

A M E N D E D R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on October 24, 2013 regarding Conceptual Site Plan CSP-11003 for Cambridge Place at Westphalia, and,

*WHEREAS, in consideration of amending Conceptual Site Plan CSP-11003 for Cambridge at Westphalia, in accordance with Section 27-282(g) of the Zoning Ordinance, presented at a public hearing on May 7, 2020, the Planning Board finds:

- Request:** The subject application is for approval of a conceptual site plan for ~~*[325 multifamily units, 175,200]~~ approximately 38,400 square feet of ~~*[industrial uses]~~ office space, and ~~*[68,221]~~ 324,480 square feet of ~~*[commercial uses]~~ warehouse space in the M-X-T (Mixed Use-Transportation Oriented) Zone.
- Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T/ <u>*M-I-O</u>	M-X-T/ <u>*M-I-O</u>
Use(s)	Vacant Industrial/Office Building	*[Residential, Industrial, and Retail] <u>Warehouse/Office</u>
Acreage	68.91	68.91
Gross Floor Area (sq. ft.)	142,500	*[Industrial 116,800—165,200] <u>Industrial/Warehouse 324,480</u>
		*[Retail 45,480—68,221] <u>Office 38,400</u>
*Number of Unit(s)	-	*[Up to 325 Multifamily Units]
*TOTAL	*<u>142,500 sq. ft.</u>	*<u>362,880 sq. ft.</u>

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

Base Density: 0.4 FAR
*[Total FAR Permitted: 1.4 FAR (including 1.0 residential bonus)]
Total FAR Proposed: *[0.2—0.3] 0.14 FAR

3. **Location:** The subject property is located on the south side of Westphalia Road, approximately one-half mile east of its intersection with Pennsylvania Avenue (MD 4) in Planning Area 78, Council District 6, and within the Developing Tier.
4. **Surrounding Uses:** The site is bounded to the north by Westphalia Road. Further north of Westphalia Road is M-NCPPC-owned property located in the Rural Residential (R-R) Zone, and residential development in the Multifamily Medium Density Residential (R-18) and R-R Zones. West and south of the subject property is Light Industrial (I-1)-zoned development. The subject property is bounded to the east by the single-family detached development, known as the Smith Home Farm in the Residential Medium Development (R-M) Zone.
5. **Previous Approvals:** The subject property is Parcel C of the Penn-East Park subdivision. The site is developed with an existing 142,500-square-foot office and industrial building that was constructed in 1983. The building was designed for the repair of turbine engines used at power plants then owned by PEPCO. The subject site was rezoned from the Light Industrial (I-1) Zone to the M-X-T Zone through the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, which was approved by the District Council on February 6, 2007.
6. **Design Features:** The subject property is 68.91 acres in size. The applicant proposes a ~~*[mixed use development project consisting of residential and industrial uses, and possible commercial uses in the future]~~ a 362,880 square foot building, which will include 38,400 square feet of office space and 324,480 square feet of warehouse space. The conceptual site plan submitted by the applicant shows that the development is proposed to occur on ~~*[three]~~ two of ~~[five]~~ four conceptually proposed parcels. Primary access into the proposed development is to occur from Westphalia Road ~~*[where two points of access are indicated. One existing entrance provides access to the existing 142,500-square-foot office and industrial building located in the rear of the subject site. The second access point is proposed to the east of the existing access to serve the proposed multifamily development].~~ At the time of preliminary plan of subdivision staff and the applicant shall evaluate the feasibility of providing an access point that aligns with the existing Chester Grove Road located in the north side of Westphalia Road to provide a standard four-legged intersection.

