adequate, but will be adequate for the type of development proposed.

Section 27-274(a)(4) Views. The proposed development is divided into pods separated by regulated environmental features in the form of stream valleys and woods which will be retained. These features create desirable views for the dwelling units which will be adjacent to them. The development pods will have

no visibility from any existing roadways, but limited visibility from the new street being constructed in Parkside which will serve as the primary point of access.

Section 27-274(a)(5) Green Area. Ample green area will be provided on site in the form of the retention of the regulated environmental features and will be accentuated by elements such as landscaping and recreational facilities included in the proposed community. The landscaping will be addressed at the time of DSP.

Section 27-274(a)(6) Site and streetscape amenities. Site and streetscape amenities will be addressed in greater detail at the time of DSP.

Section 27-274(a)(7) Grading. The site is partially developed. Additional grading to create the development pods will be done in accordance with current regulations.

Section 27-274(a)(8) Service areas. The proposed development will be exclusively residential in nature and no service areas will be provided.

Section 27-274(a)(9) Public spaces. There will be no public spaces provided within the development. The development will contribute to the construction of the Westphalia Central Park, which is the main public space provided by the Sector Plan for properties within the boundaries of the Sector Plan.

Section 27-274(a)(10) Architecture. The architecture will be addressed at the time of DSP.

Section 27-274(a)(11) Townhouses and three family dwellings. This consideration emphasizes the retention of trees along the rears of townhouses, the placement and orientation of groups of townhouses, the location of recreational facilities, architectural considerations and views of rears of townhouses from public rights of way. The site lends itself to the retention of woodlands by its development constraints. Many of the units will be designed to back up to retained natural features, and the property is proposed to be divided into small blocks which will minimize long linear strips of units. Recreational facilities and the specific architectural features of the units which are referenced in the site design guidelines will be addressed in greater detail at the time of DSP.

In addition to the Site Design Guidelines, the Westphalia Sector Plan contains general design principles on Pages 30-32. Those which are relevant to the proposed development are addressed below.

- **Design new low- to medium-density residential neighborhoods that are varied in housing styles and architecture and promote best practices for residential design.**

COMMENT: The proposed development will be a medium-density neighborhood with a density under 7 dwelling units per gross

acre. The architectural details and orientation of the units will be addressed at the time of DSP.

- **Incorporate a variety of housing types in single-family projects and subdivisions.**

COMMENT: The proposed development consists of single family attached dwellings. A variety of widths and architectural features will be incorporated into the development at the time of preliminary plan and DSP.

- **Design residential developments that connect and appropriately transition to pre-existing communities and neighboring commercial areas.**

COMMENT: The proposed community is designed to connect with the developing Parkside community to the north. This is appropriate, given the condition of Melwood Road and the existing development which will continue to access Melwood Road. The proposed access will better orient the proposed development to both the Westphalia Town Center and the Central Park through internal master plan roadways which connect the development.

- **Design an efficient, safe, and interconnected street system.**

COMMENT: The environmental constraints largely dictate two separate access points into the community and prevent the two development pods from interconnecting. The details of the street system will be addressed at the time of DSP.

- **Create a system of open space and parks and preserve sensitive environmental features.**

COMMENT: The applicant proposes to preserve large wooded areas which contain regulated environmental features, which will enhance the livability of the community.

- **Provide a variety of single family attached residential lot sizes in and near the Westphalia Town Center.**

COMMENT: The proposed development will be one of several communities near the Westphalia Town Center. The variety of lot sizes will be addressed at the time of preliminary plan and DSP.

Section 27-276(b)(4) provides as follows:

"The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5)."

As noted above, the Subject Property is impacted by streams and stream buffers which separate the property into three distinct development pods. These regulated environmental features will be preserved to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

In addition to the above findings, the Planning Board must make the findings set forth in Section 27-546(d)(1)-(11), which are related specifically to the M-X-T zone. Each of the subsections will be set forth below, with a corresponding comment, which provides as follows:

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

COMMENT: The purposes of the M-X-T Zone are set forth in Section 27-542 of the Zoning Ordinance. There are a total of 10 purposes, several of which are promoted by this CSP. Each of the purposes is addressed below:

- (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;**

COMMENT: The subject property was placed in the M-X-T Zone as part of the Westphalia Sector Plan in order to encourage and facilitate development of a major Town Center within the Pennsylvania Avenue Corridor along three major interchanges/intersections—Dower House Road, Woodyard Road and Suitland Parkway. The proposed development promotes this purpose by expanding living opportunities in proximity to the Westphalia Town Center.

- (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;**

COMMENT: As noted above, the subject property was placed in the M-X-T zone as part of the Sector Plan to facilitate the creation of compact communities in proximity to the Westphalia Town

Center. The proposed development will be a part of the larger residential component of the Sector Plan.

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

COMMENT: The establishment of the Westphalia Town Center by the adoption of the Westphalia Sector Plan was specifically intended to concentrate development and conserve the value of land and buildings. As part of that rezoning, the proposed development promotes this purpose.

- (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;

COMMENT: The proximity of the subject property to the Town Center, which will develop over time with substantial commercial uses will reduce automobile use by locating residential in close proximity to the commercial core.

- (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;

COMMENT: The Westphalia Town Center is planned as a vibrant, mixed use, twenty-four hour environment, to which the proposed development will contribute.

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

COMMENT: The subject property was not recommended for a mix of uses, as was the Town Center, and Section 27-547(e), which was added to the Zoning Ordinance to facilitate implementation of the Sector Plan recommendations, specifically does not require a mix of uses provided the Conceptual Site Plan conforms to the visions, goals, policies and recommendations of the plan. As discussed throughout this Statement of Justification, the proposed development conforms to these goals and policies.

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

COMMENT: While the subject property will only include a single use type, it is part of a larger development pattern that creates a dynamic, function relationships between the individual uses.

- (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;

COMMENT: The Westphalia Sector Plan establishes a comprehensive approach to addressing transportation and recreational requirements to promote optimum land planning. The proposed development contributes to the implementation of this plan.

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

COMMENT: The M-X-T zone provides the applicant the flexibility to design a community which is responsive to the market consistent with this purpose.

- (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.

COMMENT: The architectural design of the proposed units will be addressed at the time of DSP.

Based upon the above comments, each of the purposes discussed above is promoted by the CSP, which contributes to the implementation of the overall Master Plan and General Plan.

- (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;

COMMENT: As stated above, although placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, there were no design guidelines or standards prescribed for the Property. As a result, the Detailed Site Plan will establish the design guidelines and standards for the proposed development.

(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;

COMMENT: The regulated environmental features define the developable areas of the property and assist in integrating the development with existing adjacent development. Where woodlands are not retained adequate buffering will be provided to ensure compatibility.

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

COMMENT: As noted above, the property was placed in the M-X-T zone with the land comprising the Westphalia Town Center, which abuts the property to the west. The eastern portion of the Westphalia Town Center is proposed for development as townhouses and small single-family detached homes. According to Preliminary Plan 4-08002, the easternmost portion of Westphalia Town Center is approved for 540 dwelling units on approximately 65 acres of land, a density of 8.4 dwelling units per acre. The subject site is conceptually proposed for a maximum of 475 dwellings on 68.7 acres, resulting in a density of 6.9 dwelling units per acre. In addition, the Parkside development abuts the Subject Property to the north and is being developed with a mix of townhouses and small single-family detached homes. While existing single-family homes in the R-A zone abut the subject property to the west and south along Melwood Road, access to

these parcels is gained from Melwood Road, a substandard public right of way. In fact, even though the road currently services the subject property, the road has been terminated just of the north of the subject property and will not be used for access by the proposed development. Instead, the applicant is proposing to access the subject property from the Parkside Development to the north, which as noted, is approved for development with townhouses and small single family detached lots in the R-M zone. As a result, the proposed development is compatible with existing and proposed development in the community. It is a stepdown in density from the Westphalia Town Center, with which it was zoned, and the proposed development is consistent with the development to the north through which it will access.

(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;

COMMENT: Due to the location of the Subject Property in the Westphalia Sector Plan, a mix of uses is not required. Commercial uses will be provided in locations designated by the Sector Plan. The Subject Property was not proposed to be the location of commercial uses.

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

COMMENT: The development will be constructed in a single phase. Thus, no staging is proposed or necessary.

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

COMMENT: The site will be designed with an internal sidewalk network that will provide pedestrian connectivity except where environmental features prevent such connections.

(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

COMMENT: The current plan is a CSP. This issue will be addressed at the time of DSP.

(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.

COMMENT: The property was placed in the M-X-T zone by a Sectional Map Amendment. A Traffic Impact Analysis has been

prepared and will be submitted with the Conceptual Site Plan indicating that adequate public facilities will exist to serve the proposed development.

(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.

COMMENT: This finding is not applicable to the Subject Property.

A new finding of adequacy will be required and will be made consistent with the applicable requirements.

(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.

COMMENT: This provision does not apply to the Subject Property as it does not exceed 250 acres.

5.0 CONCLUSION

In conclusion, the Applicants submit that the proposed CSP represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. In addition, the

other findings required for Conceptual Site Plans in the M-X-T zone can also be made. For these reasons, the Applicant respectfully requests approval of the CSP.

Respectfully submitted

A handwritten signature in blue ink, appearing to read 'T. Haller', with a long horizontal flourish extending to the right.

Thomas H. Haller
Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
(301) 306-0033

R E S O L U T I O N

WHEREAS, 4620 Melwood Road OPCO, LLC is the owner of a 68.60-acre parcel of land known as Parcel 10, said property being in the 15th Election District of Prince George’s County, Maryland, and being zoned Mixed Use–Transportation Oriented (M-X-T); and

WHEREAS, on August 3, 2016, 4620 Melwood Road OPCO, LLC filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-16009 for Recovery Centers of America, Parcel A, was presented to the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on December 1, 2016, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George’s County Code; and

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

WHEREAS, on December 1, 2016, the Prince George’s County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George’s County Code, the Prince George’s County Planning Board APPROVED the Type 1 Tree Conservation Plan (TCP1-006-16-01), and further APPROVED Preliminary Plan of Subdivision 4-16009, for one parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. Show the existing 10,445-square-foot block building along the southwest corner of the property as delineated on the Type 1 tree conservation plan.
 - b. Show the required 10-foot-wide public utility easement along Melwood Road and master planned roadway C-636.
 - c. Label the existing crop garden/greenhouse building as “To Be Removed.”
 - d. Provide the correct square footage for all structures in the general notes and on the plan.
 - e. Update the general notes to reference companion Type 1 Tree Conservation Plan TCP1-006-16.

- f. Update the general notes to provide the approval date of July 15, 2016 for the stormwater management concept plan.
 - g. Relabel Parcel 10 as Parcel 1.
2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along all public rights-of-way.
3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
4. Prior to signature approval of the preliminary plan of subdivision (PPS), the applicant and the applicant's heirs, successors, and/or assignees shall submit two copies of an approved stormwater management concept plan, signed by the Prince George's County Department of Permitting, Inspections and Enforcement, and two copies of the concept approval letter. The stormwater management concept plan approval number and approval date shall be delineated on the PPS and Type 1 tree conservation plan (TCP1). Any required stormwater management facilities shall be shown on the TCP1.
5. Total development within the subject property shall be limited to uses which generate no more than 35 AM peak hour trips and 43 PM peak hour trips. These rates were determined by using the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 9th Edition*. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.
6. At the time of record plat, the applicant shall:
 - a. Dedicate 30 feet of right-of-way from the center line of Melwood Road.
 - b. Dedicate right-of-way for master plan roadway C-636 as depicted on the preliminary plan of subdivision.
7. Prior to certificate approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised as follows:
 - a. Revise the labeling located over the "woodland areas-not counted" to an easier and visibly discerning label wording.
 - b. Remove Specimen Tree 35 (ST-35) from the specimen tree chart.

- c. Show the required 10-foot-wide public utility easement along Melwood Road and master planned roadway C-636.
- d. Provide the correct square footage for all structures on the plan.
- e. Relabel Parcel 10 as Parcel 1.
- f. Have the revised plan signed and dated by the qualified professional who prepared it.

8. Prior to certification of the detailed site plan, and prior to signature approval of the Type 2 tree conservation plan (TCP2) for this property, pursuant to Section 25-122(d)(1)(B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement shall be indicated on the TCP2. The following note shall be placed on the TCP2:

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

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

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

10. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

11. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-006-16). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-006-16), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies

of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

12. Prior to signature approval of the preliminary plan of subdivision, Conceptual Site Plan CSP-15003 shall be certified.
13. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees, shall grant a 10-foot-wide public utility easement along all public rights-of-way.
14. The final record plat shall include a note that the applicant, the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$420 to the Department of Public Works and Transportation (DPW&T) for the Share the Road with a Bike signage for the Class III bikeway along Melwood Road. The contribution shall be made prior to the issuance of the first building permit.
15. Prior to signature approval of the preliminary plan and the TCP1, the limit of the archeological investigations and archeological sites 18PR1104 and 18PR1105 shall be shown on the plans.
16. Prior to approval of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Submit four copies of the final Phase I archeological report to the Historic Preservation Section (M-NCPPC) for review and approval.
 - b. Ensure that all recovered artifacts from archeological sites 18PR1104 and 18PR1105 are deposited with the Maryland Archeological Conservancy Laboratory in Calvert County, Maryland for permanent curation; proof of disposition shall be provided to the Historic Preservation Section.
17. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall establish an archeological conservation easement around archeological sites 18PR1104 and 18PR1105, described by bearings and distances, that includes a 50-foot nondisturbance buffer to protect the resource. The following note shall be placed on the final plat:

“Any ground disturbance within the archeological easements must be reviewed and approved by The Maryland-National Capital Park and Planning Commission (M-NCPPC) Prince George's Planning Department, Countywide Planning Division, Historic Preservation Section.”

18. Prior to the approval of any grading permit or any ground disturbance for the subject property, the applicant shall install a super-silt fence around the boundaries of archeological site 18PR1105 and provide proof of the installation and its placement to the Historic Preservation Section (M-NCPPC). The location, installation and removal of the super-silt fence shall be determined at the time of detailed site plan.
19. Prior to approval of any future development within the areas not investigated in the current Phase I survey, in accordance with the Planning Board's directives, as described in the Guidelines for Archeological Review, May 2005, and consistent with Sections 24-104, 24-121(a)(18), and 24-135.01 of the Subdivision Regulations, the subject property shall be the subject of a Phase I archeological investigation to identify any archeological sites that may be significant to the understanding of the history of human settlement in Prince George's County, including the possible existence of slave quarters and slave graves, as well as archeological evidence of the presence of Native American peoples.
 - a. Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of a detailed site plan, the applicant shall provide a plan for:
 - (1) Evaluating the resource at the Phase II level, or
 - (2) Avoiding and preserving the resource in place.
 - b. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to any ground disturbance or the approval of any grading permits.
20. Prior to the approval of a raze permit for the main structure on the property, constructed as the German Orphan Home of Washington, DC in 1965, the building shall be documented through the completion of a Maryland Inventory of Historic Properties (MIHP) form according to Maryland Historical Trust (MHT) standards by a qualified 36CFR60 consultant. The draft and final MIHP form shall be reviewed and approved by the Historic Preservation Commission prior to submittal by the applicant to the Maryland Historical Trust.
21. The applicant and the applicant's heirs, successors, and/or assignees shall provide on-site bicycle parking. The location and number of on-site bicycle racks shall be determined at the time of detailed site plan.

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

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 91, Grid A-4, and is known as Parcel 10. The property is located in the Mixed Use–Transportation Oriented (M-X-T) Zone and has a gross tract area of 68.60 acres, of which 2.35 acres is located in the 100-year floodplain. The property is an acreage parcel that has never been the subject of a prior preliminary plan of subdivision (PPS) or record plat. The property has a large amount of street frontage to the west along Melwood Road, a two-lane rural residential historic roadway with an existing 30-foot-wide right-of-way (ROW) width. With this application, additional ROW of 15 feet will be dedicated which will result in an ultimate right-of-way width of 60 feet as discussed further in the Transportation finding. The site also has frontage on a proposed, but unconstructed, master plan collector road (C-636) which extends through the northwest corner of the property and will be dedicated at the time of final plat.

The applicant is proposing to raze the existing 24,000 square-foot, two and one-half-story group residential facility and construct a 72,783-square-foot, two and one-half-story facility. The proposed facility will consist of 120 beds for patients and include outpatient services with an anticipated 64 patients per day. The facility will have 130 employees working three shifts.

In the M-X-T Zone, the Order of Approvals (Section 27-270 of the Zoning Ordinance) requires the approval of a conceptual site plan (CSP) prior to approval of the PPS. The applicant has filed Conceptual Site Plan CSP-15003, which was approved by the Planning Board on December 1, 2016. This PPS is consistent with the CSP.

3. **Setting**—The subject project is located on the eastern side of Melwood Road, approximately 2,600 feet north of its intersection with Pennsylvania Avenue (MD 4), within Planning Area 78 and Council District 6.

The subject property is bounded to the north by vacant land in the Residential Medium (R-M) and Rural Residential (R-R) Zones; to the east by vacant land and a powerline in the Rural Residential (R-R) and Residential-Agriculture (R-A) zones, and beyond single-family attached developments in the Rural Residential (R-R) Zone; to the south by detached single-family dwellings in the Residential-Agriculture (R-A) Zone and Melwood Road, a two-lane, residential historic/scenic roadway within a 30-foot-wide right-of-way; and to the west by Melwood Road, and beyond detached single-family dwellings in the Residential-Agriculture (R-A) Zone and vacant land in the M-X-T Zone.

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

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Group Residential Facility	Group Residential Facility
Acreage	68.60	68.60
Gross Floor Area	42,050 (of which	85,733 sq. ft.
Parcels	12,950 sq. ft. will remain)	(72,783 sq. ft. new)
Variance	No	No
Variation	No	No

Pursuant to Section 24-113 of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on October 7, 2016.

5. **Environmental**—The Recovery Centers of America project was stamped as received on October 27, 2016. Verbal comments were provided in a Subdivision Development Review Committee (SDRC) meeting on August 12, 2016.

Background

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
CSP-15003	TCP1-006-16	Planning Board	Pending	Pending	Pending
4-16009	TCP1-006-16-01	Planning Board	Pending	Pending	Pending
NRI-090-05	N/A	Staff	Approved	9/15/2005	N/A
NRI-090-05-01	N/A	Staff	Approved	4/28/2016	N/A

Proposed Activity

This PPS application is for the removal of an existing building and the construction of a group home and treatment facility.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012. Therefore, the project is required to have a new PPS approval.

Site Description

A review of the available information indicates that streams, 100-year floodplain and steep slopes are found to occur on the property. The predominant soils found to occur according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web

Soil Survey (WSS) include the Adelpia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay does not occur on or in the vicinity of this property; however, a small area of Marlboro clay evaluation area is located in the northwest corner of the property. There are forest interior dwelling species (FIDS) habitat mapped on-site. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. The site has four stream systems that drain to the north towards Cabin Branch, which is part of the Western Branch watershed, then to Western Branch and then to the Patuxent River basin. The site has frontage on Melwood Road which is not identified as a master plan roadway. Melwood Road is not a traffic noise generator and noise will not be regulated in this subject application. This section of Melwood Road is designated as historic. The site is located within the Westphalia and Vicinity Planning Area. The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. According to the *2005 Approved Countywide Green Infrastructure Plan*, the site contains regulated areas, evaluation areas, and network gap areas.

Plan Prince George's 2035 Approved General Plan (2014): The site is located within the Established Communities area of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035 Approved General Plan.

Conformance Finding for 2010 Approved Water Resources Functional Master Plan

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

Environmental Issues Addressed in the Westphalia Sector Plan

The subject property is located in the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment. There are four policies of the Westphalia Sector Plan that relate to the Environmental Infrastructure on the subject property.

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

The site contains all three (regulated, evaluation and network gap) designated network areas of the 2005 *Approved Countywide Green Infrastructure Plan*. As part of the application, the existing on-site building will be removed and a new building and parking area will be constructed in the same location. The impact area is located within network gap area and outside the Green Infrastructure Plan area. Minor tree clearing is proposed with the network gap area.

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

Remove agricultural uses along streams and establish wooded stream buffers where they do not currently exist. Require stream corridor assessments using Maryland Department of Natural Resources protocols and include them with the submission of a natural resource inventory as development is proposed for each site. Add stream corridor assessment data to the countywide catalog of mitigation sites. Coordinate the road network between parcels to limit the need for stream crossings and other environmental impacts. Utilize existing farm crossings where possible. Encourage shared public/private stormwater facilities as site amenities. Ensure the use of low-impact development (LID) techniques to the fullest extent possible during the development review process with a focus on the core areas for use with bioretention and underground facilities. The site does not currently contain agricultural uses.

The TCP1 shows four on-site stream systems. A stream located just west of the proposed development will be impacted for a stormwater management pipe and outfall structure. This outfall disturbance is required to convey the stormwater safely to the on-site water course. Grading and woodland clearing for the impact will be minimized to the fullest due to the adjacent steep slopes. There is an existing building within the on-site stream buffer that is required to have water and sewer services. Impacts for this utility line disturbance will be in an un-wooded area. There is 1.91 acres of on-site woodlands to be cleared and the remaining 9.68 acres will be placed in preservation. None of the other on-site regulated environmental features are proposed to be impacted as part of this application.

The plan proposes that stormwater management will be provided through the use of three bioretention facilities and two bioswales. The TCPI does show the proposed treatment areas of the seven bioretention facilities. A copy of the approved stormwater concept approval plan was provided with this application. The site has a Stormwater Management Concept letter (11758-2016-00) that was approved on July 15, 2016.

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

- Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.
- Encourage the use of alternative energy sources such as solar, wind and hydrogen power. Provide public examples of uses of alternative energy sources.

The plan proposes to remove an existing group residential facility and replace in the same location another improved group residential facility. The use of environmentally sensitive building techniques should be considered as part of this development.

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

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

This application is to raze the existing building on the property and construct a new larger building in the same location for a group residential facility. The site is not located within any noise impact areas associated with Andrews Air Force Base. Melwood Road is not considered a noise generator.

