

# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 14-51

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
[www.mncppc.org/pgco](http://www.mncppc.org/pgco)  
File No. CSP-07001-01

## RESOLUTION

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 June 5, 2014 regarding Conceptual Site Plan CSP-07001-01 for Westphalia Row, the Planning Board finds:

1. **Request:** The subject application proposes a revision to the previously approved conceptual site plan for Westphalia Row, by replacing the previously approved triplex units with townhouses. The conceptual site plan as previously approved provides for a mix of residential and commercial development, and now includes 188–275 townhouses, 200–325 multifamily dwelling units, and 40,000–100,000 square feet of office/retail space. The overall number of dwelling units will be within the range of 388–600.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Single-family attached residential	Single-family attached and multifamily residential; commercial, office, and retail
Acreage	20.67	20.67
Dwelling Units	unknown (under construction)	388-600
Office/Retail Square Footage	0	40,000-100,000
Residential Square Footage	unknown (under construction)	1,160,500
Floor-Area Ratio	unknown (under construction)	1.4

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

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

\* Note: Additional density may be permitted in accordance with Section 27-545, Optional method of development, of the Zoning Ordinance.

3. **Location:** The subject property is located in the southwest corner of the intersection of Ritchie-Marlboro Road and Sansbury Road, in Planning Area 78, Council District 6. This intersection is

designated by the February 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* as one of nine gateways into Westphalia. It is proposed in the plan as the location of a mixed-use village center. Fernwood Drive passes through the site.

4. **Surrounding Uses:** To the northwest of the subject site is the exit ramp leading from I-95/495 (Capital Beltway) to Ritchie-Marlboro Road. To the south of the site is an existing single-family residence in the R-R Zone. Further south and west on Fernwood Drive is a mobile home park. Across Sansbury Road to the east are the Ritchie Baptist Church property and the PB&J property, which are also zoned M-X-T as part of the village center.
5. **Previous Approvals:** This property was rezoned to M-X-T by the February 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. As part of this rezoning, the District Council approved the concept plan for development of the subject property and the neighboring properties to the east and southeast as an integrated, mixed-use development. This concept plan is illustrated in plan view and with illustrative perspective renderings in Exhibit 19, presented as part of the public record for the sectional map amendment. Exhibit 19 is intended to serve as a vision to guide the development of the village center.

Exhibit 19 shows the subject property developed in a fashion similar to what is being proposed by this application. The exhibit shows a mix of attached residential units over most of the site, with commercial and multifamily residential buildings at the corner of Ritchie-Marlboro Road and Sansbury Road, and extending south along Sansbury Road past Fernwood Drive.

On July 1, 2008, the District Council granted approval of Conceptual Site Plan CSP-07001 for the development of the property as a mixed-use development including 420-600 dwelling units and up to 100,000 square feet of commercial office and retail. On January 10, 2008, the Planning Board approved Preliminary Plan of Subdivision 4-07038 (PGCPB Resolution No. 08-07). On November 6, 2008, the Planning Board approved Detailed Site Plan DSP-08024 (PGCPB Resolution No. 08-168) for the relocation of Fernwood Drive to the location shown on the conceptual site plan. The first phase of development, consisting of 153 townhouses on the southern portion of the site, was approved by the Planning Board as Detailed Site Plan DSP-08039 on March 5, 2009 (PGCPB Resolution No. 09-44). The triplex units were approved by the Planning Board as Detailed Site Plan DSP-08039-01 on September 10, 2009 (PGCPB Resolution No. 09-131). Subsequent detailed site plan revisions were approved at the Planning Director level for the addition and modification of unit types.

6. **Design Features:** The applicant proposes a mixed-use residential and commercial development. The illustrative plan shows four distinct portions of development.

A four-story multifamily building, envisioned as containing 250 units with three interior courtyards, is proposed at the southwest corner of Ritchie-Marlboro Road and Sansbury Road. Another four-story building containing ground-floor retail and upper-floor office space is proposed at the northwest corner of Sansbury Road and Fernwood Drive, adjacent to the multifamily building. The multifamily building wraps around a five-level parking garage, largely concealing it

from public view. This section is considered Phase III of the development, and has not been constructed. No changes to this portion of the development are proposed with the subject CSP revision.