The alignment for master-planned roadway MC-634, designated as a major collector with a 120-foot-wide right-of-way, is found to occur on the subject property passing south of the

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

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

~~*[South of the proposed multifamily development is the]~~ The site is developed with an existing 142,500-square-foot office and industrial building ~~*constructed in 1983,~~ with a large surface parking lot. While most industrial uses are excluded from the table of permitted uses for mixed-use zones contained in the Zoning Ordinance, ~~*[CB-67-2013 was written to amend the table of uses and permits light industrial uses on the subject site until July 1, 2014.]~~ Prince George's County Council Bill CB-10-2019, effective on August 5, 2019, permits any use allowed in the I-1 Zone, excluding those permitted by special exception, to also be permitted in the M-X-T Zone under specific circumstances. The conceptual site plan ~~*[indicates a reuse of the existing building with permitted uses in the M-X-T zone, which may include uses]~~ proposes to redevelop the site with a warehouse and office use, which are permitted uses in the I-1 Zone. A continuation of industrial uses on the subject site was anticipated with the approval of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The land use maps contained in the Sector Plan (p. 19) show industrial and low-density residential uses on the subject site.

The Sector Plan recommends a Neighborhood Center south of Poplar Drive and its intersection with Westphalia Road (identical to the intersection of MC-634 and Westphalia Road), which is to occur approximately 350 feet west of the subject property. Neighborhood Centers are designated commercial activity centers within the Sector Plan that serve communities outside of the Westphalia Town Center. The CSP proposes an area for future commercial uses west of the intersection of Westphalia Road and the western access to the subject site. The area proposed for future commercial uses on the subject site is somewhat narrow and long. It is unlikely that this area could be developed independently for commercial development due to this property's characteristics. This land area would, most likely, need to be combined with other properties to the west, which are outside of the CSP boundary and under different ownership, if commercial development is to be implemented as envisioned. Of additional consideration is that the properties

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located south of Poplar Drive and its intersection with Westphalia Road are zoned I-1. Providing a mix of commercial uses in the location may be challenging without rezoning.

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

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

7. **The requirements of the Zoning Ordinance:** The Planning Board finds that the subject conceptual site plan (CSP) complies with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-547, Uses Permitted, of the Zoning Ordinance. The proposed uses in this application are permitted uses in the M-X-T Zone. ~~*[Pursuant to CB 67-2013, uses permitted in the I-1 Zone are also permitted on the subject site until July 1, 2014.]~~ Pursuant to Section 27-547(b), the proposed industrial warehouse and office uses are permitted, subject to Footnote 10 under the following use description:

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

*Footnote 10 contains two provisions:

***(A) The property was rezoned from the I-1 Zone to the M-X-T Zone through a Sectional Map Amendment approved after January 1, 2007; and**

***(B) All or part of the property is located within an airport noise zone subject to noise measuring a minimum of 70 dBA pursuant to an approved M-I-O (Military Installation Overlay) Zone.**

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

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

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

The M-X-T Zone generally requires a mix of uses on the conceptual site plan. Section 27-547(e) applies to the subject site as the site was placed in the M-X-T Zone pursuant to the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, for which a comprehensive land use planning study was conducted by Technical Staff prior to the plan's initiation. ~~*[The submitted conceptual plan indicates three of the above use categories can be provided: including retail, office and industrial, and residential uses.]~~ The approved CSP, as amended, indicates one of the above use categories (industrial and office), as allowed. The sector plan recommends a variety of residential, commercial, and employment land uses on the subject property. However, the adoption of Footnote 10 changed the land use recommendation for this specific property.

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

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

- (1) The proposed floor area ratio (FAR) is provided on the site plan. ~~*[The subject application uses the optional method of development contained in Section 27-545. A bonus of 1.0 FAR is permitted because residential development is proposed.]~~ The overall FAR for the site is ~~*[0.3]~~ 0.14, which is much smaller than the maximum FAR of ~~*[1.4]~~ 0.4 that is allowed. The allowable FAR of ~~*[1.4]~~ 0.4 shall be indicated on the CSP.
- (2) Developments in the M-X-T Zone are required to have vehicular access to a public street in accordance with Section-548(g) noted below.

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

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

c. As approved with conditions, the CSP is in conformance with the applicable conceptual site plan site design guidelines contained in Section 27-274 as follows:

- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. The subject CSP is in general conformance with this requirement. At the time of detailed site plan, the ~~*[multifamily]~~ development of the site shall demonstrate adequate screening of all surface parking lots that are adjacent to Westphalia Road.