Natural Resource Inventory/Environmental Features

An approved Natural Resource Inventory, NRI-090-05-01, in conformance with the environmental regulations that became effective September 1, 2010, was submitted with the application. The site contains regulated environmental features (steep slopes, streams, floodplains or their associated buffers). After a further review by the applicant's consultant, one specimen tree (ST-35) a 35-inch Southern Red Cedar was determined to be measured and identified inaccurately. A revised NRI has been submitted and approved showing the change. Specimen Tree 35 (ST-35) is now identified as a Leyland Cypress tree measuring 26.7 inches in diameter at breast height (DBH). No specimen trees will be removed with the subject application, and no additional information is required with regard to the NRI.

Woodland Conservation

The site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland.

The site contains a total of 50.35 acres of woodlands and 2.35 acres of wooded floodplain. The site has a woodland conservation threshold of 9.94 acres, proposes to clear 1.91 acres of woodland with a total requirement of 10.42 acres. The TCP1 proposes to exceed the requirement with on-site preservation (9.68 acres) and specimen tree preservation credit (4.81 ac.), for a total provided of 14.49 acres.

Minor revisions are required to the TCP1 prior to signature approval. The labeling in areas that are located over the "woodland areas-not counted" is difficult to read.

Revise the label letter size to better visibly discern the label wording. Remove Specimen Tree 35 from the specimen tree chart.

Primary Management Area (PMA) Impacts

A statement of justification, including an impact exhibit plan, was reviewed as part of this application. Section 24-130(b)(5) of the Subdivision Regulations states:

"Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat."

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

develop the site in conformance with County Code. Impacts to regulated environmental features must first be avoided and then minimized.

The statement of justification and associated exhibits reflect two impacts to regulated environmental features associated with the proposed redevelopment. According to the approved NRI, the 68.60-acre site contains a total of 21.62 acres of existing PMA.

Impact 1

Outfall—This request totals 2,057 square feet and is for the installation of a stormwater Management outfall. This disturbance of PMA will disturb wooded waters of the United States and stream buffer areas. The statement of justification indicates that this impact is for a stormwater outfall to have proper out flow of the stormwater to prevent erosion. The location of the outfall is set by the location of the stormwater management facilities. The outfall location is within steep slopes until the slopes flatten out at the banks of an on-site stream system. Stone will be placed at the outfall location and clearing and grading of the wooded slopes will be minimized.

Avoidance/Minimization Analysis

The locations of the stormwater management structures determine where the outfall disturbance should be located. The development is located within an open area on top of a ridge and the down slope surrounding areas are steep and wooded. The applicant determined that the location of the stormwater facilities would cause the least amount of grading and clearing of woodlands for the stormwater outfall construction.

Impact 2

Utilities—This request totals 626 square feet and is for the installation of water and sewer service to an existing building. Currently, this building is not serviced by water and sewer and is required to be connected. This utility impact will occur within a maintained lawn area of stream buffer.

Avoidance/Minimization Analysis

There is an existing building that has no utilities. The utilities will be brought to the building in the front of the site in an existing open area.

Based on the level of design information available the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the impact exhibits.

Soils

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), are the Adelpia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay does not occur on or in the vicinity of this property; however, a small area of Marlboro Clay evaluation

area is located in the northwest corner of the property. Currently, no impacts are proposed near the Marlboro Clay evaluation area, so not further information was required with the subject PPS. The County may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit process review if works is ever proposed within this evaluation area. This information is provided for the applicant's benefit:

Stormwater Management

An approved Stormwater Management Concept plan (11758-2016-00) and approval letter was submitted with the subject application. Proposed stormwater management features include two bioswales and three micro-bioretenion facilities. The concept approval expires July 15, 2019. The site will not be required to pay a stormwater management fee towards providing on-site attenuation/quality control measures. No further information pertaining to stormwater management is required.

Noise

The site has frontage on Melwood Road which is not identified as a master plan roadway. Melwood Road is not a traffic noise generator and noise will not be regulated in this subject application.

6. **Community Planning**—The subject application is located in Planning Area 78 within the Westphalia Community, and within the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). The 2007 *Westphalia Sector Plan and Sectional Map Amendment* rezoned the subject property from R-A to the M-X-T Zone, (see Zoning Change 1 on pages 83 and 85), and recommended a low-density residential land use for the property. This application proposes a group residential facility which conforms to the low-density residential land use recommendation within the 2007 *Westphalia Sector Plan and Sectional Map Amendment*.

The application is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). This application is in conformance with the land use recommendations, and design policies and principles intended to implement the development concepts recommended by the 2007 *Westphalia Sector Plan and Sectional Map Amendment*.

The subject property is located in the Established Communities area of the Prince George's County Growth Policy Map in the *Plan Prince George's 2035 Approved General Plan*. The vision for Established Communities in Prince George's County is to have context-sensitive infill and low to medium-density development. The *Plan Prince George's 2035 Approved General Plan* makes no relevant recommendations influencing a development application on this property. Therefore, the PPS is not inconsistent with Plan Prince George's 2035.

7. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the preliminary plan application is exempt from Mandatory Dedication of Parkland requirements because it consists of nonresidential development.

8. **Trails**—The following Preliminary Plan was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* and/or the appropriate area Master Plan in order to provide the Master Plan Trails.

Private R.O.W.*	_____	Public Use Trail Easement	_____
PG Co. R.O.W.*	<u> X </u>	Nature Trails	_____
SHA R.O.W.*	_____	M-NCPPC – Parks	_____
HOA	_____	Bicycle Parking	_____
Sidewalks	<u> X </u>	Trail Access	_____

*If a master plan trail is within a city, County, or state right-of-way, an additional two to four feet of dedication may be required to accommodate construction of the trail. Fifteen feet of additional dedication is being provided along Melwood Road.

The PPS application was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 20007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements. Because the site is not located in either a designated center or corridor, it is not subject to the requirements of Section-24-124.01 and the “Transportation Review Guidelines, Part 2, 2013” at the time of Preliminary Plan.

Background

Two master plan trail recommendations impacts the subject application, while another lies just to the north of the subject site along a planned master plan road. The site frontages along Melwood Road, which is a designated bikeway in the vicinity of the site and the alignment of a proposed collector C-636 crosses the northwest corner of the site. The MPOT includes the following text regarding the planned bikeway along the scenic and historic Melwood Road and the side path along C-636:

Melwood Road Legacy Trail: The facility will preserve segments of Melwood Road within a green buffer as part of the Westphalia trails network. Where feasible, the road alignment should be converted into a trail corridor. Where Melwood Road provides access to existing residences, Melwood Road should be designated as a shared-use bikeway (MPOT, page 36).

C-636 Shared-Use Side path: Provide a shared-use side path along this collector road leading into the Westphalia Town Center. Where the road is part of the town center, wide sidewalks and designated bike lanes may be appropriate (MPOT, page 36).

The portion of Melwood Road that fronts the subject site will be a designated share-use bikeway and will continue to serve motor vehicles. Bikeway signage is recommended along the site’s frontage. Necessary frontage or safety improvements will be determined by the Department of Permitting, Inspections and Enforcement (DPIE). While it is unlikely that road construction for the

collector will be required, the future master plan trail along C-636 can be accommodated within the 80 feet of dedication that is shown on the submitted PPS. The planned trail will be provided in the future concurrently with the construction of the master plan road. P-615 is just to north of the subject site and does not impact the subject property.

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) reaffirms the need for sidewalks as frontage improvements are made by including several policies related to pedestrian access and the provision of sidewalks. The Complete Streets section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provision of complete streets:

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

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

Consistent with the complete street policies of the MPOT, sidewalks are proposed around the main building and from the main building to the parking compound. The need for additional on-site sidewalk connections will be reviewed at the time of DSP.

9. **Transportation**—The current facility will be razed and replaced with a 72,783-square-foot facility with 120 beds. The facility will also include Outpatient Services that will accommodate approximately 64 patients per day.

The site's only frontage and access is on Melwood Road, a two-lane rural residential road that is currently designated as scenic and historic. Pursuant to recommendations from the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, there are plans to terminate the middle section of Melwood Road as a navigable road and convert it to a trail. Approximately half of the property's frontage on Melwood Road will be converted to a trail, while the southern half will remain as a navigable road within a 60-foot-wide dedicated public right-of-way. The layout will provide adequate on-site circulation.

Traffic Impact

Master Plan, Right of Way dedication

The property is located in an area where the development policies are governed by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), as well as the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. One of the recommendations from the master plan was the transition of portions of Melwood Road to a trail. The section of Melwood Road along the site's frontage is currently improved with a two-lane residential road within a 30-foot right-of-way. The applicant is proposing to widen the road along the property frontage,

including the dedication of an additional 15 feet, and this is acceptable. Another master plan recommendation is the construction of a new collector road (C-636). The location of this proposed facility will impact the northwestern corner of the subject property. Dedication of the portion of C-636 as depicted on the PPS is recommended.

Transportation Findings

The application analyzed is a PPS for the construction of a 120-bed treatment facility. This expanded development will be adding a total of 35 (23 in, 12 out) AM peak trips and 43 (16 in, 27 out) PM peak trips. These rates were determined by using the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 9th Edition*. This application represents an expansion to an existing facility that was previously generating 7 AM and 9 PM peak trips.

The traffic generated by the PPS would impact the intersection of Melwood Road and Woodyard Road-Old Marlboro Pike.

The application is supported by previous traffic analyses (2016), that were done in support of the Moore Property. The findings below are based upon a review of these materials and analyses conducted by the Transportation Planning Section, consistent with the "Guidelines."

The subject property is located within the Transportation Service Area (TSA) 1, as defined in the *Plan Prince George's 2035 Approved General Plan*. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better;

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

It was anticipated that fewer than 50 trips would be generated during either peak hour per the “Transportation Review Guidelines Part 1, 2012,” consequently, a traffic impact study was not requested. However, the applicant has provided a study dated November 10, 2016. Using data from this recent traffic analyses the following results were determined:

EXISTING CONDITIONS		
Intersection	AM	PM
	LOS/CLV/delay	LOS/CLV/delay
Melwood Road & Woodyard Road-Old Marlboro Pike *	14.4 Seconds	11.9 Seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable.		

The traffic impact study included a number of background developments including the portion of the Westphalia Town Center (Phase 1) that was approved with grandfathered trips. The reconsidered Moore Property was also included in the background analysis. The table below shows the results:

BACKGROUND CONDITIONS		
Intersection	AM	PM
Melwood Road & Woodyard Road-Old Marlboro Pike	257.0 Seconds	388.8 Seconds

Regarding the total traffic scenario, trip generation rates for nursing home (Beds – ITE-620) were applied based on the Institute of Transportation Engineer’s (ITE) *Trip Generation Manual, 9th Edition*. It was determined that the proposed development will result in a trip generation of 35 (23 in, 12 out) AM peak trips, and 43 (16 in, 27 out) PM peak trips. Based on this traffic projection, a third analysis (total traffic) revealed the following results:

TOTAL CONDITIONS		
Intersection	AM	PM
Melwood Road & Woodyard Road-Old Marlboro Pike	285.8 Seconds	420.4 Seconds
	A/667	A/883

The results of the traffic analyses show that under total traffic, the critical intersection will operate with a delay in excess of 50 seconds. Under the “Guidelines”, the intersection can be evaluated using the CLV procedure even if the intersection is unsignalized. Under that scenario, the intersection was re-evaluated and the results are found to be less than 1,150. Pursuant to the Guidelines, that level of service is deemed acceptable (see table above).

Based on the preceding findings, the plan conforms to the required findings for approval of the PPS from the standpoint of transportation.

10. **Schools**—The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the Adequate Public Facilities Regulations for Schools (CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.
11. **Fire and Rescue**—The PPS was reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(e)(1)(E) of the Subdivision Regulations. Section 24-122.01(e)(1)(E) states that “A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.” The project is served by Westphalia Fire/EMS, Company 823, a first due response station (a maximum of seven minutes travel time), located at 9051 Presidential Parkway.

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed in the vicinity of the subject site. The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

12. **Police Facilities**—The property is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all of the facilities used by the Prince George’s County Police Department, and the July 1, 2015 (U.S. Census Bureau) county population estimate is 909,535. Using 141 square feet per 1,000 residents, it calculates to 128,244 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.
13. **Water and Sewer Categories**—Section 24-122.01(b)(1) states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System Adequate for Development Planning, and will therefore be served by public systems.
14. **Use Conversion**—The subject application is proposing the development of 72,783 square feet for a group residential facility along with 12,950 square feet of various outbuildings that will be retained on the site. If a substantial revision to the use on the subject property is proposed that affects Subtitle 24 adequacy and findings as set forth in the resolution of approval, a new preliminary plan of subdivision shall be required prior to approval of any building permits.
15. **Public Utility Easement (PUE)**—Section 24-122 of the Subdivision Regulations requires a public utility easement (PUE) along both sides of all public rights-of-way. The property’s street frontage is along Melwood Road and master planned roadway (C-636). The required public utility

easement is not shown, and a condition has been approved to show the required public utility easement along the public streets on the PPS and TCPI prior to signature approval.

In accordance with the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the owner's dedication on the final plat:

“Utility easements are granted pursuant to the terms and provisions recorded among the Prince Georges County Land Records of Prince George’s County in Liber 3703 at Folio 748.”

16. **Stormwater Management**—A Stormwater Management Concept Plan, 11758-2016, was approved for this site on July 15, 2016. Development must be in conformance with that approved plan or subsequent revisions to ensure that on-site or downstream flooding does not occur.
17. **Historic**—The subject property comprises 68.6 acres located one-mile north of the intersection of MD 4 and Melwood Road in Upper Marlboro, Maryland. This application proposes the construction of a group residential facility in the M-X-T Zone.

Findings

The subject property is located on a tract of land called The Free School Farm, patented by Francis Swinsen on March 8, 1681. Thomas Holdsworth acquired The Free School Farm and then conveyed 218 acres of the tract to William Digges in 1717. William Digges owned the adjoining Melwood Park tract. The Free School Farm tract was cultivated along with the Melwood Park and other adjoining tracts. William Digges died in 1740 and bequeathed the Free School Farm, Melwood Park and other adjoining lands to his son, Ignatius Digges, after the death of his wife, Elinor Digges. Ignatius Digges died in 1785 and he bequeathed the Melwood Park plantation, the Free School Farm and other tracts to his wife, Mary Digges. Mary Digges died in 1825.

By decree of a Chancery Court case dated July 18, 1827, John Johnson of Annapolis was appointed as trustee to sell the real estate belonging to the estate of Ignatius Digges. In 1834, Nathaniel M. McGregor acquired 135 acres of The Free School Farm that included the subject property. Mary Brooke, through Philemon Chew acting as trustee, purchased 170 acres of The Free School Farm from Nathaniel M. and Susan E. McGregor in August 1836 for a considerable sum, indicating there were already improvements on the property. Mary Brooke and her family lived on the Free School Farm tract until her death in 1852. The 170 ½ acre plantation was then sold by Mary’s children to William F. Berry, owner of Blythewood (78-013), in 1859.

According to the 1861 Martenet map and the 1860 Census records, Dr. Samuel T. Taylor was residing in a house on the subject property in the 1860s. The 1878 Hopkins map and the 1870 and 1880 Census records indicate that Henry L. Taylor, a son of Dr. Samuel T. Taylor, was living on the subject property from the 1870s until the 1880s. Mary E. Berry was residing on the tract by the time of the 1900 Census until her death in 1910. In her will, Mary E. Berry bequeathed her real estate to Mamie Kendall Haliday. Mary and James Haliday resided on the subject property until

about 1960. After the death of Mary Haliday, the subject property was acquired by Leslie D. and Catherine G. Milliken in 1960. The Millikins sold 68.7 acres of the Free School Farm tract to The German Orphan Home of Washington, DC in July 1964. The directors of the orphanage built a new home for children of German ancestry on the subject property on Melwood Road in 1965. Established in the District of Columbia in 1879, the orphanage closed its doors in Prince George's County in December 1978. The German Orphan Home of Washington sold the 67.7047-acre tract to SG Housing Corporation in 2001, which operated a substance abuse treatment center at the property.

Melwood Branch and its tributaries run along the northern and central portions of the subject property. Prehistoric archeological sites have been found in similar settings and the probability of the subject property containing significant prehistoric archeological resources is moderate to high.

Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

Conclusions

The subject property was once part of a large plantation known as Melwood Park (78-015) throughout the eighteenth and early nineteenth centuries. Melwood Park was established by William Digges, who was the second son of Colonel William Digges of Warburton Manor on the Potomac and grandson of Governor Edward Digges of Virginia. His mother was Elizabeth Sewall, a stepdaughter of Lord Baltimore. The Digges family were wealthy planters and active in Maryland politics and government. Large numbers of enslaved laborers worked the land, which was divided into various quarters operated by overseers.

During part of the nineteenth century, the subject property was associated with Blythewood (78-013). From the late nineteenth to mid-twentieth centuries, the property was associated with the Berry and Haliday families. A large building was constructed on the subject property in 1965 and was operated as an orphanage until the late 1970s, and subsequently housed a substance abuse treatment center. Because the existing building is 50 years old, it should be documented before demolition in order to enhance understanding of local mid-century architecture and development practices in Prince George's County.

A Phase I archeological survey was conducted on 28 acres of the subject property in September and October 2016. A total of 423 shovel test pits were excavated in three areas within the 28 acres. Two archeological sites were identified: 18PR1104, the Henry Taylor Site, and 18PR1105, the Melwood Road Site. Site 18PR1104 was identified in the northwestern portion of the subject property and represents a historic residential occupation of the site dating from the mid-nineteenth to late twentieth centuries. Site 18PR1105 is located slightly northwest of the existing 1960s institutional building on the property. It is interpreted as the site of support buildings for the nineteenth and twentieth century farming operation on the subject property.

Both archeological sites are located outside of the limits of disturbance as shown on the subject application. Therefore, archeological easements will be placed around both sites to preserve them in place on the developing property. A super silt fence should be placed around site 18PR1105 during development to protect it from adverse impacts. If future development will impact either of these areas, then additional archeological investigations will be required.

Approximately 40 acres of the subject property were not surveyed for archeological resources. Therefore, if future development is planned in the areas not previously investigated, additional archeological survey(s) will be required, in accordance with the Planning Boards adopted Guidelines for Archeological Review.

If state or federal monies, or federal permits are required for this project, Section 106 review may require archeological survey for state or federal agencies.

18. **Urban Design**—Conformance with the requirements of the *Prince George’s County Landscape Manual* (Landscape Manual) and Zoning Ordinance will be further evaluated at the time of DSP.

The Tree Canopy Coverage Ordinance, contained in Section 25-128 of the County Code, requires that a certain percentage of every site, depending on the zoning, be retained in tree canopy coverage. In the M-X-T Zone, in which the subject site is located, 10 percent of the site is required to be covered in tree canopy. As the site measures 68.60 acres, 6.86 acres of the property would be required to be in tree canopy. Conformance with this requirement will be evaluated at time of DSP review.

In the M-X T Zone, a CSP is required to be approved prior to approval of the PPS. The applicant has filed Conceptual Site Plan CSP-15003, which was heard and approved by the Planning Board on December 1, 2016. This PPS is consistent with the CSP.

19. **At the Public Hearing**—At the public hearing for this application on December 1, 2016, the applicant proffered to provide on-site bicycle parking. Therefore, a condition has been added to require that bicycle parking be provided on the site, with the location and number of on-site bicycle racks to be determined at the time of DSP.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

PGCPB No. 16-143
File No. 4-16009
Page 22

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, December 1, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of January 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:JF:rpg

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on December 1, 2016 regarding Conceptual Site Plan CSP-15003 for Recovery Centers of America, Melwood Road Facility, the Planning Board finds:

1. **Request:** A 85,733-square-foot, 120-bed, group residential facility and medical facility for 64 patients a day for recovering alcoholics and drug addicts.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Vacant	Group Residential Facility and Medical Facility
Gross Acreage	68.6	68.6
Regulated Features Acreage	24.09	24.09
Net Developable Acreage	44.51	44.51
Square Footage	42,050*	85,733
Parcels	1	1

Note: *29,100 square feet existing on the property is to be removed. New building proposed to measure approximately 72,783 square feet.

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

Base Density Allowed	0.40 FAR
Residential	1.00 FAR
Total FAR Permitted	1.40 FAR
Total FAR Proposed	0.03 FAR

3. **Location:** The subject project is located on the eastern side of Melwood Road, approximately 2,600 feet north of its intersection with Pennsylvania Avenue (MD 4), within Planning Area 78 and Council District 8.

4. **Surrounding Uses:** The subject property is bounded to the north by vacant land and rural residential development in the Residential Medium (R-M) and Rural Residential (R-R) Zones; to the east by a powerline and single-family attached development in the R-R and Residential-Agriculture (R-A) Zones; to the south by vacant land and rural residential development in the R-A Zone and Melwood Road; and to the west by Melwood Road, vacant land, and rural residential development in the R-R Zone.
5. **Previous Approvals:** The site is subject of Special Exception SE-1103, approved by the Planning Board on November 20, 1964, for an orphanage (German's Orphans Home) and Special Exception SE-2496, approved by the District Council on April 13, 1971. The site is also subject to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, which rezoned the property from the R-A Zone to the M-X-T Zone. The site is also subject to Stormwater Management Concept Approval No. 11758-2016-01, approved by the Department of Permitting, Inspections and Enforcement (DPIE) on November 7, 2016 and valid until November 7, 2019.
6. **Design Features:**

Site Design

The subject site is herein approved to be accessed from a single point along its Melwood Road frontage via a long driveway. The driveway will lead to a one-way circle which will provide a covered drop off point and some of the parking for the proposed three-story tall, 72,783-square-foot building herein approved to be utilized by the 120-bed group residential facility and medical facility/outpatient clinic, which expects to serve approximately 64 outpatients each day. Pedestrian accessibility is provided on the front and sides of the building and crossing the internal drive at two points, with crosswalks, to provide access to the main parking lot. A patio is herein approved to be provided behind the building.

Existing Conditions

There are several existing, vacant, structures on the property. The largest of the buildings, a 24,000-square foot building, is herein approved to be removed and will provide the site of the new building to be constructed for the group residential facility and medical facility. Two of the smaller structures (a greenhouse and a pavilion) are herein approved to be removed as part of the subject project, though the following are herein approved to remain:

- A one-story tall, 10,500-square-foot block building;
- A two-story tall, 1,200-square-foot frame building;
- A 200-square-foot shed;
- A 400-square-foot gazebo;
- A 650-square-foot stage;

Rights-of-way

There is a small area of land which shall be dedicated on the far western portion of the site for master planned collector C-636 at the time of approval of a preliminary plan of subdivision for the project. Melwood Road, which is adjacent to the site on its western boundary and a portion of the

southern boundary, is shown to terminate in a cul-de-sac along the most northern stretch of the site's western boundary. Melwood Road is being converted to a trail north of that proposed cul-de-sac.

Signage

A single ground-mounted sign is to be provided for the project in the circle provided for pick-up and drop-off at the front entranceway for the project. The sign is proposed to be made of aluminum and will be mounted between two columns, each with decorative capping and illuminated lamps. Other signage for the site includes directional signage. Additionally, bicycle signage is to be provided along Melwood Road. Details of signage will be approved at the time of detailed site plan (DSP).

Water and Sewer

A 20-foot-wide Washington Suburban Sanitary Commission (WSSC) easement for placement of a 15-inch sewer line is shown in the northern area of the site. Water and sewer lines are also shown throughout the site. Two wells, noted to be utilized for irrigation only, are located on the site just south of the 72,783-square-foot building herein approved.

Environmental Features

Environmental features on the site include specimen, champion and historic trees, regulated streams, buffers, forest stand boundaries, primary management area (PMA), Marlboro clay outcrops, soil information and topography. See Finding 10(i) for a full discussion of the environmental aspects of the subject project.

Architecture

The applicant has provided conceptual images of the proposed building showing several alternatives. The three-story building is proposed to be primarily brick with stone on the watertable, with a precast concrete sill and precast concrete band separating the first from the second story. The main entrance to the building is proposed to be either precast concrete or the same stone that is used uniformly on the watertable. The main entrance is via double doors in a two-story-high glazed area set in the decorative stone or precast concrete. Light fixtures are to be located on either side of the glazed area. A dormer, with two windows provides additional emphasis on the main entranceway as it is located directly above it. Window pattern is regular with six-over-six light windows utilized in a regular pattern across each floor. The uppermost windows are placed on dormers which, like the windows, have a regular pattern across the front façade. Details of architecture will be decided at the time of DSP.

Green Building and Sustainable Techniques

The applicant is using porous asphalt and bioswales in the stormwater management plan and certain green building techniques in the architecture of the building such as, but not limited to, light emitting diode (LED) lighting and high efficiency heating and ventilating air conditioning (HVAC) systems. More information related to green building techniques will be provided at the time of DSP.

Though the applicant has provided extensive information regarding the design of the site, its landscaping, the architecture proposed for the building, green building techniques and signage, they are intended for illustrative purposes only.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject approval has been reviewed for compliance with the following requirements of the Prince George's County Zoning Ordinance:

- a. The subject approval is in conformance with the requirements of Section 27-547, which governs uses in mixed-use zones.
 - (1) The group residential facility and medical facility/outpatient services herein approved are permitted uses in the M-X-T Zone.
 - (2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone as follows:
 - (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**
 - (1) **Retail businesses;**
 - (2) **Office, research, or industrial uses;**
 - (3) **Dwellings, hotel, or motel.**

The CSP herein approved includes approximately 87,533 square feet for a 120-bed group residential facility and a medical facility for outpatient services for 64 patients a day for recovering alcoholics and drug addict. The project is permitted to include the single use pursuant Section 27-247(e) of the Zoning Ordinance which provides:

- (e) **For property placed in the M-X-T Zone by a Sectional Map Amendment approved after October 1, 2006, and recommended for mixed-use development in the General Plan, and a Master Plan, or**

Sector Plan for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, a Conceptual Site Plan submitted for any property located in the M-X-T Zone may include only one (1) of the above categories, provided that it conforms to the goals, policies, and recommendations of the plan for that specific portion of the M-X-T Zone.

More specifically, the Planning Board hereby finds that the subject approval meets these requirements as it is included in the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* for which a comprehensive land use study was conducted by technical staff prior to initiation, it was recommended for mixed-use in the General Plan, a CSP application was submitted for the project, and it conforms to the goals, policies, and recommendations of the plan for its specific portion of the M-X-T Zone.

- b. Section 27-548, M-X-T Zone regulations, establishes additional standards for the development in this zone. The CSP's conformance with the applicable provisions is discussed as follows:

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development—0.40 FAR**
(2) With the use of the optional method of development—8.0 FAR

The floor area ratio (FAR) approved herein for the subject development is 0.03, within the limits set out above. The applicant did not use the optional method of development to seek any bonus incentives.

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

The conceptual site plan shows several different buildings but indicates that the subject project is composed of a single parcel. The language of this provision is precatory. Therefore, it is not mandatory, and strict conformance with it is not required.

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

This requirement is not applicable since this approval is for a CSP. The subsequent DSP approval will provide regulations for the development on this property.

- (d) **Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual.**

Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining incompatible land uses at the time of DSP.

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

The FAR for the development of 85,733 square feet on a 68.6-acre site is 0.03, which was calculated in accordance with the requirement.

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

There are no private structures within the air space above, or in the ground below public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject approval.

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

The subject approval consists of a single parcel and has frontage on, and direct vehicular access to Melwood Road, which is a public street in accordance with this requirement.

- (h) **Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per**

building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (1/2) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public

and private streets and parking lots. At the time of Detailed Site Plan, the District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.

This subsection of the regulations for the M-X-T Zone is inapplicable to the subject approval as it does not involve the development of townhomes.

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

This subsection of the regulations for the M-X-T Zone is inapplicable to the subject approval, as it does not involve the development of multifamily buildings.

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

This requirement does not apply to this CSP. The CSP has been reviewed and was found to conform to the applicable regulations in the M-X-T Zone.

- c. In accordance with Section 27-546(d), in addition to the findings required to approve a CSP, the Planning Board shall make the following findings for projects in the M-X-T Zone.

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

The purposes of the M-X-T Zone, as stated in Section 27-542(a), include the following:

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

The subject approval promotes the orderly redevelopment of a vacant parcel. This approval will enhance the economic status of the County and provide an expanding source of desirable employment and living 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;**

The subject approval implements the vision of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (sector plan) by providing an institutional use in a walkable community.

- (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 project proposes to be developed with both a group residential home and an outpatient medical facility in conformance with this requirement. Additionally, the balance of the property may be developed at a future date which would further demonstrate conformance with this requirement.

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

The subject plan conforms to the required findings for a CSP in the M-X-T Zone from the standpoint of transportation. See Finding 10(c) for a more detailed discussion of that conformance.

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

The approval is in conformance with this requirement due to its residential character. There will be activity on the site 24-hours a day, seven days a week, as a group residential facility. The outpatient services approved herein to be provided as part of the project will create additional activity on the site, though that activity will mainly be provided during workday hours.

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

The subject approval is for a residential facility, complemented by a medical facility providing outpatient clinical services, fulfilling this purpose.

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

The CSP herein approved includes both uses in the same building, accessed via the same entrance. The architecture of the building creates a dynamic functional relationship between the two and gives distinctive character and identity to the project.

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

The project approved herein will house both the group residential facility and medical facility for outpatient services in the same building and to use green building techniques in its construction. Therefore, the project is more sustainable and creates savings in energy in accordance with this requirement. This issue will be further explored and defined at the time of DSP.

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

A current market demand for group residential homes and clinical treatment for individuals recovering from drug addiction and alcoholism is great. The subject group residential facility and a medical facility for outpatient services will occupy approximately seven of the 68.6 acres on the site. The balance of the site may be developed at a future date in response to other market demand.

(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.

Though submitted for the subject approval, the architecture for the project will be approved with the DSP for the project. A preliminary review of the submitted architecture indicates that high standards, as required, have been utilized in its design, in furtherance of this stated purpose of the M-X-T Zone. A condition of this approval requires that high standards be utilized to evaluate the architecture at the time of DSP, in furtherance of this stated purpose of the M-X-T Zone.

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

The subject property was rezoned to the M-X-T Zone by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, which rezoned the property from the R-A Zone to the M-X-T Zone. There were no design guidelines or standards prescribed for the property. As such, the development proposed in this CSP will be subject to the applicable requirements of the M-X-T Zone, the conditions of prior approvals, and the required findings for approval of a CSP in the Zoning Ordinance.

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

The group residential facility and medical facility for an outpatient clinic approved herein has an outward orientation in its building placement, which faces Melwood Road. The development approved herein is physically-integrated with the existing adjacent development by the road and is visually-integrated by providing attractive views. The subject project will assist in catalyzing development of the Westphalia Town Center located within walking distance of the subject project.

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

The subject approval is compatible with existing development, which is primarily residential in nature (large lot, single-family detached and townhouse) as it is primarily a residential facility, though it is operated commercially. It is also similar to some of the residential use in the area by locating on a much larger parcel, providing a good proportion of green and open space. The development approved herein will be compatible with the existing and proposed development in the area which includes both additional residential land use and the Westphalia Town Center. It will be compatible with the Westphalia Town Center as it will be connected by pedestrian and vehicular accessibility and in that the Westphalia Town Center will provide certain commercial uses which will be available to employees and clients of the recovery center and medical facility approved herein.

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

The group residential facility and medical facility approved herein will be one of the uses that makes up the overall tapestry of the future Westphalia Town Center. The facility approved herein will be accessible and integrated with the greater mix of uses within Westphalia by virtue of the planned vehicular and pedestrian connections throughout the sector plan 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 project is to be completed in a single phase. Therefore, this normally required finding need not be made for the subject approval.

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

A network of sidewalks in front of and on the sides of the buildings, leading to two crosswalks across the internal drive to the main parking facility on the opposite side, is shown on the conceptual site plan. The pedestrian system will be further refined during preparation of the DSP to ensure convenient, safe and comprehensive pedestrian facilities in accordance with this required finding.

- (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**

A condition of this approval requires that this requirement be met when a DSP is approved for the subject project.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan**

approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The plan conforms with the required findings of adequacy from the standpoint of transportation planning, as certain conditions have been placed on the approval. Therefore, this required finding may be made. See Finding 10(c).

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

This requirement is to be evaluated at the time of approval of a DSP for this project in accordance with its approved preliminary plan.

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

The subject property measures 68.6 acres and, therefore, does not meet the above acreage requirement. Further, it is not being developed as a mixed-use planned community. Therefore, this otherwise required finding need not be made for the subject approval.

- d. The CSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 as follows:
- (1) Section 27-274(a)(A)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. In this case, the main parking facilities are going to be located near the internal drive and be screened in accordance with this requirement to minimize the visual impact of cars on the site.
 - (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive and loading for the commercial use should also be located to the side of the building and be visually screened from public roadways. This issue will be reviewed at the time of DSP.

- (3) In accordance with Section 27-274(a)(6)(A)(i), Site and Streetscape Amenities, coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture will be required. A comprehensive review of streetscape amenities will occur at the time of DSP.
 - e. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The CSP is not required to include detailed parking information. At the time of DSP review, adequate parking and loading will be required for the approval.
- 8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The approval is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property measures more than 40,000 square feet and contains more than 10,000 square feet of existing woodland. The Planning Board has reviewed the submitted plans and herein approves them, subject to conditions which bring the approval into conformance with the WCO. Therefore, it may be said that the subject project conforms to the applicable provisions of the WCO.
- 9. **Other site plan-related regulations:** Additional regulations are applicable to site plan review that usually require detailed information, which can only be provided at time of DSP. The discussion provided below is for information only:
 - a. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance(TCC), requires a minimum percentage of tree canopy coverage on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area of TCC. As 68.6 acres are zoned M-X-T the required coverage would be 6.86 acres of required tree canopy. Conformance to the requirements of the Tree Canopy Coverage Ordinance will be required at the time of approval of a DSP for the project.
 - b. **2010 Prince George's County Landscape Manual:** This M-X-T development will be subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) at the time of DSP. Specifically, the site is subject to Section 4.2, Requirements for Landscaped Strips along Streets, Section 4.3, Parking Lot Requirements, Section 4.4, Screening Requirements, Section 4.7, Buffering Incompatible Uses, and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.
- 10. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation**—The subject property was established as “The Free School Farm” and the “Melwood Park Tract” in 1681. Ownership of the properties was transferred over the years until 64.7 acres of the Free School Farm tract was sold to be developed as an orphanage for children of German ancestry in 196.

That facility operated at the site until 1978, when 67.7 acres of the property was sold to be operated as a substance abuse treatment center.

Regarding archeology, the Planning Board finds:

- (1) That the probability of the subject property containing significant prehistoric archeological resources is moderate to high; and
- (2) Section 106 of the National Historic Preservation Act (NHPA) review may be required if state or federal monies, or federal permits are required for a project.

The existing large building which housed the orphanage and substance abuse treatment center is more than 50 years old, and shall be documented, by condition of this approval, before demolition to enhance understanding of local midcentury architecture and development practices in Prince George’s County. Additionally, to protect possible archeological resources on the property, a Phase 1 archeological investigation has been required for the project. If state or federal monies, or federal permits, are required for the project, Section 106 review will be required.

- b. **Community Planning**—The approval is consistent with the *Plan Prince George’s 2035 Approved General Plan* (Plan Prince George’s 2035) and in conformance with the land use recommendations, and design policies and principles intended to implement the development concepts recommended by the 2007 *Westphalia Approved Sector Plan and Sectional Map Amendment* (sector plan). Although there are no specific recommendations for the subject property, it is located in the Established Communities area of the Prince George’s County Growth Policy Map in the General Plan which envisions established communities having context-sensitive infill and low- to medium-density development. With respect to the Westphalia Sector Plan, it rezoned the subject property from the Residential Agriculture (R-A) Zone to the Mixed-Use-Transportation (M-X-T) Zone. There are no other community planning issues connected with the subject project.
- c. **Transportation**—The site’s only frontage and access is on Melwood Road, a two-lane rural residential road that is currently designated as scenic and historic. Pursuant to recommendations from the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, there are plans to terminate the middle section of Melwood Road as a navigable road and convert it to a trail. Approximately half of the property’s frontage on Melwood Road will be converted to a trail, while the southern half will remain as a navigable road within a 60-foot right-of-way. The layout approved herein will provide adequate on-site circulation.

Traffic Impact

Fewer than 50 trips will be generated during either peak hour. A traffic study was not required by the Planning Board. However, the applicant has provided a traffic impact study dated November 10, 2016. Using data from this recent traffic analyses, the following results were determined:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Melwood Road & Woodyard Road (MD 223) *	14.4 Seconds	11.9 Seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable.		

The traffic impact study included a number of background developments including the portion of the Westphalia Town Center (Phase 1) that was approved with grandfathered trips. The reconsidered Moore Property was also considered in the background analysis. The table below shows the results:

BACKGROUND CONDITIONS (Moore Property 2019 total peak hour with <u>SHA approved</u> geometry)		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Melwood Road & Woodyard Road-Old Marlboro Pike	A/807	B/1138

Regarding the total traffic scenario, the Planning Board applied trip generation rates for a nursing home (Beds – ITE-620) based on the *Institute of Transportation Engineer’s (ITE) Trip Generation Manual, 9th Edition*. It was determined that the development herein approved will result in a trip generation of 35 (23 in, 12 out) AM peak trips, and 43 (16 in, 27 out) PM peak trips. Based on this traffic projection, a third analysis (total traffic) revealed the following results:

TOTAL CONDITIONS (Moore Property 2019 total peak hour with <u>SHA approved</u> geometry)		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Melwood Road & Woodyard Road-Old Marlboro Pike	285.8 seconds	420.4 seconds
	A/822	C/1300

The results of the traffic analyses show that under total traffic, the critical intersection will operate with a delay in excess of 50 seconds. Under the “Guidelines,” the intersection can be evaluated using the CLV procedure even if the intersection is un-signalized. Under that scenario, the intersection was reevaluated and the results are found to be less than 1,150. Pursuant to the “Guidelines,” that level-of-service (LOS) is deemed acceptable (see table above).

Master plan, right-of-way dedication

The property is located in an area where the development policies are governed by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), as well as the *Approved 2007 Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). One of the recommendations from the MPOT and the Westphalia Sector Plan and SMA was the transition of portions of Melwood Road to a trail. The section of Melwood Road along the site’s frontage is currently improved with a two-lane residential road within a 30-foot right-of-way. The approval widens the road along the property frontage, including dedication of an additional 15 feet from the applicant. Another master plan recommendation is the construction of a new collector road (C-636). The location of this proposed facility will impact the northwestern corner of the subject property. Therefore, the Planning Board will request dedication of the portion of C-636 at the time of approval of a preliminary plan for the project.

Transportation Planning Findings

The approval is for a CSP for the construction of a 120-bed group residential treatment facility and a medical facility for 64 outpatients a day. This expanded development will be adding a net of 35 (23 in; 12 out) AM peak-hour trips and 43 (16 in; 27 out) PM peak hour trips. These rates were determined by using the Institute of Transportation Engineer’s (ITE) *Trip Generation Manual, 9th Edition*. This approval represents an expansion to a facility that, before a period of vacancy, previously operated from the site and generated 7 AM and 9 PM peak trips.

The traffic generated by the CSP herein approved would impact the intersection of Melwood Road and Woodyard Road-Old Marlboro Pike.

The subject approval is supported by previous traffic analyses (2016) for the Westphalia Center, Moore Property, Detailed Site Plan DSP-10017 project. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the Planning Board, consistent with the “Guidelines.”

The subject property is located within the Transportation Service Area (TSA) 1, as defined in the *Plan Prince George’s 2035 Approved General Plan*. As such, the subject property was evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better;

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

Transportation Planning Conclusions

Based on the preceding findings, the Planning Board hereby determines that the plan conforms to the required findings for approval of the CSP from the standpoint of transportation, as the application is approved with the following conditions:

- (1) Total development within the subject property shall be limited to uses which generate no more than 35 AM peak-hour trips, 43 PM peak-hour trips. These rates were determined by using the Institute of Transportation Engineer’s (ITE) *Trip Generation Manual, 9th Edition*. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.
- (2) At the time of record plat, the applicant shall:
 - (a) Dedicate 30 feet of right-of-way from the center line of Melwood Road.

- (b) Dedicate right-of-way for the proposed C-636 as depicted on the proposed plan.
- d. **Subdivision**—A preliminary plan of subdivision is required for the proposed development of 72,783 square feet of a group residential facility and one has been heard and approved by the Planning Board on December 1, 2016, after the subject CSP. The preliminary plan is consistent with the CSP. There are no other subdivision review issues connected with the subject project.
- e. **Trails**—Two master plan trails impact the subject application, while another lies just to the north of the subject site along a planned master plan road. The site’s frontage along Melwood Road is a planned bikeway and a planned sidepath is proposed along collector C-636, which crosses the northwest corner of the site. The MPOT includes the following text regarding the planned bikeway along the scenic and historic Melwood Road and the side path along C-636:

Melwood Road Legacy Trail: The facility will preserve segments of Melwood Road within a green buffer as part of the Westphalia trails network. Where feasible, the road alignment should be converted into a trail corridor.

Where Melwood Road provides access to existing residences, Melwood Road should be designated as a shared-use bikeway (MPOT, page 36).

C-636 Shared-Use Side path: Provide a shared-use side path along this collector road leading into the Westphalia Town Center. Where the road is part of the town center, wide sidewalks and designated bicycle lanes may be appropriate (MPOT, page 36).

The portion of Melwood Road that fronts the subject site will be a designated share-use bikeway and will continue to serve motor vehicles. Bikeway signage along the site’s frontage will be required at the time of preliminary plan. Necessary frontage or safety improvements will be determined by the Department of Permitting, Inspections and Enforcement (DPIE). While it is unlikely that road construction for the collector will be required, dedication for C-636 should be sufficient to accommodate the planned side path. Roadway dedication shall be addressed as part of Preliminary Plan 4-16009. P-615 is just to north of the subject site and does not impact the subject property.

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) reaffirms the need for sidewalks as frontage improvements are made by including several policies related to pedestrian access and the provision of sidewalks. The Complete Street section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provision of complete streets:

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

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

Consistent with the complete street policies of the MPOT, walkways and sidewalks are reflected on the CSP. A sidewalk connects the parking lot with the building entrance. No additional sidewalk connections are required at this time.

There are no master plan trails requirements for the subject approval. The provision of bikeway signage along Melwood Road and roadway dedication along C-636 will be addressed via the approval of Preliminary Plan 4-16009.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—DPR did not provide comment regarding the subject project.
- g. **Public Facilities**—The Planning Board has reviewed the subject approval for public facility adequacy and found that the development approved herein will have no impact on existing adequate public facilities.
- h. **Environmental**—

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012 and, thereby, the project is required to have a new preliminary plan approval.

Site Description

This 68.60-acre site in the M-X-T Zone is located on Melwood Road, approximately one-mile north of its intersection with Pennsylvania Avenue (MD 4). A review of the available information indicates that streams, 100-year floodplain and steep slopes are found to occur on the subject property. The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Adelpia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay does not occur on or in the vicinity of this property. However, a small area of Marlboro clay evaluation area is located in the northwest corner of the property. There are forest interior dwelling species (FIDS) habitat mapped on-site. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. The site has four stream

systems that drain to the north towards Cabin Branch, which is part of the Western Branch watershed, then to Western Branch and then to the Patuxent River basin. The site has frontage on Melwood Road which is not identified as a master plan roadway. Melwood Road is not a traffic noise generator and noise will not be regulated. A designation of scenic - historic roadway has been identified along this section of Melwood Road. The site is located within the area covered by the 2009 *Westphalia Approved Sector Plan and Sectional Map Amendment*. The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains regulated areas, evaluation areas, and network gap areas.

Plan Prince George's 2035 Approved General Plan

After the application for the current approval was submitted, a new General Plan was adopted by the District Council. The site is now located within the Established Communities Area of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035).

Conformance Finding for 2010 Approved Water Resources Functional Master Plan

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

Environmental Issues Addressed in the Westphalia Sector Plan

The subject approval is located in the area covered by the 2007 *Westphalia Approved Sector Plan and Sectional Map Amendment* (sector plan). The following are four policies of the sector plan that relate to the Environmental Infrastructure on the subject property:

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

The site contains all three (regulated, evaluation and network gap) designated network areas of the Countywide Green Infrastructure Plan. As part of the subject approval, the existing on-site building will be removed and a new building and parking area will be constructed in the same location. The impact area is located within the network gap area and outside the Green Infrastructure Plan area. Minor tree clearing is proposed with the network gap area.