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- (2) In accordance with Section 27-274(a)(2)(B), loading areas shall be visually unobtrusive. Loading areas are not indicated on the CSP. At time of DSP attention shall be paid to the design of loading areas so they are visually unobtrusive as viewed from public spaces and the public rights-of-way.
- (3) In accordance with Section 27-274(a)(6)(i), Site and streetscape amenities, the coordination of the design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture will be required. Comprehensive review of streetscape amenities will occur at the time of detailed site plan.

~~*[(4) A public space system shall be provided to enhance the multifamily development, in accordance with Section 27-274(a)(9), Public Spaces. The multifamily development shall also include public spaces for the benefit of future residents that contain sitting areas and objectively attractive site and landscape features. These public spaces shall incorporate high quality amenities and be integrated into the site design by a well designed pedestrian system. An attractive mix of public spaces that include focal points, seating areas, specialty landscaping, and specialty paving materials shall be demonstrated at time of detailed site plan for the multifamily development.~~

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

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

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

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

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

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

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

The site was placed in the M-X-T Zone to implement the mixed-use recommendations of the Westphalia sector plan. Specifically, the proposal will implement the ~~*[industrial and residential land use concept for the subject site contained in the Westphalia Sector Plan, and provide opportunity for commercial development in the future.]~~ industrial warehouse use which is defined as a permitted use, pursuant to Section 27-547(b), Footnote 10 which permits any use allowed in the I-1 Zone, excluding those permitted by special exception, to also be permitted in the M-X-T Zone under specific circumstances.

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

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

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

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

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

The subject site is currently a dual use site, as there is an existing office and light-industrial space within the building. ~~*[By providing residential uses during the first phase of the project, the proposal encourages a more twenty-four hour environment.]~~ The proposed development continues the existing mix of uses, and will integrate with the existing adjacent residential and industrial uses to encourage a more twenty-four hour environment.

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

Pursuant to Section 27-547(b) ~~*[CB-67-2013]~~, uses permitted in the I-1 Zone are permitted on the subject site* ~~[until July 1, 2014]~~. The applicant shall consider future tenants for the ~~*[existing industrial building]~~ remaining parcels that blend together harmoniously with the proposed ~~*[multifamily residential development]~~ warehouse/office use, and adjacent residential and industrial uses.

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

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

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

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

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

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

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

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

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

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

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The subject property was placed in the M-X-T Zone by the Westphalia Sector Plan approved after October 1, 2006. The CSP conforms to the standards intended to implement the development concept contained in the Sector Plan. A more detailed review for conformance to the design guidelines contained in the Sector Plan will occur at time of detailed site plan.

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

The conceptual site layout has been designed to have an outward orientation that fronts Westphalia Road. If constructed with a high design standard, the project may serve as a catalyst to future community improvements and development within the Westphalia planning area.

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

The subject site is bordered to the west by existing industrial uses and to the east by residential uses. ~~*[The subject site will create a transition from industrial uses to residential uses along Westphalia Road.]~~ The subject site incorporates bufferyards that will contribute to a transition from industrial uses to residential uses to the east and north. The proposal is compatible with existing and proposed development in the vicinity.

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

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

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

The development will ~~*not~~ be phased. ~~[An industrial and office building currently exists. During phase 1 of the construction, the applicant proposes to develop the multifamily residential portion of the site. Retail uses may be developed in the future with the~~

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~~redevelopment of the I-1-zoned properties west of the subject site. Each phase is designed as a self-sufficient entity, while allowing for integration of subsequent phases.]~~

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

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

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

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

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

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

*A traffic impact analysis (TIA), dated October 10, 2019, demonstrates adequacy of public roadways. The memorandum documents that a detailed scoping agreement was reached with M-NCPPC Transportation Planning Section staff, fully in accordance with

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the “Guidelines for the Analysis of the Traffic Impact of Development Proposals,” and demonstrate that this project will satisfy the adequate public facility requirements of Prince George’s County.

The subject property was re-zoned to the M-X-T Zone as part of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* planning process. Consequently, a traffic study is required for this conceptual site plan application. The traffic study has been evaluated and the Planning Board has determined that signal warrant studies shall be completed for the unsignalized intersections of Westphalia Road and D’Arcy Road, Westphalia Road and the west site access, and Westphalia Road and the east site access.