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

- a. **Remove agricultural uses along streams and establish wooded stream buffers where they do not currently exist.**
- b. **Require stream corridor assessments using Maryland Department of Natural Resources protocols and include them with the submission of a natural resource inventory as development is proposed for each site. Add stream corridor assessment data to the countywide catalog of mitigation sites.**
- c. **Coordinate the road network between parcels to limit the need for stream crossings and other environmental impacts. Utilize existing farm crossings where possible.**
- d. **Encourage shared public/private stormwater facilities as site amenities.**
- e. **Ensure the use of low-impact development (LID) techniques to the fullest extent possible during the development review process with a focus on the core areas for use with bioretention and underground facilities**

The site does not currently contain agricultural uses.

The TCP1 shows four on-site stream systems. A stream located just west of the proposed development will be impacted for a stormwater management pipe and outfall structure. This outfall disturbance is required to convey the stormwater safely to the on-site water course. Grading and woodland clearing for the impact will be minimized to the fullest due to the adjacent steep slopes. There is an existing building within the on-site stream buffer that is required to have water and sewer services. Impacts for this utility line disturbance will be in an un-wooded area.

There are 1.91 acres of on-site woodlands to be cleared and the remaining 9.68 acres will be placed in preservation. None of the other on-site regulated environmental features shall be impacted as part of this approval.

Stormwater management will be provided through the use of three bioretention facilities and two bioswales. The TCPI shows permeable paving in the parking lot and two bioretention facilities. A copy of the approved stormwater concept approval plan has been provided to the Planning Board. The site has an approved Stormwater Management Concept Plan (11758-2016-01). The concept approval expired July 15, 2016. The applicant will not be required to pay a stormwater management fee towards providing on-site attenuation/quality control measures.

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

- a. **Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.**
- b. **Encourage the use of alternative energy sources such as solar, wind and hydrogen power. Provide public examples of uses of alternative energy sources.**

The plan proposes to replace a building in the same location for a group residential facility. The use of environmentally-sensitive building techniques shall be considered as part of this development.

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

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

The property had an existing group residential facility on-site previously. This approval is to replace the building previously used for the group residential facility in the same location with another building for a group residential facility.

The site is not located within any noise impact areas associated with Andrews Air Force Base. Melwood Road is not considered a noise generator.

Environmental Review

Natural Resource Inventory/Environmental Features

An approved Natural Resource Inventory, NRI-090-05-01, in conformance with the environmental regulations that became effective September 1, 2010 was submitted for the subject approval. The site contains regulated environmental features (steep slopes, streams, floodplains or their associated buffers). After a further review by the applicant's consultant, one specimen tree (ST-35) a 35-inch Southern Red Cedar was determined to be measured and identified inaccurately. A revised NRI was submitted and approved showing the change. Specimen Tree 35 (ST-35) is now identified as a Leyland Cypress tree measuring 26.7 inches diameter at breast height.

Woodland Conservation

The site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The site contains a total of 50.35 acres of woodlands and 2.35 acres of wooded floodplain. The site has a woodland conservation threshold of 9.94 acres, clearing 1.91 acres of woodland, with a total requirement of 10.42 acres. The TCP1 shall meet the requirement with on-site preservation (9.68 acres) and specimen tree preservation credit (4.81 acres).

Minor revisions to the TCP1 are required by conditions of this approval. The labeling in areas that are located over the "woodland areas-not counted" shall be made legible by increasing the letter size and Specimen Tree 35 shall be removed from the specimen tree chart.

Primary Management Area (PMA) Impacts

Section 27-273(e)(15) of the Zoning Ordinance requires that all CSP applications include: "A statement of justification describing how the proposed design preserves and restores the regulated environmental features fully possible." A statement of justification, including an impact exhibit plan, was stamped as received by the Planning Board on October 27, 2017 and reviewed as part of this approval.

Section 27-274(a)(5)(B) of the Zoning Ordinance states that for all CSP applications: “The application shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).”

Section 24-130(b)(5) of the Subdivision Regulations states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

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

The statement of justification and associated exhibits reflect two (2) proposed impacts to regulated environmental features associated with the proposed redevelopment. According to the approved NRI, the 68.60-acre site contains a total of 21.62 acres of existing PMA.

Impact 1

Outfall—This request totals 2,057 square feet and is for the installation of a stormwater Management outfall. This disturbance of PMA will disturb wooded waters of the United States and stream buffer areas. The statement of justification indicates that this impact is for a stormwater outfall to have proper out flow of the stormwater to prevent erosion. The location of the outfall is set by the location of the stormwater management facilities. The proposed outfall location is within steep slopes until the slopes flatten out at the banks of

an on-site stream system. Stone will be placed at the outfall location and clearing and grading of the wooded slopes will be minimized. The Planning Board supports the proposed impact for the stormwater outfall location of Impact 1, though it will be determined at the later time of approval of a preliminary plan for the project.

Avoidance/Minimization Analysis

The locations of the stormwater management structures determine where the outfall disturbance should be located. The development is located within an open area on top of a ridge and the down slope surrounding areas are steep and wooded. The applicant determined that the location of the stormwater facilities would cause the least amount of grading and clearing of woodlands for the stormwater outfall construction.

Impact 2

Utilities—This request totals 626 square feet and is for the installation of water and sewer service to an existing building. Currently, this building is not serviced by water and sewer and is required to be connected. This utility impact will occur within a maintained lawn area of stream buffer. The Planning Board supports this proposed impact, though it will be determined at the later time of approval of a preliminary plan for the project.

Avoidance/Minimization Analysis

There is an existing building on the subject site that has no utilities. The utilities will be brought to the new building which will replace it in the front of the site in an existing open area.

Summary

The applicant is only requesting two impacts at the future time of preliminary plan, but it should be noted that a water line may be proposed in the future that would enter the site from the Marlboro Ridge subdivision located on the east side of the subject site. Per discussion with the applicant, this water line is to be constructed using the jack-n-bore technique and cross several stream systems to get to the proposed on-site building. A further review of this impact will be completed when more information is supplied during the DSP review.

Finding Regarding Regulated Environmental Features

Based on the level of design information available and the Planning Board's exhibit, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the impact exhibits and as conditioned. The impacts are for a stormwater management outfall and utilities.

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), are the Adelphia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay does not occur on or in the vicinity of this property; however, small area of Marlboro clay evaluation area is located in the northwest corner of the property. Currently, no impacts are proposed near the Marlboro clay evaluation area. The county may require a soils report in conformance with CB-94-2004 during the building permit process review if work is ever proposed within this evaluation area.

Stormwater Management

An approved Stormwater Management Concept plan and approval letter was submitted with the subject application (Concept approval 11758-2016-01, dated November 7, 2016). Proposed stormwater management features include two bioswales and three micro-bioretenion facilities. The concept approval expires November 7, 2019. The applicant will not be required to pay a stormwater management fee towards providing on-site attenuation/quality control measures.

Noise

The site has frontage on Melwood Road which is not identified as a master plan roadway. Melwood Road is not a traffic noise generator and noise will not be regulated in this approval.

- i. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide comment regarding the subject project.
- j. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated August 26, 2016, DPIE offered numerous comments that will be addressed through their separate permitting process. Regarding stormwater management, DPIE stated that the proposed site plan is consistent with the approved Stormwater Management Concept Plan No. 11758-2016-01.
- k. **Prince George's County Police Department**—The Police Department did not provide comment regarding the subject project.
- l. **Prince George's Health Department**—In a memorandum dated November 2, 2016, the Prince George's Health Department offered the following comments included in **boldface** type below, followed by Planning Board comment:
 - (1) Plans for the construction of the recovery center must be reviewed and approved by the Maryland Department of Health and Mental Hygiene and the applicant must also apply for a permit to operate the facility from the State Office of Health Care Quality – contact 410-402-8201.

This information has been provided to the applicant and the required approval and permit are triggered at later stages of the development review process.

- (2) The applicant must submit plans for the proposed food facility and apply to obtain a Health Department Food Service Facility permit through the Department of Permits, Inspections and Enforcement (DPIE).

This information has been transmitted to the applicant.

- (3) At the time of DSP submittal, specify that the LED lighting shall be yellow tinted. Studies show that LEDs with a strong bluish tint, which appears white to the naked eye, interferes with the production of the hormone melatonin, causing sleep disorders in humans.

A condition of this approval requires that, when a DSP is reviewed for the subject project, yellow-tinted LED lighting will be required in accordance with the above.

- (4) Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. The statement of justification indicates that the project will provide for pedestrian access to the site by residents of the surrounding community in the course of the development of the Westphalia Town Center/Parkside projects.

Sidewalks are provided for pedestrian accessibility in front of and around the sides of the proposed building and leading to two crosswalks across the internal drive to the parking facility provided on its opposite side, which connects to Melwood Road, which eventually connects to the Westphalia Town Center and Parkside developments, supporting the positive health outcomes noted above.

- (5) Research shows that access to public transportation can have major health benefits. It can be good for connectedness and walkability. Indicate on the plans public transportation access to the facility.

A condition of this approval requires that, prior to certificate approval, the applicant indicate on the plans public transportation access to the facility, if any exists.

- (6) There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.

This information has been transmitted to the applicant, and a condition of this approval requires consideration of the inclusion of a community garden in the subject project at the time of DSP review.

- (7) The property is located in an area designated under the County's *Water and Sewer Plan* in Category 3. The current availability of public sewer is evident; however, the public water supply is not readily available. The developer should confirm intent to extend the public water line to the project. In order to develop the project on an individual private well system, a legislative amendment to the 2008 *Water and Sewer Plan* would have to be granted for a change to Category 6.

Waterlines are shown on the subject CSP which provides adequate confirmation that the developer intends to extend the public water line to the project.

- (8) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Future plans should indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

A condition of this approval requires that, at time of DSP, the applicant include a general note on the plan stating his intent to conform to the above stated requirements regarding dust control

- (9) During the construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Future plans should indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

A condition of this approval requires that, at time of DSP, the applicant include a general note on the plan stating his intent to conform to the above-stated requirements regarding noise control.

- m. **Maryland State Highway Administration**—In an e-mail dated November 15, 2016, the Maryland State Highway Administration indicated that they were “ok” with the project as no work was planned in the Maryland State Highway Administration right-of-way.
- n. **Verizon**—Verizon did not provide comment regarding the subject project.
- o. **PEPCO (Potomac Electric Power Company)**—PEPCO did not provide comment regarding the subject project.
- p. **Westphalia Sector Development Review Council**—The Westphalia Sector Development Review Council did not provide comment regarding the subject project.

11. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
12. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a CSP:
 - (4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.**

On the basis of its environmental review, the Planning Board hereby makes this required finding for the subject project.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type 1 Tree Conservation Plan (TCP1-006-16), and further APPROVED Conceptual Site Plan CSP-15003 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made to the plans and additional specified material be submitted:
 - a. The plans shall be revised so as to consistently refer to the square footage of the proposed building as 72,783 square feet.
 - b. The applicant shall indicate public transportation routes to the proposed facility, if any exist in the vicinity of the subject project.
 - c. The type 1 tree conservation plan shall be revised as follows:
 - (1) Revise the labeling located over the "woodland areas-not counted" to an easier and visibly discerning label wording.
 - (2) Remove Specimen Tree 35 (ST-35) from the specimen tree chart.
 - (3) Have the revised plan signed and dated by the qualified professional who prepared it.

2. Prior to approval of a DSP for the project, the following shall be ensured:
 - a. Those 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).
 - b. Total development within the subject property shall be limited to uses which generate no more than 35 AM peak hour trips and 43 PM peak hour trips. These rates were determined by using the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 9th Edition*. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.
 - c. The light emitting diode (LED) lighting shall be specified as yellow-tinted.
 - d. Consideration shall be given to the inclusion of a community garden in the subject project for the residents of the facility.
 - e. During the grading/construction phases of the project, the applicant intends to conform to dust control requirements as specified in *2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control* and the construction noise control requirements as specified in the Code of Maryland Regulations.
 - f. High standards shall be utilized to evaluate the architecture. Specifically, the proposed facility shall incorporate a substantial amount of masonry materials (i.e. brick, stone, and/or hardiplank) and utilize a variety of architectural features as part of the building elevations.
3. Prior to approval of the preliminary plan of subdivision, Phase I (Identification) archeological investigations, according to the Planning Board's *Guidelines for Archeological Review* (May 2005), are required on the above-referenced property to determine if any cultural resources are present. Evidence of M-NCPPC concurrence with the final Phase 1 report and recommendations is required prior to signature approval of the preliminary plan.

Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of the final plan, the applicant shall provide a plan for:

- a. Evaluating the resource at the Phase II level, or
- b. Avoiding and preserving the resource in place.

- c. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to any ground disturbance or the approval of any grading permits.
4. Prior to the approval of the final/record plat:
- a. The applicant and the applicant's heirs, successors, and/or assignees, shall provide a plan for any interpretive signage to be erected (based on the findings of the Phase I and Phase II archeological investigations). The location and wording of the signage shall be subject to approval by the M-NCPPC staff archeologist, as designee of the Planning Board. The plan shall include the timing for the installation of the signage.
 - b. The applicant shall dedicate 30 feet of right-of-way from the center line of Melwood Road.
 - c. The applicant shall dedicate right-of-way for the proposed C-636 as depicted on the conceptual site plan.
 - d. The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-00616), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
 - e. A conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section, as designee of the Planning Board, prior to approval of the final plat. The following note shall be placed on the plat:

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

5. Prior to the demolition of the main structure on the property, constructed as the German Orphan Home of Washington, DC in 1965, the building shall be documented through the completion of a Maryland Inventory of Historic Property (MIHP) form according to Maryland Historical Trust (MHT) standards by a qualified 36CFR60 consultant. The draft and final MIHP form shall be reviewed and approved by the Historic Preservation Commission prior to submittal by the applicant to MHT.
6. Prior to certification of the DSP, and prior to certificate approval of the TCP2 for this property:
 - a. Pursuant to Section 25-122(d)(1)(B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement shall be indicated on the TCP2. The following note shall be placed on the TCP2:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber ____ Folio ____ . Revisions to this TCP2 may require a revision to the recorded easement.”
 - b. Development shown on the DSP and Type 2 Tree Conservation Plan shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-006-16).
7. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

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.

* * * * *

PGCPB No. 16-142
File No. CSP-15003
Page 34

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, Bailey, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, December 1, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of January 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:RG:rpg

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on April 6, 2017 regarding Detailed Site Plan DSP-16045 for Recovery Centers of America, Melwood Road Facility, the Planning Board finds:

1. **Request:** A detailed site plan (DSP) application for an 85,733-square-foot, 120-bed group residential facility and medical facility for 64 patients a day for recovering alcoholics and drug addicts.
2. **Development Data Summary:**

Zone	EXISTING M-X-T/M-I-O	APPROVED M-X-T/M-I-O
Use(s)	Vacant	Group Residential Facility and Medical Facility
Gross Acreage	68.6	68.6
Regulated Features Acreage	24.09	24.09
Net Developable Acreage	44.51	44.51
Square Footage	42,050*	85,733
Parcels	1	1

Note: *29,100 square feet existing on the property is to be removed. The new building shall measure approximately 72,783 square feet.

Parking Spaces Required

Use	Rate	No. of Residents (sq. ft.)	No. of Spaces
Group Residential Facility	One per four residents	20	30
Medical Office	One per 4,200 sq. ft.		51

Parking Spaces Approved

Standard Spaces (19 feet by 9.5 feet) of which are:	87
ADA Handicapped Accessible Spaces (13 ft. by 19 ft.)	3
ADA Handicapped Accessible Spaces (16 ft. by 19 ft.)	1

Loading Spaces Required **1 space**
Loading Spaces Approved **1 space**

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

Base Density Allowed 0.40 FAR
Total FAR Proposed 0.30 FAR

3. **Location:** The subject project is located on the eastern side of Melwood Road, approximately 2,600 feet north of its intersection with Pennsylvania Avenue (MD 4), within Planning Area 78 and Council District 8.

4. **Surrounding Uses:** The subject property is bounded to the north by vacant land and rural residential development in the Residential Medium (R-M) and Rural Residential (R-R) Zones; to the east by a powerline and single-family attached development in the R-R and Residential-Agriculture (R-A) Zones; to the south by vacant land and rural residential development in the R-A Zone and Melwood Road; and to the west by Melwood Road, vacant land/ and rural residential development in the R-R Zone and property in the M-X-T Zone.

5. **Previous Approvals:** The site is subject of Special Exception SE-1103, approved by the Planning Board on November 20, 1964, for an orphanage (German’s Orphans Home) and Special Exception SE-2496, approved by the District Council on April 13, 1971. The site is also within the planning area of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, which rezoned the property from the R-A Zone to the M-X-T Zone. The site is the subject of Conceptual Site Plan CSP-15003, approved by the Planning Board on July 26, 2016 and was formalized in the adoption of PGCPB Resolution No. 16-142, by the Planning Board on January 5, 2017. The District Council elected to review the case, heard it in oral argument on March 27, 2017, and took it under advisement. The site is the subject of Preliminary Plan of Subdivision 4-14006, approved by the Planning Board on December 1, 2016, which approval was formalized in the Planning Board’s adoption of PGCPB Resolution No. 16-143 on January 5, 2017. The site is also subject to Stormwater Management Concept Approval 11758-2016-01, approved by the Department of Permitting, Inspections and Enforcement (DPIE) on November 7, 2016 and is valid until November 7, 2019.

6. **Design Features**

 Site Design: The subject site is approved to be accessed from a single point along its Melwood Road frontage via a long driveway. The driveway will lead to a one-way circle where a covered drop-off point and some of the parking for the proposed three-story tall, 72,783-square-foot building will be located. The building herein approved will be utilized by a 120-bed group residential facility and a medical facility/outpatient clinic, which will serve approximately 64 outpatients each day. Pedestrian accessibility is provided on the front and sides of the building and crossing Melwood Road at two points, with crosswalks, to provide access to the main parking

lot and a walking path planned to continue south of the site along Melwood Road. A patio is approved herein to be provided behind the building.

Existing Conditions: There are several existing, vacant, structures on the property. The largest of them, a 24,000-square-foot building, will be removed and will provide the site of the new building to be constructed for the group residential facility and medical facility. Two of the smaller structures (a greenhouse and a pavilion) will be removed as part of the subject project, though the following will remain:

- A one-story tall, 10,500-square-foot block building;
- A two-story tall, 1,200-square-foot frame building;
- A 200-square-foot shed;
- A 400-square-foot gazebo; and
- A 650-square-foot stage.

Rights-of-way: There is a small area of land indicated to be dedicated on the far western portion of the site for master plan collector C-636. Melwood Road is adjacent to the site's western boundary and a portion of the southern boundary, and is shown to terminate in a cul-de-sac along the most northern stretch of the site's western boundary. Melwood Road is being converted to a trail north of that proposed cul-de-sac.

Signage: An attractive ground-mounted sign is provided at the main entrance for the project. The main body of the sign, to be constructed of aluminum composite material (ACM) face slats with digitally-printed wood grain applied, will stretch between two columns each with decorative capping and a lantern finished in copper and identified as Chalmers Item CM8408AC. The central portion of the sign will include the applicant's logo and name. The sign will also be illuminated by low emitting diode (LED) lighting on what is called the "top channel" located on the uppermost portion of the central portion of the sign and "external wash lighting" located in front of each of the sign's columns and directed toward the sign. There will be additional miscellaneous and wayfinding signage including stop signs, handicapped parking signs, one way signs and bike lane signs.

Water and Sewer: A 20-foot-wide Washington Suburban Sanitary Commission easement for placement of a 15-inch sewer line is shown in the northern area of the site. Water and sewer lines are also shown throughout the site. Two wells, noted to be utilized for irrigation only, are located on the site just south of the 72,783-square-foot building herein approved.

Environmental Features: Environmental features shown on the site include specimen, champion and historic trees, regulated streams, buffers, forest stand boundaries, primary management area, Marlboro clay outcrops, soil information and topography. See Finding 13(f) for a full discussion of the environmental aspects of the subject approval.

Architecture: The architectural elevations of the herein-approved three-story building indicate the creation of visual interest in the form and massing and well-applied architectural details. A mix of quality materials is used in the architecture of the building. It is approved to be composed primarily of brick with stone on the watertable, precast concrete on the sills and band separating the first from the second story. The main entrance to the building is to be composed of precast concrete and stone and to be accessed via double-doors in a two-story high-glazed area, set in the decorative stone/or precast concrete. Light fixtures are located on either side of the glazed area. A dormer, with two windows provides additional emphasis on the main entranceway as it is located directly above it. The window pattern is regular with six-over-six sash windows utilized in a regular pattern across each floor. The uppermost windows are placed on dormers, which like the windows, have a regular pattern across the front façade. There is no building signage included in the design.

Green Building and Sustainable Site Techniques: The applicant is using porous asphalt and bioswales in the stormwater management plan and certain green building techniques in the architecture of the building such as, but not limited to, LED lighting and high-efficiency heating and ventilating air conditioning (HVAC) systems.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject approval has been reviewed for compliance with the following requirements of the Prince George's County Zoning Ordinance:
- a. The subject approval is in conformance with the requirements of Section 27-547, which governs uses in mixed-use zones.
 - (1) The group residential facility and medical facility/outpatient services herein approved are permitted uses in the M-X-T Zone.
 - (2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone as follows:
 - (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**

- (1) **Retail businesses;**
- (2) **Office, research, or industrial uses;**
- (3) **Dwellings, hotel, or motel.**

The DSP herein approved includes approximately 87,533 square feet for a 120-bed group residential facility and a medical facility for outpatient services for 64 patients a day for recovering alcoholics and drug addicts. The project is permitted to include the single use pursuant Section 27-547(e) of the Zoning Ordinance which provides:

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

More specifically, the subject project meets these requirements, as it was included in the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* for which a comprehensive land use study was conducted by technical staff prior to initiation, it was recommended for mixed-use in the General Plan, a conceptual site plan (CSP) application was submitted for the project, and it conforms to the goals, policies, and recommendations of the plan for its specific portion of the M-X-T Zone.

- b. Section 27-548, M-X-T Zone regulations, establishes additional standards for the development in this zone. The DSP's conformance with the applicable provisions is discussed as follows:

- (a) **Maximum floor area ratio (FAR):**

- (1) **Without the use of the optional method of development—0.40 FAR**
- (2) **With the use of the optional method of development—8.0 FAR**

The floor area ratio (FAR) for the subject development is 0.03, within the limits set out above without using the optional method of development. The use of the optional method of development and bonus incentives are not part of this approval.