~~*[The applicant shall provide improvements to these unsignalized intersections as determined by the signal warrant studies and the appropriate operating agency. Additionally, the applicant proposes to contribute financially to the construction of an interchange at the intersection of MD 4 and Westphalia Road, in accordance with the provisions of CB-66-2010. The pro rata share will be determined at the time of the preliminary plan of subdivision.]~~

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

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

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

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

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

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

** unsignalized intersections are marked with an asterisk*

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

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

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

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

Policy 5—Residential Areas

- **Design new low- to medium-density residential neighborhoods that are varied in housing styles and architecture and promote best practices for residential design:**
 - **Feature the same quality design and treatments on the exposed façades as on the front façade of highly visible residences on corner lots and elsewhere.**
 - **Create varied architecture and avoid flat façades by using bays, balconies, porches, stoops, and other projecting elements.**

The subject application *[shows a conceptual layout for a new medium-density residential neighborhood. Multifamily units are proposed in 13 three- and three and one-half story multifamily buildings with garages integrated into the ground level of each building. Three building templates appear to be provided on the CSP: one 13-unit building, six 22-unit buildings, and six 26-unit buildings. At time of detailed site plan a variety in building styles and architecture shall be demonstrated. Flat façades shall be avoided by using bays, balconies, and other projecting elements.] does not include residential uses.

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

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

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

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

The Westphalia Sector Plan identifies the construction of an elementary school (co-located with an existing neighborhood park) across the street from the subject property. A safe pedestrian connection to amenities located across Westphalia Road shall be provided. The use of specialty paving and pavement markings to define neighborhood entrances, intersections, and pedestrian crossings is recommended, and shall be reviewed at time of detailed site plan.

Policy 6—Industrial Areas

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

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

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

~~*[The conceptual site plan also proposes buffering between the existing industrial building and the proposed multifamily development.]~~ No residential uses are proposed with this application; however, the appropriate buffering treatment for this area will be evaluated at time of DSP.

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

The conceptual site plan complies with this strategy.

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

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

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

~~*[While pursuant to CB 67-2013]~~ Pursuant to Section 27-547(b), Footnote 10, uses permitted in the I-1 Zone are permitted on the subject site. ~~*[until July 1, 2014,]~~ The Planning Board encourages the applicant to consider future ~~*[tenants for the existing industrial building]~~ development of the remaining parcels that blends together harmoniously with ~~*the~~ proposed ~~*[multifamily residential]~~ warehouse/office development ~~[The Planning Board would strongly support an adaptive reuse of the existing industrial building that]~~ and promotes the purposes of the M-X-T Zone, such as integration of office, research, institutional, residential, and/or commercial uses.

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

*[a. **Section 4.1—Residential Requirements,** requires that multifamily dwellings located in the Developing Tier include a minimum of one major shade tree per 1,600 square feet or fraction of green area provided.]

*[b.] a. **Section 4.2—**For nonresidential uses in any zone and for all parking lots, Landscape Strips along Streets require the planting of shade trees and shrubs on the property abutting all public and private streets. For properties with frontage on a special roadway, such as a scenic or historic roadway, the requirements of Section 4.6(c)(2), Buffering Development from Special Roadways, supersede the requirements of this section. The

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requirements of Section 4.2 do not apply to Westphalia Road, which is a historic road, but they do apply to master planned roadway, MC-634, which is proposed through the subject property.

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

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

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

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

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

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

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

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

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

- a. **Type 1 Tree Conservation Plan TCP1-011-12**—~~*[The TCP1 as submitted shows multifamily dwelling units along the northern portion of the site. The CSP provides a detailed layout for the multifamily portion of the site only. The remainder of the site, located outside of the regulated environmental features has been labeled as "existing industrial use." The plans show the master planned right of way for road MC 634.]~~

~~*[Because the current application has proposed new construction in the area of the multifamily portion of the site only, the TCP1 shall reflect the limits of disturbance associated with the multifamily development envelope.]~~The tree conservation plan (TCP1-011-12) has been reviewed and technical revisions are required in order to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance. The Woodland Conservation Threshold (WCT) for this 68.94-acre property is 15 percent of the net tract area or 9.84 acres. The total woodland conservation requirement based on the amount of clearing shown on the plan is 16.74 acres. The woodland conservation

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requirement is proposed to be satisfied with a combination of preservation, reforestation, and off-site mitigation. However, the required revisions to the plan and the worksheet may affect the amount of the woodland conservation requirement on the site.

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

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

The plans do not show any proposed development or grading on the southern portion of the site at this time. ~~*[Because the current application is for the establishment of the multifamily portion of the site only, the TCP1 must reflect the limits of disturbance associated with the multifamily development.]~~ All of the specimen trees are located on the southern portion of the site. No specimen trees will be affected by the ~~*[multifamily]~~ development envelope proposed on the ~~*[northern portion of the]~~ site.

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

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

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

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

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

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

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

- (3) This application is within the Joint Base Andrews Interim Land Use Control (ILUC) impact area. The property is primarily within Imaginary Surface D (Inner Horizontal Surface) establishing a height limit of 150 feet above the runway surface. A small sliver of the property is within Imaginary Surface G (Transitional Surface), and an even smaller sliver is in Imaginary Surface E, (Conical Surface) although no development is proposed within these areas. The

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property is located within multiple noise contours. The northern portion of the property is within the 65 dBA noise contour, while the remaining portions are in the 70 dBA, 75 dBA, and 80 dBA noise contours respectively. The property is not within an Accident Potential Zone. These categories need to be noted on the Conceptual Site Plan. Noise attenuation will be required in conformance with CB-3-2012. Noise contours and Imaginary Surface boundaries shall be shown on all plans.

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

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

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

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

The traffic study identified 32 background developments whose impact would affect some or all of the intersections in the study. A second analysis was done to evaluate the impact of the background developments. By definition, a background analysis evaluates traffic by combining existing traffic with

projected traffic from approved developments. The analysis revealed the following results:

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

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

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

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

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

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

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

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The subject application indicates proposed “Bike and Pedestrian Pathway” locations along C-626 and MC-634, that are consistent with the Westphalia Sector Plan and the MPOT. The pathway locations indicated on the subject CSP appear to be adequate and are within the proposed ROW of C-626 and MC-634. Specific sidewalk locations, widths, and other details on all roads will be reviewed in subsequent preliminary and detailed site plans review.

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

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

- (3) **Westphalia Road:** Westphalia Road was designated as an historic road in the Approved Countywide Master Plan of Transportation (November 2009), and has the functional classification of collector road. The Master Plan of Transportation includes a section on Special Roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway:

“Policy 2:

Conserve and enhance the viewsheds along designated roadways.

“STRATEGIES:

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

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

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

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

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

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

strategies shall be incorporated into the stormwater management design to the fullest extent possible.

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

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

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

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

- (1) The property is known as Parcel C, located on Tax Map 90 in Grid C-1, in the M-X-T Zone, and has 68.94 acres. Parcel C is currently developed with a 116,800-square-foot industrial/office building. The applicant has submitted a conceptual site plan, CSP-11003, for ~~*[a mixed-used development of retaining the existing industrial/office building and adding 300-325 multifamily dwelling units onto the subject site.]~~ development of a 362,880-square-foot warehouse/office building.

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- (2) Parcel C was recorded in Plat Book VJ 191-23 on December 15, 2000. The record plat has eight notes and the following notes (in bold) are pertinent to the review of this application:

1. Approval of this plat is predicated upon public water and sewer being available prior to construction (Parcel "C").

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

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

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

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

Based on PGAtlas, the existing industrial/office building was constructed prior to the recording of the plat in 2000. Therefore Note 3 indicates that an additional development over 5,000 square feet on Parcel C will require a new preliminary plan. The CSP proposes ~~*[to retain the existing office building and add 300-325 multifamily units onto Parcel C]~~ a 362,880-square-foot warehouse/office building that will require a new preliminary plan pursuant to Section 24-107 and 24-111 of the Subdivision Regulations for the development of more than 5,000 square feet. The applicant has filed a preliminary plan, 4-11012, which has not yet been accepted.