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

The approved DSP shows several different buildings, but indicates that the subject project is composed of a single parcel. Note that the language of this requirement is precatory. Therefore, it is not a mandatory requirement and strict conformance with it is not required.

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

The dimensions for the location, coverage and height of all improvements have been shown on the approved DSP. It is understood that the dimensions shown on the DSP should constitute the regulations for the improvements for the specific development known as Recovery Centers of America, Melwood Road facility.

- (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual.**

Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening shown on the approved DSP helps to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining incompatible land uses.

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

The FAR for the development approved on this site is 0.03, which was calculated in accordance with the requirement.

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

There are no private structures within the air space above, or in the ground below public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject approval.

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

The subject project consists of a single parcel and has frontage on, and direct vehicular access to Melwood Road, which is a public street in accordance with this requirement.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a**

more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.

This subsection of the regulations for the M-X-T Zone is inapplicable to the subject approval, as it does not involve the development of townhomes.

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

This subsection of the regulations for the M-X-T Zone is inapplicable to the subject approval, as it does not involve the development of multifamily buildings.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map**

Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

This requirement does not apply to this DSP approval. The DSP herein approved has been reviewed for conformance with the applicable regulations in the M-X-T Zone.

- c. In accordance with Section 27-546(d), in addition to the findings required to approve a DSP, the Planning Board hereby makes the following findings for projects in the M-X-T Zone.

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

The purposes of the M-X-T Zone, as stated in Section 27-542(a), include the following:

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

The subject project promotes the orderly redevelopment of a vacant parcel. This approval will enhance the economic status of the County and provide an expanding source of desirable employment and provide special service 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;**

The approval implements the vision of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (sector plan) by providing an institutional use in a walkable community.

- (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 Planning Board herein approves an approximate 0.03 FAR on the subject property for a special facility that needs a spacious campus.

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

The DSP herein approved provides safe and efficient vehicular circulation on-site and provides an acceptable connection to Melwood Road, which is county-maintained. Therefore, the application meets this requirement.

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

The approval is in conformance with this requirement due to its residential character. There will be activity on the site 24-hours a day, seven days a week, as a group residential facility. The outpatient services to be provided as part of the project will create additional activity on the site, though that activity will mainly be provided during workday hours.

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

The subject approval is for a residential facility, complemented by a medical facility providing outpatient clinical services, fulfilling this purpose.

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

The DSP includes both uses in the same building, that are accessed via the same entrance. The architecture of the building herein approved creates a dynamic functional relationship between the two and gives distinctive character and identity to the project.

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

The project proposes to house both the group residential facility and medical facility for outpatient services in the same building and to use green building techniques in its construction. The project is sustainable and creates savings in energy in accordance with this requirement.

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

A current market demand for group residential homes and clinical treatment for individuals recovering from drug addiction and alcoholism is great. The subject group residential facility and a medical facility for outpatient services is approved herein to occupy approximately 7 of the 68.6 acres on the site. The balance of the site may be developed at a future date in response to other market demand.

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

The architecture for the project herein approved meets the above requirements as high standards, as required, have been utilized in its design, in furtherance of this stated purpose of the M-X-T Zone.

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

The subject property was rezoned to the M-X-T Zone by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, which rezoned the property from the R-A Zone to the M-X-T Zone. There were no design guidelines or standards prescribed for the property. As such, the development approved in this DSP is subject to the applicable requirements of the M-X-T Zone, the conditions of prior approvals, and the required findings for approval of a DSP in the Zoning Ordinance.

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

The group residential facility and medical facility for an outpatient clinic approved herein has an outward orientation in its building placement, which faces Melwood Road. The development approved herein is physically-integrated with the existing adjacent development by virtue of sidewalk connections, and visually integrated by providing attractive views. The subject project will assist in catalyzing development of the Westphalia Town Center located within walking distance of the subject project.

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

The subject project is compatible with existing development, which is primarily residential in nature (large lot, single-family detached and townhouse) as it is primarily a residential facility, though it is operated commercially. It is also similar to some of the residential use in the area by locating on a much larger parcel, and by providing a good proportion of green area and open space. The development approved herein will be compatible with the proposed development in the area which includes both additional residential land use and the Westphalia Town Center. It will be compatible with the Westphalia Town Center as it will be connected by pedestrian and vehicular networks and in that the Westphalia Town Center will provide certain commercial uses, which will be available to employees and clients of the recovery center and medical facility approved herein.

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

The group residential facility and medical facility will be one of the uses that makes up the overall tapestry of the future Westphalia Town Center. The facility approved herein will be accessible and integrated with the greater mix of uses within Westphalia by virtue of the planned vehicular and pedestrian connections throughout the sector plan 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 project is to be completed in a single phase. Therefore, this normally required finding need not be made for the subject approval.

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

A network of sidewalks in front of and on the sides of the buildings, leading to two crosswalks across the internal drive aisle to the main parking facility on the opposite side of the road, is shown on the DSP to ensure convenient, safe and comprehensive pedestrian facilities in accordance with this required finding.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

The areas used for pedestrian activities or as gathering places for people include decorative light fixtures and outdoor furniture, complemented by generous landscaping. Adequate attention has been paid to human scale high-quality urban design and other amenities in the subject project in accordance with this condition.

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

The subject approval is for a DSP, not a CSP. Therefore, this normally required finding need not be made.

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

The site is the subject of Preliminary Plan 4-14006, approved by the Planning Board on December 1, 2017, which was formalized in the adoption of PGCPB Resolution No. 16-143 on January 5, 2017, providing the test of adequacy required by the above.

- (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 subject property measures 68.6 acres and, therefore, does not meet the above acreage requirement. Further, it is not being developed as a mixed-use planned community. Therefore, this otherwise required finding need not be made in the subject approval.

- d. **Military Installation Overlay (M-I-O) Zone:** The project site is also located within the “Horizontal Surface E” area of the M-I-O Zone. The height limit in this area ranges from 150–200 feet. The proposed approximately 50-foot-tall building is well below the height requirement of the M-I-O Zone. The DSP meets the requirements of the M-I-O Zone.
 - e. The DSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 as follows:
 - (1) Section 27-274(a)(A)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. In this case, the main parking facilities are going to be located near the road but screened in accordance with this requirement to minimize the visual impact of cars on the site.
 - (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive and loading for the commercial use should also be located to the side of the building and be visually screened from public roadways.
 - (3) In accordance with Section 27-274(a)(6)(A)(i), Site and Streetscape Amenities, coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture will be required.
 - f. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b) and has been employed by the applicant to the Planning Board’s satisfaction.
8. **Conceptual Site Plan CSP-15003**—Conceptual Site Plan CSP-15003 was approved by the Planning Board on December 1, 2016, subject to seven conditions. The Planning Board adopted PGCPB Resolution No. 16-142 on January 5, 2017, formalizing that approval. The conditions of that approval, relevant to the subject DSP are included in **boldface** type below:
2. **Prior to approval of a DSP for the project, the following shall be ensured:**
 - a. **Those 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).**

The areas used for pedestrian activities or as gathering places for people include decorative light fixtures and outdoor furniture, complemented with generous landscaping. Adequate attention has been paid in these areas to human scale, high-quality urban design and other amenities in the subject project in accordance with this condition.

- b. Total development within the subject property shall be limited to uses which generate no more than 35 AM peak hour trips and 43 PM peak hour trips. These rates were determined by using the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 9th Edition*. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The development herein approved will not exceed this trip cap.

- c. The light emitting diode (LED) lighting shall be specified as yellow-tinted.**

A condition of this approval requires that, prior to certificate approval, the LED lighting be specified as yellow-tinted in accordance with this requirement.

- d. Consideration shall be given to the inclusion of a community garden in the subject project for the residents of the facility.**

The applicant has considered inclusion of a community garden as required by this condition. However, the applicant has decided against the inclusion of a community garden due to the nature of the project as a residential drug and alcohol rehabilitation facility. Note that this condition is precatory not mandatory, therefore, the applicant does not have to provide what it is suggesting because it is not practical in this case.

- e. During the grading/construction phases of the project, the applicant intends to conform to dust control requirements as specified in *2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control* and the construction noise control requirements as specified in the *Code of Maryland Regulations*.**

The applicant has included a note in the General Notes expressing the applicant's intent to be in conformance with the above-quoted requirements regarding noise and dust control during the grading/construction phases of the project.

- f. High standards shall be utilized to evaluate the architecture. Specifically, the proposed facility shall incorporate a substantial amount of masonry materials (i.e. brick, stone, and/or hardiplank) and utilize a variety of architectural features as part of the building elevations.**

The architecture proposed for the subject project is finished with hardiplank, brick, and stone and employed architectural features generously, in accordance with this requirement. The building herein approved is of high quality and is acceptable.

9. **Preliminary Plan of Subdivision 4-16009**—Preliminary Plan of Subdivision 4-15009 was approved by the Planning Board on December 1, 2016, subject to 21 conditions. The Planning Board adopted PGCPB Resolution No 16-143 on January 5, 2017, formalizing that approval. The following conditions of that approval relate to the subject DSP approval:

5. **Total development within the subject property shall be limited to uses which generate no more than 35 AM peak hour trips and 43 PM peak hour trips. These rates were determined by using the Institute of Transportation Engineer’s (ITE) *Trip Generation Manual, 9th Edition*. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The development herein approved will not exceed this trip cap.

8. **Prior to certification of the detailed site plan, and prior to signature approval of the Type 2 tree conservation plan (TCP2) for this property, pursuant to Section 25-122(d)(1)(B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement shall be indicated on the TCP2. The following note shall be placed on the TCP2:**

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

This requirement will be met at the time of approval of a final plat for the project.

16. **Prior to approval of the detailed site plan, the applicant and the applicant’s heirs, successors, and/or assignees shall:**
- a. **Submit four copies of the final Phase I archeological report to the Historic Preservation Section (M-NCPPC) for review and approval.**
- b. **Ensure that all recovered artifacts from archeological sites 18PR1104 and 18PR1105 are deposited with the Maryland Archeological Conservancy Laboratory in Calvert County, Maryland for permanent curation; proof of disposition shall be provided to the Historic Preservation Section.**

Condition 16(a) has been met. Condition 16(b) is still in effect and has not been satisfied, and has been made a condition of this approval.

20. Prior to the approval of a raze permit for the main structure on the property, constructed as the German Orphan Home of Washington, DC in 1965, the building shall be documented through the completion of a Maryland Inventory of Historic Properties (MIHP) form according to Maryland Historical Trust (MHT) standards by a qualified 36CFR60 consultant. The draft and final MIHP form shall be reviewed and approved by the Historic Preservation Commission prior to submittal by the applicant to the Maryland Historical Trust.

As this condition will occur at some time in the future, it has been made a condition of this approval.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance**—The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property measures more than 40,000 square feet and contains more than 10,000 square feet of existing woodland. The Planning Board reviewed the submitted plans for the project for conformance and included a single environmental-related condition of this approval. The subject project conforms to the applicable provisions of the WCO.
11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area of TCC. As the applicant inadvertently neglected to include the appropriate schedule for TCC on the landscape plan, a condition of this approval requires that, prior to certificate approval, the applicant provide the correct schedule on the landscape plan demonstrating that a minimum of 6.86 acres of the site are covered in tree canopy in conformance with the Tree Canopy Coverage Ordinance. As the site measures 68.6 acres, and is largely wooded and undeveloped, the applicant will be able to demonstrate conformance with the requirement.
12. **2010 Prince George's County Landscape Manual:** This M-X-T zoned development is subject to the following requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Section 4.2, Requirements for Landscaped Strips along Streets, Section 4.3, Parking Lot Requirements, Section 4.4, Screening Requirements, Section 4.7, Buffering Incompatible Uses, and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.
 - a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip be provided on the property abutting all public and private streets. The DSP herein approved provides Section 4.2 landscape strips along Melwood Road in accordance with the requirements of the Landscape Manual as to width and number of land units required. The DSP is in conformance with the requirements of Section 4.2.

- b. **Section 4.3, Parking Lot Requirements**—Section 4.3 specifies that parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide shade and visual relief within parking lots. The DSP herein approved provides 24 percent, or 10,456 square feet, of interior parking lot planting area in the parking lot in accordance with the Landscape Manual requirements.
 - c. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The DSP herein approved screens these items as required by the Landscape Manual.
 - d. **Section 4.7, Buffering Incompatible Uses**—Section 4.7 specifies that uses deemed incompatible by the Landscape Manual be buffered in accordance with the requirements of the Landscape Manual with respect to required buffer width, required building setback and the amount of plant material in the buffer per 100 linear feet. Therefore, a 40-foot building setback and a 30-foot-wide minimum landscape yard is required. In this case, the 8,640 linear feet of property line is occupied by existing trees, thereby meeting and exceeding the requirements of this section of the Landscape Manual.
 - e. **Section 4.9, Sustainable Landscaping Requirements**—This DSP approval conforms to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. Fifty percent of the shade and ornamental trees and 30 percent of the evergreen trees and shrubs are native varieties in accordance with the Landscape Manual requirements. The DSP meets this requirement.
13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. **Historic Preservation**—
 - (1) The subject property is located on a tract of land called The Free School Farm, patented by Francis Swinsen on March 8, 1681. Thomas Holdsworth acquired The Free School Farm and then conveyed 218 acres of the tract to William Digges in 1717. William Digges owned the adjoining Melwood Park tract. The Free School Farm tract was cultivated along with the Melwood Park and other adjoining tracts. William Digges died in 1740 and bequeathed the Free School Farm, Melwood Park and other adjoining lands to his son, Ignatius Digges, after the death of his wife, Elinor Digges. Ignatius Digges died in 1785 and he bequeathed the Melwood Park plantation, the Free School Farm and other tracts to his wife, Mary Digges. Mary Digges died in 1825.

By decree of a Chancery Court case dated July 18, 1827, John Johnson of Annapolis was appointed as trustee to sell the real estate belonging to the estate of Ignatius Digges. In 1834, Nathaniel M. McGregor acquired 135 acres of The Free School Farm that included the subject property. Mary Brooke, through Philemon Chew acting as trustee, purchased 170 acres of The Free School Farm from Nathaniel M. and Susan E. McGregor in August 1836 for a considerable sum, indicating there were already improvements on the property. Mary Brooke and her family lived on the Free School Farm tract until her death in 1852. The 170.5-acre plantation was then sold by Mary's children to William F. Berry, owner of Blythewood (78-013), in 1859.

According to the 1861 Martenet map and the 1860 Census records, Dr. Samuel T. Taylor was residing in a house on the subject property in the 1860s. The 1878 Hopkins Map and the 1870 and 1880 Census records indicate that Henry L. Taylor, a son of Dr. Samuel T. Taylor, was living on the subject property from the 1870s until the 1880s. Mary E. Berry was residing on the tract by the time of the 1900 Census until her death in 1910. In her will, Mary E. Berry bequeathed her real estate to Mamie Kendall Haliday. Mary and James Haliday resided on the subject property until about 1960. After the death of Mary Haliday, the subject property was acquired by Leslie D. and Catherine G. Milliken in 1960. The Millikins sold 68.7 acres of the Free School Farm tract to The German Orphan Home of Washington, DC in July 1964. The directors of the orphanage built a new home for children of German ancestry on the subject property on Melwood Road in 1965. Established in the District of Columbia in 1879, the orphanage closed its doors in Prince George's County in December 1978. The German Orphan Home of Washington sold the 67.7047-acre tract to SG Housing Corporation in 2001, which operated a substance abuse treatment center at the property.

- (2) Melwood Branch and its tributaries run along the northern and central portions of the subject property. Prehistoric archeological sites have been found in similar settings and the probability of the subject property containing significant prehistoric archeological resources is moderate to high.
- (3) A Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.
- (4) Conditions 15, 16, 17, 18, 19 and 20 of PGCPB Resolution No. 16-143 address historic preservation and archeology issues on the subject property.

- (5) The subject property was once part of a large plantation known as Melwood Park (78-015) throughout the eighteenth and early nineteenth centuries. Melwood Park was established by William Digges, who was the second son of Colonel William Digges of Warburton Manor on the Potomac and grandson of Governor Edward Digges of Virginia. His mother was Elizabeth Sewall, a stepdaughter of Lord Baltimore. The Digges family were wealthy planters and active in Maryland politics and government. Large numbers of enslaved laborers worked the land, which was divided into various quarters operated by overseers.

During part of the nineteenth century, the subject property was associated with Blythewood (78-013). From the late nineteenth to mid-twentieth centuries, the property was associated with the Berry and Haliday families. A large building was constructed on the subject property in 1965 and was operated as an orphanage until the late 1970s, and subsequently housed a substance abuse treatment center. Because the existing building is 50 years old, it shall, by condition of this approval, be documented before demolition in order to enhance understanding of local mid-century architecture and development practices in Prince George's County.

- (6) A Phase I archeological survey was conducted on 28 acres of the subject property in September and October 2016. A total of 423 shovel test pits were excavated in three areas within the 28 acres. Two archeological sites were identified: 18PR1104, the Henry Taylor Site, and 18PR1105, the Melwood Road Site. Site 18PR1104 was identified in the northwestern portion of the subject property and represents a historic residential occupation of the site dating from the mid-nineteenth to late twentieth centuries. Site 18PR1105 is located slightly northwest of the existing 1960s institutional building on the property. It is interpreted as the site of support buildings for the nineteenth and twentieth century farming operation on the subject property.
- (7) Phase II archeological evaluation is recommended on Sites 18PR1104 and 18PR1105 to determine the eligibility of the sites for inclusion in the National Register of Historic Places. Both archeological sites are located outside of the limits of disturbance herein approved. Archeological easements should be placed around both sites to preserve them in place on the developing property. A super silt fence should be placed around Site 18PR1105 during development to protect it from adverse impacts. If future development will impact either of these areas, then additional archeological investigations will be required.
- (8) Approximately 40 acres of the subject property were not surveyed for archeological resources. Therefore, if future development is planned in the areas not previously investigated, a Phase I archeological survey will be required.

- (9) If state or federal monies, or federal permits are required for this project, Section 106 review may require archeological survey for state or federal agencies.
- (10) Conditions 16(a) and 19 of PGCPB Resolution No. 16-143 have been satisfied. Five copies of the Phase I final report were submitted to the Historic Preservation Section and were accepted as complete on January 25, 2017. The applicant agreed to preserve in place Archeological Sites 18PR1104 and 18PR1105. Therefore, no further archeological investigations are required at this time. Conditions 15, 16(b), 17, 18 and 20 are still in effect and have not been satisfied.
- b. **Community Planning**—The approval is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) and is in conformance with the land use recommendations and the design policies and principles intended to implement the development concepts recommended by the 2007 *Westphalia Approved Sector Plan and Sectional Map Amendment* (sector plan). Although there are no specific recommendations for the subject property, it is located in the Established Communities area of the Prince George's County Growth Policy Map in the General Plan which envisions established communities having context-sensitive infill and low- to medium-density development. With respect to the sector plan, the Planning Board stated that the sector plan rezoned the subject property from the Residential Agriculture (R-A) Zone to the Mixed Use–Transportation (M-X-T) Zone and identified no planning issues connected with the subject project. The Planning Board also noted that the subject site is located in the Military Installation Overlay (M-I-O) Zone. See Finding 7 for a detailed discussion of conformance with the requirements of the M-I-O Zone.
- c. **Transportation and Trails**—Pursuant to PGCPB Resolution No. 16-143, the subject property is the subject of an approved preliminary plan that was approved on December 1, 2016. The property was approved with multiple conditions, including the following that pertains to transportation:
- 5. Total development within the subject property shall be limited to uses which generate no more than 35 AM peak hour trips and 43 PM peak hour trips. These rates were determined by using the Institute of Transportation Engineer's (ITE) Trip Generation Manual, 9th Edition. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**
- The development herein approved will not exceed the trip cap.
- 21. The applicant and the applicant's heirs, successors, and/or assignees shall provide on-site bicycle parking. The location and number of on-site bicycle racks shall be determined at the time of detailed site plan.**

A condition of this approval requires that, prior to certificate approval, the plans be revised to include a bicycle rack providing parking for six to eight bicycles. in accordance with this condition.

Active Transportation Compliance

The property is located in an area where the development policies are governed by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The plan recommends that the northern section of existing Melwood Road to be preserved as a trail. The southern portion of the road where the site gains its access, will be designated as a shared use access. The DSP shows Melwood Road being terminated as a cul-de-sac, approximately 850 feet north and west of the site access. This cul-de-sac should include ADA access/curb ramp for the Melwood Legacy Trail.

Overall, the on-site access and vehicular circulation is adequate, However, bicycle parking pursuant to the approved preliminary plan was not provided. Given the fact that the site is well-served by planned trails and is proximal to future planned development, a condition of this approval requires the provision of six to eight spaces for bicycles.

Conclusion

Overall from the standpoint of transportation, including trails, it is determined that this plan is acceptable and meets the finding required for a DSP as described in the Zoning Ordinance.

- d. **Subdivision**—Prior approval of Preliminary Plan of Subdivision 4-16009 and Conceptual Site Plan CSP-15003 have not yet obtained signature/certificate approval, respectively. As a result, a condition of this approval requires that Preliminary Plan 4-16009 and Conceptual Site Plan CSP-15003 obtain signature/certificate approval, respectively, prior to certification of the subject DSP approval.
- e. **Permit Review**—Permit review comments have been addressed by revisions to the plans or conditions of this approval.
- f. **Environmental Planning**—

Background

The Planning Board previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
CSP-15003	TCP1-006-16	Planning Board	Pending	12/1/2016	PGCPB No. 16-142
4-16009	TCP1-006-16-01	Planning Board	Pending	12/1/2016	PGCPB No. 16-143
DSP-16045	TCP2-005-17	Planning Board	Pending	Pending	Pending
NRI-090-05	N/A	Staff	Approved	9/15/2005	N/A
NRI-090-05-01	N/A	Staff	Approved	4/28/2016	N/A

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 25 and 27, which came into effect on September 1, 2010 and February 1, 2012. As such, the project is required to have a new DSP approval.