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

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

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- f. **Historic Preservation**—The subject application will have no effect on identified Historic Sites, Resources, or Districts.
- g. **Department of Parks and Recreation (DPR)**—In a memorandum dated October 8, 2013, DPR provided comment on the subject application. The review considered the recommendations of the *Approved Prince George's County General Plan, Approved Westphalia Sector Plan and Sectional Map Amendment* for Planning Area 78, The Land Preservation and Recreational Program for Prince George's County, current zoning and subdivision regulations and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation facilities.

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

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

The Planning Board adopts the following findings:

- (1) The Sector Plan introduced the concept of a "Central Park", a single major recreational complex to serve the entire Westphalia Area. The Westphalia Central Park will be located half of mile southeast from the southern boundary of this project. The central park will be accessible to the residents of this community through a system of roads and pedestrian and hiker/biker trails. A large urban park will serve as a unifying community destination and amenity for the entire Westphalia Sector Plan area. The Sector Plan recommends developing the central park with the following recreational amenities: a recreational lake or other water feature, active and passive recreational facilities, lawn areas and bandstands suitable for public events, a trail system, group picnic areas, and tennis facilities.
- (2) At time of preliminary plan of subdivision, conformance with the Subdivision Ordinance, Section-24-134, Mandatory Dedication of Parkland, will be required. The conceptual site plan application has been evaluated for conformance with the subdivision ordinance to determine the possible impact of the mandatory dedication requirement on the subject conceptual site plan. The statutory requirements of Subdivision Section 24-134 require that the applicant provide mandatory dedication of approximately 3 acres of land suitable for active

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recreation based on the density and acreage of this parcel. In the future, additional mandatory dedication of parkland will be required for the remaining property (Parcel 2) when this portion of the property will be developed with a mixed use of residential and commercial development. The applicant is not showing any future parkland dedication areas. Parkland dedication is not currently requested.

- (3) This property is located directly across the road from a 16.7 acre Westphalia Neighborhood Park/School Site. The current park facilities include a softball field, tennis court, half basketball court, playground and fitness cluster. In the spring of 2014, DPR plans construction of a Community Center and additional recreational facilities in the park. It is anticipated that an elementary school will be constructed on this park/school site in the future. ~~*[The residents of this development will be able to walk to this park.]~~ A safe pedestrian crossing should be provided across Westphalia road at this project area, as feasible.

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

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

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

Another concern from a retail perspective is projects that are currently in the pipeline and will provide additional retail space in the area. An example would be the Westphalia Town Center Project where the current owner intends to begin the project by developing the retail space (approximately 500,000 sq. ft.) at intersection of Woodyard Road and

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Route 4. With this amount of additional retail in the trade area, it is doubtful that additional retail is needed or supportable in the near term.

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

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

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

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

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

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

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

Due to the relatively uncertain nature of the MD 4 & Westphalia Road Interchange project, SHA does not support the general contribution of money in-lieu of the developer providing specific, implementable improvements to mitigate the impacts of this development. The TIS should suggest specific improvements to be funded by the Cambridge at Westphalia development in order to mitigate the development's impacts.

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

- k. **Prince George's County Health Department**—In a memorandum dated October 26, 2012, the Health Department stated that the Environmental Engineering Program of the Prince George's County Health Department had completed a health impact assessment review of the conceptual site plan submission for Cambridge place at Westphalia and had the following recommendations:
 - (1) Future plans should indicate that all exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.
 - (2) As a water conservation measure, the developer should consider design for and implementation of water reuse practices for the proposed buildings and landscaping on the site.
 - (3) Future plans should include details indicating how development of the site will provide for safe and easy onsite pedestrian circulation, and safe and easy pedestrian access to amenities within the community and to amenities in adjacent communities.
 - (4) Future plans should indicate the location of and details regarding active recreational facilities within 0.25 mile of the proposed residence and offices.

- (5) The developer should identify and actively engage project stakeholders during the development review process.

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

- l. **Prince George's County Police Department**—In a memorandum dated May 21, 2013, the Prince George's County Police Department indicated that there are no concerns at this time related to Crime Prevention through Environmental Design (CPTED).
- m. **Fire**—The Prince George's County Fire/EMS Department reviewed the proposal and provided standard comments on May 20, 2013. Most notably, every building should be located within 500 feet of a fire hydrant.
- n. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated October 26, 2012, WSSC provided an evaluation of the subject CSP, which includes the following comments:
- (1) Show existing well and septic for the existing facility.
 - (2) Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.
 - (3) Add the proposed pipeline alignment(s) with water house connection(s) to the plan.
 - (4) Additionally, if easements are required, their limits and locations must be shown. WSSC facilities/structures cannot be located within a public utility easement (PUE); however, WSSC pipelines may cross over a PUE.

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

- o. **Westphalia Sector Development Review Council**—Plan information was referred to the Westphalia Sector Development Review Council for review and comment. The review council verbally lent its support to the project on October 18, 2013.
13. As required by Section 27-276(b)(1) of the Zoning Ordinance, the Planning Board finds that the CSP will represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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

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

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

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

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

Impact 2 is a proposed impact of 1,652 square feet (0.04 acres) of PMA comprised of wetland and wetland buffer for the installation of a stormwater outfall. The outfall is necessary for the safe conveyance of stormwater as needed for reasonable use and orderly and efficient development of

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the subject property and as regulated by County Code for protection of public health, safety, or welfare. The Planning Board approves Impact 2 for the stormwater outfall, because the outfall is necessary infrastructure for the development.

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type 1 Tree Conservation Plan (TCPI-011-12), and further APPROVED Conceptual Site Plan CSP-11003 for the above-described land, subject to the following conditions:

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

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

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

*[e] a. The plan shall note the property's position relative to the Joint Base Andrews Interim Land Use Controls (ILUC) Study area. The ILUC Imaginary Surface boundaries and height and development limits associated with those boundaries shall be shown on the plan.

*[d. ~~Label the location of additional public spaces for use by the residents, with the location and number to be further developed at time of detailed site plan.~~]

2. Prior to certification of the conceptual site plan (CSP), Type 1 Tree Conservation Plan TCP1-011-12 shall be revised as follows:

*[a. ~~Revise the limits of disturbance (LOD) to reflect the disturbance necessary for the multifamily development only.~~]

*[b] a. Provide labels for Joint Base Andrews noise contours on the cover sheet and add the noise contour symbol to the legend.

*[e] b. Label the bearings and distances for all boundary lines.

*[d] c. Revise the approval block to include the assigned TCP plan number (TCP1-011-12).

*[e. ~~Show all proposed stormwater management and stormdrain structures necessary for the multifamily development only.~~]

*[f] d. Show all existing stormwater management and stormdrain structures.

*[g] e. Revise all areas of woodland conservation to reflect the changes per the required revisions to the LOD.

*[h] f. Have the plan signed and dated by the qualified professional who prepared it.

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

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

4. Prior to acceptance of a preliminary plan of subdivision, the following information shall be provided:
- a. A statement of justification describing how the application meets each of the goals, policies, and strategies of the Environmental Infrastructure Section of the 2007 *Approved Westphalia Approved Master Plan and Sectional Map Amendment*.
 - b. A detailed statement of justification for the proposed removal of any specimen trees. The statement of justification shall be based on a detailed site design, including grading and stormwater management, and shall show how each of the required findings have been met by the application.
 - c. A stream corridor assessment using the Maryland Department of Natural Resources protocol shall be prepared for any on-site stream restoration efforts.
 - d. A statement of justification for proposed impacts to regulated environmental features that incorporates the findings of the required stream corridor assessment and the goals, policies, and strategies found in the Environmental Infrastructure section of the Westphalia Sector Plan.
 - e. An inventory of scenic and historic features along the site’s frontage on Westphalia Road.
 - f. An approved stormwater concept plan with a focus on stormwater facilities designed as amenities using LID techniques. The concept plan shall show the same site layout as the preliminary plan and its associated TCP1.
 - g. A copy of the Erosion and Sediment Control Concept Plan.
5. At the time of the preliminary plan of subdivision the applicant shall:
- a. Demonstrate that rights-of- way for Westphalia Road, MC-634, are consistent with the recommendations of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.