Site Description

This 68.60-acre site in the M-X-T Zone is located on Melwood Road, approximately one-mile north of its intersection with Pennsylvania Avenue (MD 4). Streams, 100-year floodplain and steep slopes are found to occur on the property. The predominant soils found to occur per the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Adelphia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay does not occur on or in the vicinity of this property; however, a small area of Marlboro clay evaluation area is located in the northwest corner of the property. There are forest interior dwelling species (FIDS) habitat mapped on-site. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. The site has four stream systems that drain to the north towards Cabin Branch, which is part of the Western Branch watershed, then to Western Branch and then to the Patuxent River basin. The site has frontage on Melwood Road which is not identified as a master plan roadway. Melwood Road is not a traffic noise generator and noise is not regulated for commercial projects. A designation of scenic-historic roadway was identified along this section of Melwood Road. The site is located within the Westphalia & Vicinity Planning Area. The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George’s 2035 Approved General Plan. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains regulated areas, evaluation areas, and network gap areas.

Previously Approved Conditions

The following text addresses previously approved environmental conditions related to the subject approval. The text in **BOLD** is the actual text from the previous cases or plans. The plain text provides the comments on the plan’s conformance with the conditions.

**Conformance with PGCPB Resolution No. 16-142 for Conceptual Site Plan
CSP-15003**

Conceptual Site Plan CSP-15003 was approved by the Planning Board on December 1, 2016. The conditions of approval applicable to this review found in PGCPB Resolution No. 16-142 are noted below.

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made to the plans and additional specified material be submitted:

c. The type 1 tree conservation plan shall be revised as follows:

- (1) Revise the labeling located over the “woodland areas-not counted” to an easier and visibly discerning label wording.**
- (2) Remove Specimen Tree 35 (ST-35) from the specimen tree chart.**
- (3) Have the revised plan signed and dated by the qualified professional who prepared it.**

4. Prior to the approval of the final/record plat:

- e. A conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section, as designee of the Planning Board, prior to approval of the final plat. The following note shall be placed on the plat:**

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

6. Prior to certification of the DSP, and prior to certificate of the approval of the TCP2 for this property:

- a. Pursuant to Section 25-122(d)(1)(B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of**

the easement shall be indicated on the TCP2. The following note shall be placed on the TCP2:

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

These conditions will be met at the time of final plat.

- 7. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

This condition will be met at the time of permit.

Conformance with PGCPB Resolution No. 16-143 for Preliminary Plan of Subdivision 4-16009

Preliminary Plan 4-16009 was approved by the Planning Board on December 1, 2016. The conditions of approval applicable to this review found in PGCPB Resolution No. 16-143 are noted below.

- 7. Prior to certificate approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised as follows:**
 - a. Revise the labeling located over the “woodland areas-not counted” to an easier and visibly discerning label wording.**
 - b. Remove Specimen Tree 35 (ST-35) from the specimen tree chart.**
 - f. Have the revised plan signed and dated by the qualified professional who prepared it.**
- 8. Prior to certification of the detailed site plan, and prior to signature approval of the Type 2 tree conservation plan (TCP2) for this property, pursuant to Section 25-122(d)(1)(B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement shall be indicated on the TCP2. The following note shall be placed on the TCP2:**

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

These conditions will be met at the time of final plat.

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

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

This condition will be met at the time of final plat.

- 10. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

This condition will be met at the time of permit.

- 11. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-006-16). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-006-16), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the

**offices of the Maryland-National Capital Park and Planning
Commission, Prince George's County Planning Department.”**

This condition will be met at the time of final plat.

Environmental Review

Natural Resources Inventory/Environmental Features

An approved Natural Resources Inventory, NRI-090-05-01, in conformance with the environmental regulations that became effective September 1, 2010, was submitted for the subject approval. The site contains regulated environmental features (steep slopes, streams, floodplains or their associated buffers). After further review by the applicant's consultant, one specimen tree, a 35-inch southern red cedar, was determined to be measured and identified inaccurately. A revised NRI was submitted and approved showing the change. Specimen Tree 35 (ST-35) is identified as a Leyland Cypress tree measuring 26.7-inches diameter at breast height.

Woodland Conservation

The site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland.

The site contains a total of 50.35 acres of woodlands and 2.35 acres of wooded floodplain. The site has a woodland conservation threshold of 9.94 acres and is herein approved to clear 1.91 acres of woodland with a total requirement of 10.42 acres. The TCP2 is herein approved to meet the requirement with on-site preservation (9.68 acres) and specimen tree preservation credit (4.81 acres).

During the February 24, 2016 Subdivision Development Review Committee meeting, there were comments regarding the installation of the on-site six-inch water line through on-site woodlands and a stream crossing provided. The applicant's engineer stated that no woodlands would be impacted as part of this water line installation. This engineer stated that he spoke with the utility line installer and said that the proposed directional drilling process will be used for the water line installation and that no excavation pits or access roads would be required as part of this installation process. The Planning Board informed the applicant's engineer that, if any tree clearing occurs as part of this water line installation, the TCP2 would need to be revised.

Primary Management Area (PMA) Impacts

During the preliminary plan process, impacts for a stormwater management outfall and utility line were approved. No new PMA impacts or revisions are approved herein.

Soils

The predominant soils found to occur on-site, per the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), are the Adelphia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay does not occur on or in the vicinity of this property; however, a small area of Marlboro clay is located in the northwest corner of the property.

Currently, no impacts are herein approved near the Marlboro clay evaluation area. The County may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit process review if work is ever proposed within this evaluation area. This information is provided for the applicant's benefit.

Stormwater Management

An approved Stormwater Management Concept Plan (11758-2016-00) and approval letter was submitted with the subject approval. Approved stormwater management features include two bioswales and porous paving. The concept approval expires on July 15, 2019. A stormwater management fee towards providing on-site attenuation/quality control measures will not be required as part of the subject approval.

Noise

The site has frontage on Melwood Road which is not identified as a master plan roadway. Melwood Road is not a traffic noise generator and noise will not be regulated for this commercial approval.

- g. **Prince George's County Fire/EMS Department**—In a memorandum dated February 14, 2017, the Fire/EMS Department offered comment on needed access for fire apparatus, private road design and the location and needed performance of fire hydrants. These comments will be enforced in their separate permitting process.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a revised memorandum dated March 20, 2017, DPIE offered numerous comments that will be addressed through their separate permitting process. Regarding stormwater management, DPIE stated that the proposed site plan is consistent with the approved Stormwater Management Concept Plan, 11758-2016-01, dated November 7, 2016, which was originally approved on July 15, 2016.
- i. **Prince George's County Police Department**—The Police Department did not provide comment regarding the subject approval.
- j. **Prince George's Health Department**—In a memorandum dated November 2, 2016, the Prince George's Health Department offered the following comments included below, followed by Planning Board comment:

- (1) The applicant must obtain the appropriate raze permits from DPIE for the removal of the existing two-story, 24,000-square-foot building on-site.

This information has been provided to the applicant.

- (2) No demolition/construction noise should be allowed to adversely impact activities on the adjacent properties. Indicate an intent to be in conformance with construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

This information has been included in a general note on the project plans.

- (3) During the demolition/construction phases of the project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate an intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

This information has been included in a general note on the project plans.

- (4) The applicant must submit a request to the Department of Energy Offices in order to maintain the existing well on the subject property for the purposes of irrigation. Upon acceptance, the applicant then needs to obtain a water appropriation permit or an exemption from the Maryland Department of the Environment.

This information has been provided to the applicant.

- (5) There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.

This information has been provided to the applicant.

- (6) The public health value of access to active recreational facilities has been well documented. Indicate the location of all planned or active recreational facilities within a quarter mile of the proposed facility.

This information has been provided to the applicant.

- (7) The site is located close to the Joint Base Andrews noise zone. Noise can be detrimental to health with respect to hearing impairment, sleep disturbance, cardiovascular effects, psycho-physiologic effects, psychiatric symptoms, and fetal development. Sleep disturbances have been associated with a variety of health

problems, such as functional impairment, medical disability, and increased use of medical services even among those with no previous health problems. The applicant should provide details regarding modifications/adaptions/mitigation as necessary to minimize the potential adverse health impacts of noise on the susceptible population

This information has been provided to the applicant. Note, however, that Prince George's County only regulates noise for residential developments and, though the subject project supports a residential program, it is considered a commercial land use.

- k. **Maryland State Highway Administration (SHA)**—In an e-mail dated February 1, 2017, SHA indicated that they had reviewed the subject DSP and had no comments regarding the subject project nor objections to its approval.
 - l. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail dated February 23, 2017, WSSC offered numerous comments regarding the project's connection to water and sewer which will be addressed through their separate permitting process.
 - m. **Verizon**—Verizon did not provide comment regarding the subject approval.
 - n. **Potomac Electric Power Company (PEPCO)**—PEPCO did not provide comment regarding the subject approval.
 - o. **Westphalia Sector Development Review Council**—The Westphalia Sector Development Review Council did not provide comment regarding the subject approval.
13. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, as approved with conditions, represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the approved development for its intended use.
14. As required by Section 27-285(b)(2), the DSP is in general conformance with the approved Conceptual Site Plan CSP-15003 for this site.
15. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:
- (4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.**

This required finding may be made for the subject project.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type 2 Tree Conservation Plan (TCP2-005-2017) and further APPROVED Detailed Site Plan DSP-16045 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the detailed site plan (DSP), the following revisions shall be made to the plans and additional specified material be submitted:
 - a. The applicant shall obtain signature/certificate approval of Preliminary Plan of Subdivision 4-16009 and Conceptual Site Plan CSP-15003, respectively.
 - b. The Type 2 tree conservation plan (TCP2) shall be revised to add a TCP2 approval block to each TCP2 sheet in the set.
 - c. The light emitting diode (LED) lighting to be utilized in this project shall be specified as yellow-tinted.
 - d. The boundaries of Archeological Sites 18PR1104 and 18PR1005 and the limit of the archeological investigations shall be shown on the DSP and TCP2.
 - e. Pursuant to Section 25-122(d)(1)(B) of the Prince George's County Code, all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in County land records and the liber/folio of the easement shall be indicated on the Type 2 tree conservation plan (TCP2). The following note shall be placed on the TCP2:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber ____ Folio ____ . Revisions to this TCP2 may require a revision to the recorded easement.”
 - f. Development shown on the DSP and Type 2 tree conservation plan shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-006-2016).
 - g. The applicant and the applicant's heirs, successors, and/or assignees shall:
 - (1) Submit four copies of the final Phase I archeological report to the Historic Preservation Section (M-NCPPC) for review and approval.

- (2) Ensure that all recovered artifacts from Archeological Sites 18PR1104 and 18PR1105 are deposited with the Maryland Archeological Conservancy Laboratory in Calvert County, Maryland for permanent curation; proof of disposition shall be provided to the Historic Preservation Section.
 - h. The applicant shall add a tree canopy coverage schedule to the landscape plan for the project demonstrating that a minimum of 6.86 acres of the site are covered in tree canopy, in conformance with the Prince George's County Tree Canopy Coverage Ordinance.
 - i. A bicycle rack providing parking for six to eight bicycles shall be provided on the DSP and located proximate to the front entrance of the subject facility.
2. Prior to approval of a raze permit for the main structure on the property, constructed as the German Orphan Home of Washington, DC in 1965, the building shall be documented through the completion of a Maryland Inventory of Historic Properties (MIHP) form according to Maryland Historical Trust (MHT) standards by a qualified 36CFR60 consultant. The draft and final MIHP form shall be reviewed and approved by the Historic Preservation Commission prior to submittal by the applicant to MHT.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, April 6, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of April 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:RG:rpg

March 16, 2020

MEMORANDUM

TO: Jeremy Hurlbutt, Urban Design Review Section, Development Review Division
VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division
FROM: *ZIB:gp*
Glen Burton, Transportation Planning Section, Countywide Planning Division
SUBJECT: CSP-19004: The Enclave at Westphalia

Proposal

The applicant is seeking a conceptual site plan (CSP) approval for the purpose of developing a residential development consisting of 475 townhomes.

Background

The 68-acre, M-X-T- Zoned property is in Westphalia, just west of the existing Marlboro Ridge development. The site has been the subject of three prior applications and approvals. Those approvals are:

- CSP-15003 - December 1, 2016 – PGCPB No. 16-142
- 4-16009 - December 1, 2016 – PGCPB No. 16-143
- DSP-16045 - April 6, 2017 – PPGCPB No. 17-61

All previous approvals supported the development of a 120-bed outpatient services facility. The site is proposed to be developed with 475 townhomes. While this site will need to go through the preliminary plan of subdivision (PPS) process, where transportation adequacy will be tested, because site is Zoned M-X-T as a result of a rezoning through a sectional map amend (Section 27-546 of the code), the applicant did provide staff with a Traffic Impact Study (TIS). The Transportation Planning Section will not establish a trip cap condition on this application but will do so for the PPS. Adequacy is fully tested and determined at time of PPS through the application of Section 24-124 of the Subdivision Regulations, and a trip cap for the site will be based on the PPS entitlement.

The subject property is located within Transportation Service Area (TSA) 2, as defined in the *Plan Prince George's 2035 Approved General Plan*. As such, the subject property is evaluated according to the following standards:

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

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

Analysis of Traffic Impacts

The application is a conceptual site plan for a residential development consisting of 475 townhomes. The traffic generated by the proposed preliminary plan would impact the following intersections, interchanges, and links in the transportation system:

- MD 4 at Westphalia Road/Old Marlboro Pike (signalized)
- Ritchie Marlboro Road at White House Road (signalized)
- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
- Ritchie Marlboro Road at North Riding Road (unsignalized)
- Ritchie Marlboro Road at Marlboro Ridge Road (signalized)

Existing Traffic:

The following critical intersections, interchanges and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/3387	F/3658
Ritchie Marlboro Road at White House Road (signalized)	B/1005	A/910
Ritchie Marlboro Road at Westphalia Road/Orion Drive *	66.6 seconds	100.9 seconds
Ritchie Marlboro Road at North Riding Road *	200+ seconds	80.1 seconds
Ritchie Marlboro Road at Marlboro Ridge Road *	C/1185	A/624
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Background Traffic:

Background traffic has been developed for the study area using 16 approved but unbuilt developments within the study area. The following intersections were analyzed based on planned improvements to be provided by some of those approved developments. Those improvements are as follows:

- Ritchie Marlboro Road at White House Road (signalized)
 Northbound Ritchie Marlboro Road is being restriped to provide two left turn lanes and one shared left/thru/right.
- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
 Westphalia Road will be realigned to form a four-way intersection with Orion Lane, which is currently offset by approximately 200 feet.

A 0.25 percent annual growth rate for a period of six years has been assumed for through movements along the primary routes. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/4040	F/4608
Ritchie Marlboro Road at White House Road (signalized)	B/1037	A/990
Ritchie Marlboro Road at Westphalia Road/Orion Drive * <i>Tier 3 - CLV Test</i>	172.1 seconds B/1141	126.5 seconds C/1230
Ritchie Marlboro Road at North Riding Road * <i>Tier 3 - CLV Test</i>	>200 seconds D/1435	>200 seconds A/781
Ritchie Marlboro Road at Marlboro Ridge Road *	D/1329	A/741
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Total Traffic:

Trip generation rates and totals are based on applicable rates from the Prince George's County "Guidelines" as shown:

Trip Generation Summary						
Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Proposed 475 townhomes	67	266	333	247	133	380

Under total traffic, the following critical intersections identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines," including the site trip generation as described above, operate as follows:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/4091	F/4708
Ritchie Marlboro Road at White House Road (signalized)	B/1086	B/1052
Ritchie Marlboro Road at Westphalia Road/Orion Drive * <i>Tier 3 - CLV Test</i>	>200 seconds C/1274	>200 seconds D/1399
Ritchie Marlboro Road at North Riding Road * <i>Tier 3 - CLV Test</i>	>200 seconds F/1662	>200 seconds B/1010
Ritchie Marlboro Road at Marlboro Ridge Road	D/1329	A/778
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

The results of the analyses show that the following intersections fail the Tier 3 - CLV Test:

- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
- Ritchie Marlboro Road at North Riding Road (unsignalized)

Both of those intersections will require the provisions of signal warrant studies as conditions of approval. Additionally, the TIS has indicated the link of P-615 between the proposed development and Ritchie Marlboro Road will operate adequately from the standpoint of congestion.

Master Plan and Site Access,

The property is in an area where the development policies are governed by the 2007 *Approved Westphalia Section Plan* and Sectional Map Amendment, as well as the 2009 *Approved Countywide Master Plan of Transportation*. The site will initially have access to P-615, an unbuilt, east-west master planned primary residential that will connect the existing Marlboro Ridge development to the east and the Westphalia Town Center to the west. P-615, will eventually connect to MC-632 and C-636 west of the site. As of this writing, no decision has been made regarding the timing of the opening of P-615 and other roads to the west of the proposed site. Consequently, the TIS assumed that the site will have two full movement access points that will carry all site traffic to Ritchie Marlboro Road, by way of N Riding Road and Marlboro Ridge Road. If at the time of permitting, P-615 is not open to traffic to the west of the site, then the residents whose properties front on Marlboro Ridge Ride could see an increase in daily traffic of approximately 3,800 trips. While this may not pose an issue from a capacity standpoint, many citizens may see this increase as a safety issue. This will need to be further evaluated at the time of the PPS process.

Westphalia Public Facilities Financing and Implementation Program (PFFIP)

One of the conclusions cited in the applicant's traffic study was the fact that with monetary contributions towards the construction of the planned interchange at the MD 4/Westphalia Road intersection, the development would meet the requirements for transportation adequacy, pursuant to Subtitle 24 of the County Code.

On October 26, 2010, the County Council approved CR-66-2010, establishing a Public Facilities and Financing Implementation Program (PFFIP) district for the financing and construction of the MD 4/Westphalia Road interchange. Pursuant to CR-66-2010 (Sections 6, 7 and 8) staff has prepared a cost allocation table (Table) that allocates the estimated \$79,990,000 cost of the interchange to all properties within the PFFIP district. CR-66-2010 also established \$79,990,000 as the maximum cost on which the allocation can be based. The allocation for each development is based on the proportion of average daily trips (ADT) contributed by each development passing through the intersection, to the total ADT contributed by all the developments in the district passing through the same intersection. The ratio between the two sets of ADT becomes the basis on which each development's share of the overall cost is computed.

Conclusion

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a conceptual site plan as described in the Zoning Ordinance if approved with the following conditions:

1. Prior to the issuance of any building permits within the subject property, unless modified at the time of PPS pursuant to Section 27-546(d)(9):
 - a. 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:
 - Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
 - Ritchie Marlboro Road at North Riding Road (unsignalized)

Conduct a traffic signal warrant study at the intersections above and install these signals if deemed to be warranted and approved by DPIE.
2. At the time of the preliminary plan of subdivision, the applicant's contribution to the PFFIP pursuant to CR-66-2010 will be determined.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 TTY: (301) 952-4366
 www.mncppc.org/pgco

March 17, 2019

MEMORANDUM

TO: Jeremy Hurlbutt, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division

SUBJECT: **Conceptual Site Plan Review for Pedestrian and Bicyclist Transportation Master Plan Compliance**

The following conceptual site plan (CSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* (MPOT) and the 2007 *Approved Westphalia Sector Plan* and sectional map amendment to provide the appropriate pedestrian and bicycle transportation recommendations.

Conceptual Site Plan Number: CSP-19004

Development Case Name: The Enclave at Westphalia

Type of Master Plan Bikeway or Trail

Private R.O.W.*	<input type="checkbox"/>	Public Use Trail Easement	<input type="checkbox"/>
PG Co. R.O.W.*	<input type="checkbox"/>	Nature Trails	<input checked="" type="checkbox"/>
SHA R.O.W.*	<input type="checkbox"/>	M-NCPPC - Parks	<input type="checkbox"/>
HOA	<input type="checkbox"/>	Bicycle Parking	<input type="checkbox"/>
Sidewalks	<input checked="" type="checkbox"/>	Trail Access	<input checked="" type="checkbox"/>

Subject to 24-124.01: No

Preliminary Plan Background	
Building Square Footage (non-residential)	N/A
Number of Units (residential)	475 Townhouse Dwelling Units
Abutting Roadways	Melwood Road
Abutting or Nearby Master Plan Roadways	Planned P-615, Planned C-636, Planned MC-632, Pennsylvania Avenue (MD 4)
Abutting or Nearby Master Plan Trails	Planned Side Path: C-636, P-615 Planned Bike Lane: Marlboro Pike Planned Shared Roadways: Melford Legacy Trail Planned Hard Surface Trail: Cabin Branch Trail
Proposed Use(s)	Residential
Zoning	M-X-T
Centers and/or Corridors	N/A
Prior Approvals on Subject Site	4-16009, DSP-16045

Previous Conditions of Approval

This development case does not have any binding prior approvals in regard to bicycle and pedestrian improvements. Preliminary Plan of Subdivision (PPS) 4-16009 and Detailed Site Plan (DSP)-16045 were approved for a group residential facility use and both plans are still valid. However, the construction of the facility never moved forward and previously approved plans have no bearing on the application under review.

Existing Conditions Sidewalks and Bike Infrastructure

The subject property is located on the east side of Melwood Road, approximately 1.5 miles east of the intersection of Pennsylvania Avenue and Suitland Parkway. The land is mostly undeveloped and features no sidewalks or bicycle facilities currently in place. Additional residential subdivisions border the subject property to the north (Parkside, formerly Smith Home Farm) and east (Marlboro Ridge).

Connectivity to Adjacent/Nearby Properties

Per Section 27-542(a)(4) Purposes, "The purposes of the M-X-T Zone are (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."

Comment: The proposed development is only residential. Future commercial development is planned for the Westphalia development which will further support the purposes of the M-X-T Zone. Several roadways and trail facilities are also planned within the area of the sector plan, which will provide residents with alternate methods of transportation within the vicinity of the project.

Master Plan Recommendations

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommend how to accommodate infrastructure for people walking and bicycling:

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

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

POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

POLICY 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

Comment: Due to the conceptual nature of the project, plans showing a detailed conformance with Complete Streets principles have not been submitted. The property falls in the developing tier. Submitted plans reflect that the pedestrian circulation network serves both sides of all internal roads and features a pedestrian connection which will link the two pods of development within the subdivision.

During preliminary plan of subdivision and detailed site plan, Transportation Planning staff will review the pedestrian and bicyclist facilities in further detail, including the provision of sidewalks on both sides of all internal roads, and connections to P-615 and the Melwood Legacy Trail from the subject site.