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

6. At the time of detailed site plan, the following issues shall be addressed, or information shall be provided:

~~*[a. The multifamily development shall demonstrate adequate screening of all surface parking lots that are adjacent to Westphalia Road.]~~

~~*[b. The multifamily development shall include public spaces for the benefit of future residents that include sitting areas and objectively attractive site and landscape features. These public spaces shall incorporate high quality design details and be integrated into the site design by a well designed pedestrian system. An objectively attractive mix of public spaces that include focal points, seating areas, specialty landscaping, and specialty paving materials shall be provided.]~~

~~*[e. Adequate visitor parking spaces to serve the proposed multifamily development shall be provided.]~~

~~*[d] a.~~ The applicant shall propose and provide a written description of the proposed green development techniques for evaluation by staff and the Planning Board.

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

~~*[f. The applicant shall allocate appropriate and developable areas for the private recreational facilities.]~~

~~*[g. The applicant shall demonstrate to the Planning Board in writing that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate means and that such instrument is legally binding upon the subdivider and his heirs, successors, and assigns.]~~

~~*[h. Access to existing or future bus routes shall be evaluated at time of detailed site plan, and facilities for a bus stop shall be shown if deemed appropriate by the Department of Public Works and Transportation (DPW&T).]~~

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- ~~*[i. The multifamily development shall utilize an appropriate balance of finish materials such as brick, stone, and cementitious siding. The cumulative area of all of the building elevations of all of the multifamily buildings should be no less than 40 percent brick or stone. A chart indicating the composition of the building materials shall be provided with the architectural elevations.]~~
- ~~*[j. A variety in building styles and architecture shall be demonstrated. Flat façades shall be avoided by using bays, balconies, and other projecting elements.]~~
- *[7. The applicant shall submit three (3) original executed private Recreational Facilities Agreements (RFA) for the private recreational facilities on-site to the M-NCPPC Development Review Division for their approval three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Maryland.]
- *[8. The applicant shall submit to the M-NCPPC Development Review Division a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.]
- *[9] 7. Prior to the issuance of any building permits within the subject property the evidence of the following certifications shall be provided:
 - a. The interior noise level of new residential construction shall be certified to be 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.
 - b. A registered Engineer or qualified professional of competent expertise shall certify that structures do not exceed the Imaginary Surfaces established in CB-3-2012.
- *[10] 8. Total development within the subject property shall be limited to uses which generate no more than 279 (129 in; 150 out) AM peak hour trips and 303 (142 in; 161 out) PM peak hour trips. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.
- *[11. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and (c) have an agreed-upon timetable for construction with the appropriate operating agency;

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*a. Westphalia Road @ D'Arcy Road Intersection

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

*b. Westphalia Road @ West site access intersection

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

*e. Westphalia Road @ East site access Intersection

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

*[12. a. The applicant shall make a monetary contribution to the "park club", which is to be established and administered by the M-NCPPC Department of Parks and Recreation. The total value of the payment shall be \$3,500 per dwelling unit in 2006 dollars. Monetary contributions may be used for construction, operation and maintenance of the recreational facilities in the central park and/or the other public parks that will serve the Westphalia Study Area. The park club shall be established and administered by the DPR.

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

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

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

(a) Pedestrian connectivity to recreation facilities and amenities on the subject site and adjacent sites.

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

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

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

* * * * *

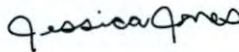
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Shoaff, with Commissioners Washington, Shoaff, Bailey, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, October 24, 2013, in Upper Marlboro, Maryland.

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

*This is to certify that the foregoing is a true and correct copy of the reconsideration 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, Doerner and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, May 7, 2020, in Upper Marlboro, Maryland. The adoption of this amended resolution based on the reconsideration action taken does not extend the validity period.

*Adopted by the Prince George's County Planning Board this 28th day of May 2020.

Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:TB:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: May21, 2020

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