This development is subject to 2007 *Approved Westphalia Sector Plan* and sectional map amendment. A bicycle/pedestrian trail network is displayed as Map 11 (p.45). This map shows several pedestrian and bicycle facilities which will connect to the subject property upon construction, specifically the Melwood Legacy Trail.

Comment: The western/southwestern portion of the subject property is fronted by Melwood Road, which features the planned Melwood Legacy Trail shared roadway. The subject property will not have any road access from Melwood Road for automobiles. However, the location of Melwood Road presents an opportunity to link the internal bicycle and pedestrian network of the subject property to the Melwood Legacy Trail, establishing a more connected bicycle and pedestrian network within the Westphalia area. There is currently an existing driveway that connects the subject property to Melwood Road. The applicant has updated plans to reflect a pedestrian connection to Melwood Road per staff recommendations.

Within the 2007 *Approved Westphalia Sector Plan* and sectional map amendment, the subject property falls within the Low-Density Residential category per Map 4: Land Use (p.19). Per Policy 5 - Residential Areas - Design Principles (p.31):

- Design or retrofit street systems to link individual subdivisions/projects to each other and the community.

Comment: The submitted statement of justification indicates that the subject property will have roadway access from Sections 5 and 6 of the Parkside (Smith Home Farm) development directly to the north. This future roadway is displayed on the Master Plan Right of Way as P-615 which is designated by the MPOT as a planned shared roadway. Additional mention is made that the project seeks to avoid using Melwood Road for primary access due to the single-family residential nature of Melwood Road.

- Emphasize the provision of high-quality pedestrian and bikeway connections to transit stops/stations, village centers, and local schools.

Comment: The 20 Bus serves the vicinity of the subject property to the direct south with five stops, specifically at the intersections of Marlboro Pike and Marwood Boulevard, Marlboro Pike and Woodyard Road, Old Marlboro Pike and Melwood Road, Old Marlboro Pike and Melwood Park Avenue, and Old Marlboro Pike and Roblee Drive. A connection to Melwood Road and the Melwood Legacy trail will support transit use in the area.

Conclusion:

The submitted plans meet the necessary findings and criteria for a conceptual site plan from the perspective of pedestrian and bicyclist transportation. Due to the nature of this application, there are no recommended conditions of approval. It will be further reviewed with the PPS.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: March 19, 2020

TO: Jeremy Hurlbutt
Urban Design Section
Development Review Division

VIA: Helen Asan, Land Acquisition Development Review Supervisor
Park Planning and Development Division

FROM: Paul J. Sun, Land Acquisition Specialist
Park Planning and Development Division

SUBJECT: **CSP-19004- The Enclave at Westphalia**

The staff of the Department of Parks and Recreation (DPR) has reviewed and evaluated the above referenced Conceptual Site Plan (CSP) for conformance with the requirements and recommendations of the Approved Prince George's County General Plan, Approved Westphalia Sector Plan and Sectional Map Amendment for Planning Area 78, the Land Preservation, Parks and Recreation Plan (LPPRP) for Prince George's County and the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space; as policies in these documents pertain to public parks and recreational facilities.

FINDINGS

The subject property consists of 68.77 acres of land located on the northeast side of Melwood Road, approximately $\frac{3}{4}$ of a mile north of MD Route 4 (Pennsylvania Avenue) and Woodyard Road. The subject property is bounded to the north, Master Planned Road P-615 and the Parkside 5& 6 development (which has obtained Preliminary Plan of Subdivision (PPS) approval). To east, are a few large lot single family residences. At the northeastern corner is Master Planned Road P-638 and the Westphalia Center development (which has also obtained PPS approval). Master Planned Road P-61 provides the public street frontage and access to the subject property.

The Approved Westphalia Sector Plan and Sectional Map Amendment rezoned this property in 2007 from R-A to M-X-T, with the anticipation that the development of this property under this zone would promote the implementation of the visions, goals and policies of the sector plan. Since 1964, the property has been utilized for institutional uses. The property has also been of subject of several Special Exceptions (SE) cases, CSP, Preliminary Plan of Subdivision, and Detailed Site Plan (DSP). The most current approval (in 2017) was DSP-16045, which was for the approval to construct a rehabilitation facility. The rehabilitation facility was not constructed,

and the property has since been sold. With this application, the property is now proposed for the development of 475 single family-attached residential homes which projects to add 1,302 new residents to the community.

On a conceptual basis, the plans indicate the development of single-family residential units in two pods bifurcated by a stream valley, with some open space tree buffers along the perimeter. In the application justification statement, there is a statement noting that there will be no public open spaces within this development.

The Westphalia Sector Plan goals, policies and strategies related to the Park and Recreational issues are:

- Create public and private parks, open space, and recreational facilities sufficient to meet the needs of the current and future residents of the Westphalia sector plan area.
- Create a park system consisting of 1,850 acres of public and private parks and green spaces.
- Ensure development of the parks system that result in central green spaces which serve to unite the Westphalia community and its surrounding neighborhoods.
- Designate the Westphalia Central Park and Cabin Branch Greenway as community focus areas. These parks should become a regional draw and icon for Westphalia.
- Ensure major development projects are adequately integrated into the implementation of the sector plan parks system recommendations.
- Ensure the proper financing, construction and maintenance of the proposed park system.
- Develop and finalize a comprehensive public facilities plan that includes detailed recommendations for financing mechanisms, phasing, construction and maintenance of the proposed park facilities.
- Ensure parks, streets, and public squares are all designed to accommodate community parades, festivals and other events.
- Establish a park fee of \$3,500 (in 2006 dollars) for each new dwelling unit built in the Westphalia sector plan area to fund construction of the public parks facilities recommended in the sector plan.
- Form a multi-agency public/private work group to implement the vision for the Westphalia Central Park on an expedite basis.

The Approved Westphalia Sector Plan and Sectional Map Amendment introduced the concept of a “Central Park”, a single major recreational complex serving the entire Westphalia Area. The Westphalia Central Park is 276 acres of open space and growing. The Enclave at Westphalia project is located approximately one-half mile from Westphalia Central Park. This Central Park will be accessible to the residents of this community through a system of roads and hiker/biker trails along existing Westphalia Road and ultimately proposed MC-631. This large urban park will serve as a unifying community destination and an amenity for the entire Westphalia Sector Plan area.

The Sector Plan recommended developing the Central Park with recreational amenities such as a recreational lake, active and passive recreational facilities, lawn areas and bandstands suitable for public events, a trail system, group picnic areas, and tennis facilities. The developer of the Smith Home Farm project developed a Schematic Design Plan (SDP-1101) for an 145-acre portion of the park and provided in-kind services for construction of the Phase 1 recreational facilities within the Central Park.

This plan includes an array of active and passive recreational facilities within the park such as: an Amenity pond, open play areas, an amphitheater for large public events, a tennis center, an adventure playground, splash pad, multi-purpose open fields and courts, a dog park, group picnic areas, formal gardens and an extensive pedestrian, bicycle, and equestrian trail network providing recreational opportunities to all residents in Westphalia Sector Plan area, as well as establishing pedestrian and bicycle connectivity to the town centers and surrounding residential development.

The grading of the park of the Park is underway and the Amenity Pond has been constructed. The DPR is managing the Park Club account to ensure that the Phase I recreational amenities will be constructed in a timely fashion.

Westphalia Park Club

The Approved Westphalia Sector Plan and Sectional Map Amendment anticipated that major recreational needs of the residents of the Sector Plan will be addressed by contribution of the funds for the development of the “Westphalia Central Park.” The developers of Smith Home Farm, Westphalia Town Center, Moore Property, and Cabin Branch Village, are committed to the implementation of the Sector Plan park system recommendations:

<u>Smith Home Farm</u> -	Dedication of 145 acres of parkland dedication. Monetary contribution of \$3,500 per dwelling unit in 2006 dollars. Private recreational facilities on-site.
<u>Westphalia Town Center</u> -	Monetary contribution of \$3,500 per dwelling unit in 2006 dollars. Private recreational facilities on site. Private recreational facilities in the project area
<u>Moore Property</u> -	Monetary contribution of \$3,500 per dwelling unit in 2006 dollars. Private recreational facilities on-site.
<u>Cabin Branch Village</u> -	Monetary contribution of \$3,500 per dwelling unit in 2006 dollars. Private recreational facilities on site.

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

Subdivision Ordinance, Section 24-134, Mandatory Dedication of Parkland.

The DPR staff has evaluated the CSP-19004 application for future conformance with the subdivision ordinance to determine the possible impact of the mandatory dedication requirement at the time of the PPS. The statutory requirements of of the Prince Georges County Subdivision Ordinance Section 24-134 requires that the subject development provide mandatory dedication of 5.15 acres of land suitable for active and passive recreation based on the density proposed for this parcel. The subject property is not contiguous to exsiting M-NCPPC property and within a one-half mile from Westphalia Central Park. The plan proposals does not indicate any Parks dedication at this time.

Given the amount of green space throughout the development as currently proposed, DPR staff believes that there will be sufficient area to incorporate on-site recreational opportunities with the continued design of this development. DPR is recommending that the applicant consider on-site recreational facilities with submission of the PPS as per Section 24-135(b) (Provision of on-site recreation facilities in-lieu of park dedication), which is recommended by the sector plan.

CONCLUSION

The DPR staff believes that the applicant should provide on-site recreational facilities to serve the residents within in the proposed community and make a monetary contribution in the amount of \$3,500 per dwelling unit in 2006 dollars into a “park club” for the design and construction of the major public recreational facilities in the Westphalia Central Park, as per the recommendations of the Approved Westphalia Sector Plan and Sectional Map Amendment.

RECOMMENDATIONS

The staff of the Department of Parks and Recreation recommends that the above-referenced Comprehensive Design Plan, CDP-1701 be approved, subject to the following conditions:

1. The applicant shall make a monetary contribution into a “park club”. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars as recommended by the Approved Westphalia Sector Plan and Sectional Map Amendment. M-NCPPC shall adjust the amount of the contribution using the Consumer Price Index (CPI) for inflation at the time of payment. Monetary contributions shall be used for construction, operation and maintenance of the public recreational facilities in the central park and/or the other parks that will serve the Westphalia Sector Plan Area.
2. Prior to the first final plat of subdivision, the applicant shall enter into an agreement with the Department of Parks and Recreation establishing a mechanism for payment of fees into a “park club” account administered by the M-NCPPC. If not previously determined, the agreement shall also establish a schedule of payments. The payment schedule shall include a formula for any needed adjustments to account for inflation. The agreement shall be recorded in the Prince George’s County land records by the applicant prior to final plat approval.
3. The applicant, his successors, and/or assigns, shall provide on-site, recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

February 25, 2020

MEMORANDUM

TO: Jeremy Hurlbutt, Planner Coordinator, Urban Design Section, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division *HB*

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division *JAS*
Tyler Smith, Historic Preservation Section, Countywide Planning Division *TAS*

SUBJECT: CSP-19004 Enclave at Westphalia

The subject property comprises 68.70 acres located on the east side of Melwood Road, approximately 3,900 feet north of MD 4 (Pennsylvania Avenue) and Woodyard Road. The subject application proposes a development concept for 475 single-family attached townhouse units. The subject property is Zoned M-X-T.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject was high. A Phase I archeology survey was completed on a 28-acre portion of the subject property in 2008. Two archeological sites were identified. Site 18PR1104 comprised of a mid-19th to late -20th century dwelling site and site 18PR1105 was identified as an early to mid-20th century trash scatter. Phase II investigations were recommended on both sites.

The original Phase I study did not include the entire property, therefore, Historic Preservation staff recommended that the portion of the property not covered in the earlier study be surveyed for archeological resources. Phase I investigations of the portion of the property not previously surveyed and Phase II evaluations of sites 18PR1104 and 18PR1105 were conducted on the subject property in June 2019. No additional archeological sites were identified on the portions of the property not previously investigated. Phase II evaluation of sites 18PR1104 and 18PR1105 did not identify any intact soil layers or features. Both sites were extensively disturbed by the destruction of buildings located in those areas in the late 20th century. Therefore, no further work was recommended on the subject property. Historic Preservation staff concurs that no additional archeological investigations are necessary on the subject property.

Historic Preservation staff recommends approval of CSP-19004 Enclave at Westphalia with no conditions.

March 21, 2020

MEMORANDUM

TO: Jeremy Hurlbutt, Master Planner, Urban Design Section, DRD

VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section, CWPD

FROM: Kim Finch, Master Planner, Environmental Planning Section, CWPD

SUBJECT: **The Enclave at Westphalia; CSP-19004 and TCP1-006-2016-02**

The Environmental Planning Section has reviewed the above referenced Conceptual Site Plan, CSP-19004 and revised Type 1 Tree Conservation Plan TCP1-006-2016-02. The application was accepted for review on February 12, 2020. Comments were provided in a Subdivision Development Review Committee (SDRC) meeting on March 6, 2020. The Environmental Planning Section recommends approval of CSP-19004 and TCP1-006-2016-02 subject to conditions recommended at the end of this memorandum.

Background

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-090-05	N/A	Staff	Approved	9/15/2005	N/A
NRI-090-05-01	N/A	Staff	Approved	4/28/2016	N/A
NRI-090-05-02	N/A	Staff	Approved	11/14/2016	N/A
CSP-15003	TCP1-006-16	Planning Board	Approved	12/1/2016	16-142
4-16009	TCP1-006-16-01	Planning Board	Pending	Approved	16-143
DSP-16045	TCP2-005-2017	Planning Board	Approved	4/6/2017	PGCPB No. 17-61
CSP-19004	TCP1-006-16-02	Planning Board	Pending	Pending	Pending

Proposed Activity

This conceptual site plan application is for the development of a townhouse community on a 68.60-acre site in the M-X-T zone.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25 and 27 that came into effect on September 1, 2010 and February 1, 2012. The project requires a conceptual plan approval because of a change in zoning from Residential- Agricultural (R-A) to Mixed-Use-Transportation-Oriented (M-X-T) pursuant to the adoption of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.

Site Description

This 68.60-acre site in the M-X-T zone is located on Melwood Road, approximately one-mile north of its intersection with Pennsylvania Avenue. A review of the available information indicates that streams, 100-year floodplain and steep slopes occur on the property. The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Adelpia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay does not occur on this property; however, a small area of Marlboro clay evaluation area is located in the northwest corner of the property. There is Potential Forest Interior Dwelling Species (FIDS) habitat mapped on-site. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species on or in the vicinity of this property. The site has three stream systems that drain northward towards Cabin Branch, connecting to the Western Branch watershed, and then to the Patuxent River basin. The site has frontage on Melwood Road which is not identified as a master plan roadway. Melwood Road is not a traffic noise generator and noise will not be regulated in this subject application. Melwood Road is designated as a scenic - historic roadway. The site is located within the Westphalia Sector Plan and Sectional Map Amendment (2007). The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, and in the Established Communities of the General Plan Growth Policy (2035) map as designated by *Plan Prince George's 2035 Approved General Plan*. The site is shown on the General Plan Generalized Future Land Use (2035) as Residential Low. According to the *Approved Countywide Green Infrastructure Plan (2017)*, the site contains Regulated and Evaluation Areas.

ENVIRONMENTAL REVIEW

Natural Resource Inventory/Environmental Features

An approved Natural Resource Inventory, NRI-090-05-02, in conformance with the environmental regulations that became effective September 1, 2010, was submitted with the application. The site contains Regulated Environmental Features (REF) (steep slopes, streams, floodplains and their associated buffers) which comprise the Primary Management Area (PMA). The site also contains specimen trees. The site statistics table on the NRI does not include any acreage for the PMA for the site, or the linear feet of regulated streams. Prior to certification of the conceptual site plan, the NRI

shall be revised to include a complete site statistics table with all required elements and associated quantities.

The delineated PMA appears to correctly show the REF on the Conceptual Layout for Illustrative Purposes and the Type 1 Tree Conservation Plan (TCP1-006-2016-02), but the graphic line for the PMA is not identified on the TCP1 legend, and the Conceptual Layout Plan has no legend. Technical corrections are recommended for both plans.

Woodland Conservation

The site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland.

The site contains a total of 50.35 acres of woodlands and 2.35 acres of wooded floodplain. The site has a woodland conservation threshold of 15 percent or 9.94 acres. The TCP1 proposes to clear 31.82 acres woodland resulting in a total woodland conservation requirement of 17.89 acres. The TCP1 proposes to meet the requirement fully with on-site preservation.

Technical revisions are required to the TCP1 prior to certification of the CSP in conformance with condition provided at the end of this memorandum.

Specimen Trees

Section 25-122 (b) (1) (G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Environmental Technical Manual."

A Subtitle 25 variance statement of justification dated September 11, 2019 in support of a variance was received for review. The statement of justification requested the removal of seven of the eight specimen trees identified on the site, of which six were rated in excellent condition. Staff recommended a deferment of this review until later in the development process, when more detail with regard to the necessary infrastructure to develop the site, such as the ultimate rights-of-way, building locations and location of stormwater management (SWM) facilities can be provided.

The applicant withdrew the Subtitle 25 variance request in a letter dated March 9, 2020 (Bickel to Finch). Prior to approval, the TCP 1 shall be revised to provide a note below the specimen tree table to state that no variance was approved with the CSP for specimen tree removal.

Preservation of Regulated Environmental Features/Primary Management Area

The site contains Regulated Environmental Features (REF) including streams, stream buffers, 100-year floodplain and steep slopes which comprise the Primary Management Area (PMA).

Section 27-273(e)(15) of the Zoning Ordinance requires that Conceptual Site Plan (CSP) applications include: "A statement of justification describing how the proposed design preserves

and restores the regulated environmental features to the fullest extent possible.”

Section 27-276(b)(4) of the Zoning Ordinance states that for all CSP applications: “The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).”

Section 24-130(b)(5) of the Subdivision Ordinance states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

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

No statement of justification for environmental impacts or impact exhibits was submitted with the current application. The applicant’s response comments indicate that impacts to environmental features would be addressed at time of preliminary plan of subdivision when more detailed information will be available. At time of preliminary plan, a revised NRI shall be required which provides a complete site statistics table of the environmental features of the site, and a detailed statement of justification for environmental impacts with quantification and associated shall be provided.

There are no impacts to REF with this application because no statement of justification was submitted and no Limit of Disturbance (LOD) is shown on the plans. Prior to certification of the CSP, the CSP and TCP1 shall show an LOD that fully preserves all REF.

Soils

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) are the Adelphia-Holmdel complex, Dodon fine sandy loam, Marr-Dodon complex and Westphalia-Dodon soils series. According to available mapping information, Marlboro clay occurs on or in the vicinity of this property; and a small area of Marlboro clay Evaluation Area is located in the northwest corner of the property and is

shown on the NRI. The limits of the Evaluation Area shown on the NRI shall also be shown on the TCP1 using the ETM standard symbols and labeling.

Currently, no impacts are proposed near the Marlboro clay evaluation Area. The county may require a soils report in conformance with CB-94-2004 during the permit review process if work is proposed within this Evaluation Area. This information is provided for the applicant's benefit.

Stormwater Management

An unapproved Site Development Concept Plan was submitted with the current application, and a Stormwater Management Plan number has not been identified. Submittal of an approved SWM Concept Letter and plan will be required for subsequent development review applications. No further information pertaining to SWM is required at this time.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

The Environmental Planning Section recommends approval of Conceptual Site Plan, CSP-19004 and Type 1 Tree Conservation Plan TCP1-006-2016-02 subject to the following findings and conditions:

Recommended Findings:

1. Based on the level of design information submitted with this application, which shows no proposed impacts, the regulated environmental features (REF) on the subject property have been preserved and/or restored to the fullest extent possible

Recommended Conditions:

Prior to certification of the conceptual site plan, the NRI shall be revised to include a complete site statistics table which includes all required elements and associated quantities in conformance with the Environmental Technical Manual (ETM).

1. Prior to certificate approval of the Conceptual Site Plan, the TCP1 shall be revised as follows:
 - a. Add the correct TCP1 number to the woodland conservation worksheet and the TCP approval block.
 - b. Revise the legend to be consistent with the ETM standard symbols and labeling as needed. Forest Preservation shall be corrected to Woodland Conservation. The graphic line for the PMA shall be added to the legend.
 - c. Use the correct graphic line, as included in the revised legend, to identify the Primary Management Area (PMA) on the plan in accordance with the approved NRI.
 - d. Remove the disposition column from the Specimen Tree Table.
 - e. Add the following note under the Specimen Tree Table: "No Subtitle 25. Variance for the removal of specimen trees was approved with CSP-19004."
 - f. Label Melwood Road as a designated scenic road.
 - g. Delineate the location and width of buffering required by Section 4.6-2; Buffering Development from Special Roadways along frontage with Melwood Road so areas of existing trees for preservation can be identified.
 - h. Add a limit of disturbance to the plan.
 - i. Have the revised plan signed and dated by the qualified professional preparing the plan.

2. Prior to certification of the CSP, the CSP and TCP1 shall show an LOD that fully preserves all Regulated Environmental Features.

If you have any questions concerning these comments, please contact me at 301-952-3650 or by e-mail at kim.finch@ppd.mncppc.org.

March 19, 2020

MEMORANDUM

TO: Jeremy Hurlbutt, Master Planner, Urban Design Section, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division *DAG*

FROM: Andrew McCray, Senior Planner, Long-Range Planning Section, Community Planning Division

SUBJECT: **CSP-19004 The Enclave at Westphalia**

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 2 of the Zoning Ordinance, Master Plan conformance is required for this application.

BACKGROUND

Application Type: Conceptual Site Plan outside of an overlay zone.

Location: 4620 Melwood Road, Upper Marlboro, MD 20772

Size: 68.7 acres

Existing Uses: Vacant

Proposal: 475 single-family attached townhouse units

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in the Established Communities. The vision for the Established Communities is to create the most appropriate for context-sensitive infill and low- to medium-density development.

Master Plan: The 2007 Approved Westphalia Sector Plan and Sectional Map Amendment recommends residential, commercial and retail land uses on the subject property.

CSP-19004 Enclave at Westphalia

Planning Area: 78

Community: Westphalia & Vicinity

Aviation/MIOZ: This application is located within the Military Installation Overlay Zone:

Aviation/MIOZ: Pursuant to Section 27-548.54 of the Zoning Ordinance, Requirements for Height all structures shall meet the Maximum Height Requirement for properties located in Imaginary Surface E (Conical Surface) of the Military Installation Overlay Zone.

SMA/Zoning: The 2007 Approved Westphalia Sector Plan and Sectional Map Amendment reclassified the subject property from the Residential Agriculture (R-A) Zone to the Mixed-Use-Transportation (M-X-T) zone.

Additional Information: The applicant should change note 24 to reflect the correct Section 27-548.54 of the Zoning Ordinance.

CSP-19004 Enclave at Westphalia

c: Long-range Agenda Notebook

March 16, 2020

MEMORANDUM

TO: Jeremy Hurlbutt, Urban Design Review Section, Development Review Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM: *ZIB:gp*
Glen Burton, Transportation Planning Section, Countywide Planning Division

SUBJECT: CSP-19004: The Enclave at Westphalia

Proposal

The applicant is seeking a conceptual site plan (CSP) approval for the purpose of developing a residential development consisting of 475 townhomes.

Background

The 68-acre, M-X-T- Zoned property is in Westphalia, just west of the existing Marlboro Ridge development. The site has been the subject of three prior applications and approvals. Those approvals are:

- CSP-15003 - December 1, 2016 – PGCPB No. 16-142
- 4-16009 - December 1, 2016 – PGCPB No. 16-143
- DSP-16045 - April 6, 2017 – PPGCPB No. 17-61

All previous approvals supported the development of a 120-bed outpatient services facility. The site is proposed to be developed with 475 townhomes. While this site will need to go through the preliminary plan of subdivision (PPS) process, where transportation adequacy will be tested, because site is Zoned M-X-T as a result of a rezoning through a sectional map amend (Section 27-546 of the code), the applicant did provide staff with a Traffic Impact Study (TIS). The Transportation Planning Section will not establish a trip cap condition on this application but will do so for the PPS. Adequacy is fully tested and determined at time of PPS through the application of Section 24-124 of the Subdivision Regulations, and a trip cap for the site will be based on the PPS entitlement.

The subject property is located within Transportation Service Area (TSA) 2, as defined in the *Plan Prince George's 2035 Approved General Plan*. As such, the subject property is evaluated according to the following standards:

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

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

Analysis of Traffic Impacts

The application is a conceptual site plan for a residential development consisting of 475 townhomes. The traffic generated by the proposed preliminary plan would impact the following intersections, interchanges, and links in the transportation system:

- MD 4 at Westphalia Road/Old Marlboro Pike (signalized)
- Ritchie Marlboro Road at White House Road (signalized)
- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
- Ritchie Marlboro Road at North Riding Road (unsignalized)
- Ritchie Marlboro Road at Marlboro Ridge Road (signalized)

Existing Traffic:

The following critical intersections, interchanges and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/3387	F/3658
Ritchie Marlboro Road at White House Road (signalized)	B/1005	A/910
Ritchie Marlboro Road at Westphalia Road/Orion Drive *	66.6 seconds	100.9 seconds
Ritchie Marlboro Road at North Riding Road *	200+ seconds	80.1 seconds
Ritchie Marlboro Road at Marlboro Ridge Road *	C/1185	A/624
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Background Traffic:

Background traffic has been developed for the study area using 16 approved but unbuilt developments within the study area. The following intersections were analyzed based on planned improvements to be provided by some of those approved developments. Those improvements are as follows:

- Ritchie Marlboro Road at White House Road (signalized)
 Northbound Ritchie Marlboro Road is being restriped to provide two left turn lanes and one shared left/thru/right.
- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
 Westphalia Road will be realigned to form a four-way intersection with Orion Lane, which is currently offset by approximately 200 feet.

A 0.25 percent annual growth rate for a period of six years has been assumed for through movements along the primary routes. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/4040	F/4608
Ritchie Marlboro Road at White House Road (signalized)	B/1037	A/990
Ritchie Marlboro Road at Westphalia Road/Orion Drive * <i>Tier 3 - CLV Test</i>	172.1 seconds B/1141	126.5 seconds C/1230
Ritchie Marlboro Road at North Riding Road * <i>Tier 3 - CLV Test</i>	>200 seconds D/1435	>200 seconds A/781
Ritchie Marlboro Road at Marlboro Ridge Road *	D/1329	A/741
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

Total Traffic:

Trip generation rates and totals are based on applicable rates from the Prince George's County "Guidelines" as shown:

Trip Generation Summary						
Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Proposed 475 townhomes	67	266	333	247	133	380

Under total traffic, the following critical intersections identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines," including the site trip generation as described above, operate as follows:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 at Westphalia Road/Old Marlboro Pike (signalized)	F/4091	F/4708
Ritchie Marlboro Road at White House Road (signalized)	B/1086	B/1052
Ritchie Marlboro Road at Westphalia Road/Orion Drive * <i>Tier 3 - CLV Test</i>	>200 seconds C/1274	>200 seconds D/1399
Ritchie Marlboro Road at North Riding Road * <i>Tier 3 - CLV Test</i>	>200 seconds F/1662	>200 seconds B/1010
Ritchie Marlboro Road at Marlboro Ridge Road	D/1329	A/778
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

The results of the analyses show that the following intersections fail the Tier 3 - CLV Test:

- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
- Ritchie Marlboro Road at North Riding Road (unsignalized)

Both of those intersections will require the provisions of signal warrant studies as conditions of approval. Additionally, the TIS has indicated the link of P-615 between the proposed development and Ritchie Marlboro Road will operate adequately from the standpoint of congestion.

Master Plan and Site Access,

The property is in an area where the development policies are governed by the 2007 *Approved Westphalia Section Plan* and Sectional Map Amendment, as well as the 2009 *Approved Countywide Master Plan of Transportation*. The site will initially have access to P-615, an unbuilt, east-west master planned primary residential that will connect the existing Marlboro Ridge development to the east and the Westphalia Town Center to the west. P-615, will eventually connect to MC-632 and C-636 west of the site. As of this writing, no decision has been made regarding the timing of the opening of P-615 and other roads to the west of the proposed site. Consequently, the TIS assumed that the site will have two full movement access points that will carry all site traffic to Ritchie Marlboro Road, by way of N Riding Road and Marlboro Ridge Road. If at the time of permitting, P-615 is not open to traffic to the west of the site, then the residents whose properties front on Marlboro Ridge Ride could see an increase in daily traffic of approximately 3,800 trips. While this may not pose an issue from a capacity standpoint, many citizens may see this increase as a safety issue. This will need to be further evaluated at the time of the PPS process.

Westphalia Public Facilities Financing and Implementation Program (PFFIP)

One of the conclusions cited in the applicant's traffic study was the fact that with monetary contributions towards the construction of the planned interchange at the MD 4/Westphalia Road intersection, the development would meet the requirements for transportation adequacy, pursuant to Subtitle 24 of the County Code.

On October 26, 2010, the County Council approved CR-66-2010, establishing a Public Facilities and Financing Implementation Program (PFFIP) district for the financing and construction of the MD 4/Westphalia Road interchange. Pursuant to CR-66-2010 (Sections 6, 7 and 8) staff has prepared a cost allocation table (Table) that allocates the estimated \$79,990,000 cost of the interchange to all properties within the PFFIP district. CR-66-2010 also established \$79,990,000 as the maximum cost on which the allocation can be based. The allocation for each development is based on the proportion of average daily trips (ADT) contributed by each development passing through the intersection, to the total ADT contributed by all the developments in the district passing through the same intersection. The ratio between the two sets of ADT becomes the basis on which each development's share of the overall cost is computed.

Conclusion

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a conceptual site plan as described in the Zoning Ordinance if approved with the following conditions:

1. Prior to the issuance of any building permits within the subject property, unless modified at the time of PPS pursuant to Section 27-546(d)(9):
 - a. 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:
 - Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
 - Ritchie Marlboro Road at North Riding Road (unsignalized)

Conduct a traffic signal warrant study at the intersections above and install these signals if deemed to be warranted and approved by DPIE.
2. At the time of the preliminary plan of subdivision, the applicant's contribution to the PFFIP pursuant to CR-66-2010 will be determined.



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

March 10, 2020

TO: Jeremy Hurlbutt, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director
Site/Road Plan Review Division, DPIE

Re: The Enclave at Westphalia
Conceptual Site Plan No. CSP-19004

CR: Melwood Road
CR: Master Plan Road C-636
CR: Master Plan Road P-615

mg 3/11/2020

In response to the Conceptual Site Plan No. CSP-19004 referral for the development of 475 single-family attached townhouse units, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located on the east side of Melwood Road, approximately 3,900 feet north of Pennsylvania Avenue (MD 4) and Woodyard Road (MD 223).
- The existing/proposed roadway layouts are to be constructed in accordance with County Roadway Standards. These roadways are to be consistent with the approved Master Plan for this area.
- Master Plan Road C-636 has right-of-way width of 80 feet. Therefore, right-of-way dedication is required as per the Master Plan, which reflects a Collector Roadway Standard (STD 100.03).
- Melwood Road is a County-maintained roadway. Road right-of-way dedication is required to accommodate a 60-foot right-of-way. Road frontage improvements are required to improve this road to a primary residential standard.
- Reconstruction of the roadway is required for Melwood Road.

9400 Peppercorn Place, Suite 230, Largo, Maryland 20774
Phone: 301.636.2060 ♦ <http://dpie.mypgc.us> ♦ FAX: 301.925.8510

Jeremy Hurlbutt
March 10, 2020
Page 2

- As per the Traffic Impact Analysis (TIA) a traffic signal warrant study will be conducted, and traffic signals will be installed if deemed necessary on Ritchie Marlboro Road and Westphalia Road intersection.
- The existing approved signal plan at the intersection of Ritchie Marlboro Road and North Riding Road shall be redesigned to include a second eastbound left turn lane on North Riding Road and a second northbound receiving travel lane along the north leg of Ritchie Marlboro Road.
- The assumption made to restripe the existing northbound right turn lane of Ritchie Marlboro Road at White House Road intersection to shared left/thru/right turn lane in exhibit 4a of the TIA has not been approved by DPIE. Therefore, the developer shall revise the TIA considering the northbound right lane of Ritchie Marlboro Road as existing.
- A third northbound left turn lane shall be provided on Ritchie Marlboro Road and White House Road intersection while keeping the existing north bound right turn lane.
- The TIA shall be revised to include the traffic volume from the Greater Morning Star Apostolic Church and The Venue as background development.
- The access to the site should be constructed as a commercial driveway apron in accordance with the County Road Ordinance, the Department of Public Works and Transportation (DPW&T) Specifications and Standards and the Americans with Disabilities Act (ADA).
- All proposed intersections are required to allow as a minimum, turning movement for a standard WB-40 vehicle and a standard-length fire truck. This shall be demonstrated at the time of the fine grading permit.
- Label all internal streets as private.
- Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- Conformance with DPW&T street tree and street lighting standards is required.

Jeremy Hurlbutt
March 10, 2020
Page 3

- Street construction or fine grading permits are required for improvements within public roadway rights-of-way, and for the proposed private internal roadways. Maintenance of private streets is not the responsibility of DPW&T.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- The proposed Conceptual Site Plan is consistent with Site Development Concept Plan No. 59055-2019-0, which still is under review.
- All storm drainage systems and stormwater management facilities are to be in accordance with DPW&T's and the Maryland Department of Environmental (MDE) requirements.
- Stormwater management facilities to include recreation features and visual amenities are to be technically approved prior to permit issuance.
- A soils investigation report which includes subsurface exploration and geotechnical engineering evaluation for all proposed site development and buildings is required at the time of site development grading permits and building permits.

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.883.5710.

MA:SJ:csw

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
Selam Jena, Engineer, S/RPRD, DPIE
Soltez, 4300 Forbes Boulevard, Suite 230, Lanham, MD 20706
Braveheart, LLC, 7419 Baltimore-Annapolis Boulevard, Glen
Burnie, MD 21061

From: [Smith, Tyler](#)
To: [Hurlbutt, Jeremy](#); [PGCReferrals](#)
Cc: [Stabler, Jennifer](#); [Berger, Howard](#); [Dixon, June](#); [Hall, Ashley](#)
Subject: RE: RE-referral for CSP-19004, THE ENCLAVE at WESTPHALIA (PB) via DROPBOX {Due Date: 3/16/2020} !!
Date: Thursday, March 12, 2020 4:14:44 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Hi Jeremy,

The Re-referral for CSP-19004, The Enclave at Westphalia will not change the HPS' previous memo.

Thanks,
Tyler

From: Fairley, Lillian <Lillian.Fairley@ppd.mncppc.org>
Sent: Thursday, March 12, 2020 2:03 PM
To: ePlan <ePlan@ppd.mncppc.org>; Fields, Ernest <Ernest.Fields@ppd.mncppc.org>; Reiser, Megan <Megan.Reiser@ppd.mncppc.org>; Masog, Tom <Tom.Masog@ppd.mncppc.org>; Barnett-Woods, Bryan <bryan.barnett-woods@ppd.mncppc.org>; Dixon, June <june.dixon@ppd.mncppc.org>; Chaconas, Sheila <Sheila.Chaconas@ppd.mncppc.org>; Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Hall, Ashley <Ashley.Hall@ppd.mncppc.org>; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; Berger, Howard <Howard.Berger@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Green, David A <davida.green@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>
Cc: Kosack, Jill <Jill.Kosack@ppd.mncppc.org>; Summerlin, Cheryl <Cheryl.Summerlin@ppd.mncppc.org>; Grigsby, Martin <Martin.Grigsby@ppd.mncppc.org>; Graham, Audrey <Audrey.Graham@ppd.mncppc.org>; Walker, Tineya <tineya.walker@ppd.mncppc.org>; Davis, Lisa <Lisa.Davis@ppd.mncppc.org>; Lee, Randar <Randar.Lee@ppd.mncppc.org>; Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>
Subject: RE: RE-referral for CSP-19004, THE ENCLAVE at WESTPHALIA (PB) via DROPBOX {Due Date: 3/16/2020} !!

Here is the link to review the case (labeled 3-10-20 SDRC):

<https://www.dropbox.com/sh/xixf2y4tuz82ltk/AAA0ixgAFGkrNIWGilquEObxa?dl=0>

From: Fairley, Lillian
Sent: Thursday, March 12, 2020 1:53 PM
To: ePlan <ePlan@ppd.mncppc.org>; Fields, Ernest <Ernest.Fields@ppd.mncppc.org>; Reiser, Megan <Megan.Reiser@ppd.mncppc.org>; Masog, Tom <Tom.Masog@ppd.mncppc.org>; Barnett-Woods, Bryan <bryan.barnett-woods@ppd.mncppc.org>; Dixon, June <june.dixon@ppd.mncppc.org>; Chaconas, Sheila <Sheila.Chaconas@ppd.mncppc.org>; Smith, Tyler

<Tyler.Smith@ppd.mncppc.org>; Hall, Ashley <Ashley.Hall@ppd.mncppc.org>; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; Berger, Howard <Howard.Berger@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Green, David A <davida.green@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>

Cc: Kosack, Jill <Jill.Kosack@ppd.mncppc.org>; Summerlin, Cheryl <Cheryl.Summerlin@ppd.mncppc.org>; Grigsby, Martin <Martin.Grigsby@ppd.mncppc.org>; Graham, Audrey <Audrey.Graham@ppd.mncppc.org>; Walker, Tineya <tineya.walker@ppd.mncppc.org>; Davis, Lisa <Lisa.Davis@ppd.mncppc.org>; Lee, Randar <Randar.Lee@ppd.mncppc.org>; Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>

Subject: RE-referral for CSP-19004, THE ENCLAVE at WESTPHALIA (PB) via DROPBOX {Due Date: 3/16/2020} !!

All,

This is an EPlan **RE-REFERRAL** for the subject case addressing the March 6,, 2020 SDRC comments.

The due date for this re-referral is Monday, March 16, 2020.

Please submit ALL comments to Jeremy Hurlbutt (email attached). This case was officially accepted on 2/12/2020.

Click on the Dropbox link to view the case (labeled 3-10-20 SDRC).

Lillian L. Fairley

Senior Planning Technician | Development Review Division



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

301-952-3296 | Lillian.Fairley@ppd.mncppc.org



Additional Back-up

For

CSP-19004

Enclave At Westphalia

APPLICANT'S PROPOSED REVISIONS TO CONDITIONS
ENCLAVE AT WESTPHALIA; CONCEPTUAL SITE PLAN CSP-19004
APRIL 16, 2020

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Conceptual Site Plan CSP-19004 and Type 1 Tree Conservation Plan TCP1-006-2016-02 for The Enclave at Westphalia, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made to the plans and additional specified material be submitted:
 - a. Revise the natural resources inventory to include a complete site statistics table, which includes all required elements and associated quantities in conformance with the Environmental Technical Manual.
 - b. Show the limits of disturbance on the CSP and Type 1 tree conservation plan that fully preserves all regulated environmental features , **subject to modification at the time of preliminary plan of subdivision or detailed site plan.**
2. Prior to certificate approval of the conceptual site plan, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. Add the correct TCP1 number to the Woodland Conservation Worksheet and the TCP approval block.
 - b. Revise the legend to be consistent with the Environmental Technical Manual standard symbols and labeling, as needed. Forest Preservation shall be corrected to Woodland Conservation. The graphic line for the primary management area shall be added to the legend.
 - c. Use the correct graphic line, as included in the revised legend, to identify the primary management area on the plan, in accordance with the approved natural resources inventory.
 - d. Remove the disposition column from the Specimen Tree Table.
 - e. Add the following note under the Specimen Tree Table: "No Subtitle 25 Variance for the removal of specimen trees was approved with CSP-19004."
 - f. Label Melwood Road as a designated scenic road.
 - g. Delineate the location and width of buffering required by Section 4.6-2, Buffering Development from Special Roadways, of the 2010 Prince George's County

Landscape Manual, along the frontage with Melwood Road so areas of existing trees for preservation can be identified.

- h. Add a limit of disturbance to the plan.
 - i. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. Prior to issuance of any building permits within the subject property, unless modified at the time of preliminary plan of subdivision pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance, 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:
- Ritchie Marlboro Road at Westphalia Road/Orion Drive (proposed to be signalized)
 - Ritchie Marlboro Road at North Riding Road (unsignalized)

Conduct a traffic signal warrant study at the intersections above, and install these signals if deemed to be warranted and approved by the Prince George's County Department of Permitting, Inspections and Enforcement.

Prince George's County
Planning Board
Ms. Hewlett, Chairwoman

Post-hearing commentary
RE: DSP-19009, Westphalia East
Hearing held: 4-2-20

From: Cathleen G. Hook, Secretary
Melwood Road Civic Association

6 April 2020

Dear Ms. Hewlett, and Members of the Board,

Pursuant to the hearing, held on 4-2-20, I feel it is important to submit the following response and commentary:

First, if the Board-members had read my statement prior to the hearing, it would have obviated Ms. Camp's deliberate mis-characterization of our concerns as some petty squabble over the dimensions of the Buffer. My statement makes no reference to anything 200 feet, and it does not challenge either the language, or the provisions, of the Buffer Agreement. The language, is that, "A treed buffer shall be maintained around the Twin Knolls Subdivision..." No reasonable person would presume, without stipulation, that this means all the trees will be cut down and replaced, later.

The primary, and most crucial concern, is about the stream, itself, which has been severely damaged. We have been given no explanation for the degradation and removal of environmental protections that existed prior to this development. We are extremely disappointed that the Planning Board has elected not to address these concerns.

The Melwood Road Civic Association was formed shortly after the Smith Home Farm Project was introduced to the community by Daniel Colton, approximately 20 years ago. I am an original member of the MRCA, and have been a member throughout it's existence.

Mr. Granzow is not a resident of this community. Mr. Granzow runs his landscaping business, Blythewood Landscape Management, from the Smith Farm. Mr. Granzow has ingratiated himself with this community by aggressively tackling the issue of illegal dumping along Melwood Road. Aside from the nearby development, illegal dumping is one of the biggest concerns of this community, and a problem that is extremely difficult to address. Everyone, including myself, has been very grateful for his efforts.

Early last year, our President called a meeting of our Association to announce her departure and elect new Officers.

Mr. Granzow represented his connections to the Smith Farm as the product of a lifelong friendship between his family, and the Smith's. He said that the Smith family had given him permission to run his business from the farm years earlier, and that, when the farm was sold, the new owners had extended that permission, as it was in everyone's interest to maintain an ongoing, physical presence, rather than leaving the property abandoned. He represented that he had no formal connections with the developers. He offered a central meeting location at the farm, and the services of his staff to maintain the day-to-day functioning of our Association, which was, obviously, appealing to many members. He acknowledged to the membership, that he was not a resident of the local community, but, by virtue of his business, his interests were

closely aligned with ours, and, if elected, he would be willing to take the position. He was subsequently elected, President.

I, personally, had some reservations about this, but also recognized the advantages of his offer, and decided that I might best serve the interests of our community by seeking one of the other official positions, and, at the same meeting, was elected, Secretary.

I made every effort to coordinate and work harmoniously with Mr. Granzow at first. But, it soon became clear that his connections with the developers were far more extensive than he had implied. This was made abundantly clear at last Thursday's hearing, by Ms. Camp's almost instantaneous ability to obtain a written statement of "No position" from Mr. Granzow, and her assertion that she has had a very positive, and ongoing relationship with Mr. Granzow, as the President of our Association, despite the fact that he has not relayed any of his communications with Ms. Camp to the members, either by meeting, or correspondence.

The few meetings that we have held at the farm, include a presentation made by the Walton Group prior to last year's hearings on the "Snapper" Project, a presentation made by the developers of "The Enclave At Westphalia", and, on February, 26th of this year, what was supposed to be a presentation by the developers of Westphalia East, at 6:00pm. I arrived a few minutes early for that meeting, and as the minutes passed, Mr. Granzow became more and more agitated in expressing his disappointment, and indeed, his "embarrassment!", that the developer had "gone out of their way to come and make this special presentation to our group, and no one was showing up".

As many of you could surely tell, I was extremely reluctant to be drawn into an undignified airing of the issues facing our Civic Association during the public hearing of a matter that held such importance to us. I am not seeking controversy. I'm just an ordinary citizen, with an environmental conscience, doing the best I can to take care of our home and property, and to give voice to the mutual concerns of our community.

I reviewed my "Statement for the Record", with several of my neighbors, including other residents of the Twin Knolls Subdivision, and had their concurrence and support before I submitted it. I stand by every word of it.

Respectfully,

Cathleen G. Hook, Secretary
Melwood Road Civic Association