South of Fernwood Drive, 114 townhouses are proposed on fee-simple lots around two small open spaces. Of these 114 townhouse units, 83 are rear alley-loaded units, while 31 are front-loaded units laid out along the southern edge of the site. No changes to this portion of the development are proposed with the subject revision.

North of Fernwood Drive, additional rear alley-loaded units are located along the north and east sides of a large, roughly triangular open space that forms a "village green" in the center of the site. These units are proposed on fee-simple lots. No changes to this portion of the development are proposed with the subject revision.

In the northwest portion of the site, the previously approved 96 three-family dwelling units are to be replaced with approximately 53 rear alley-loaded townhouse units on fee-simple lots. The layout of this portion of the development is similar to the previously approved layout. Private alley "5" has been modified to connect to Private Road "C."

**Recreational Facilities:** The applicant proposes to provide a mix of indoor and outdoor recreational facilities for the site population. A fitness center and indoor recreational facilities are conceptually located in the southwest corner of the multifamily building, close to the village green and the center of the site. The central village green is proposed to include a community building and also a gazebo and benches. In addition to these facilities, outdoor activity areas, which are active outdoor play areas with play equipment for children, are indicated on the CSP. The applicant proposed to eliminate one of the three approved outdoor activity areas. This area is located in the northwest portion of the site adjacent to Phase II of the townhouses. The applicant proposes a sitting area with a small, grassed, open area, in lieu of providing active play amenities in this location.

The Planning Board had required in the previous approvals that the recreational package include at least two outdoor playgrounds in two separate locations within the area of attached units in order to provide more opportunities for children's recreation. With the subject revision the CSP will continue to meet this requirement of providing at least two outdoor playgrounds. The details regarding the design of the playgrounds and amenities within them will be addressed at time of detailed site plan.

It is the understanding of the Planning Board that the applicant intends for all of the proposed facilities to be made available without exception to all residents of the Westphalia Row community. If satisfactory legal arrangements cannot be made to ensure that the facilities will be equitably shared by all residents, the applicant would need to provide adequate facilities with each phase of development to provide for the residents of that phase.

A trail with fitness stations was previously shown on the CSP in the western portion of the site. This feature is shown to be eliminated.

Subsequent to the approval of CSP-07001, Detailed Site Plan DSP-08039 was approved on November 5, 2009 and the trail was not required nor shown on the plan. The trail was removed because a paved 10' wide asphalt access road to maintain the stormwater pond was required by the Department of Public Works and Transportation. The access road is located in approximately the same location and serves the same function as the original trail and so a separate trail was not necessary. The access road is built and functional and currently provides the option of walking or running for existing and future residents of the community.

The access road required for the stormwater management pond will serve a function for pedestrians. This access road connects into the road network on both sides of the pond. In conjunction with the sidewalk along the west side of Weshurst Lane, a complete pedestrian loop around the pond is provided. However, this access road shall be shown on the CSP and labeled as a "stormwater management access road/ pedestrian walkway."

7. **The requirements of the Zoning Ordinance:** 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. The Planning Board adopts the following:
- 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.
  - b. The CSP is consistent with Section 27-548, Regulations. The following discussion is offered:
    - (1) The proposed floor area ratio (FAR) is provided on the conceptual site plan. The overall FAR for the site is 1.4, which is the maximum FAR that is allowed on the site. Additional density may be permitted in accordance with Section 27-545, Optional method of development, of the Zoning Ordinance.
    - (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.**

While the overall development is accessed by public streets, the individual townhouse lots will be served by private streets and alleys. At time of preliminary plan of subdivision, appropriate frontage and direct vehicular access for the townhouse lots will be addressed.

- c. The site is subject to Section 27-544(b)(2), which states:

**The limitations on the maximum percentages of townhouses contained in Section 27-547(b)(7), footnote 7 and the lot size and lot width requirements in Section 27-548(h) shall not apply. However, the Planning Board or District Council may impose similar restrictions where appropriate, only to implement the recommendations of the Master Plan or Sector Plan.**

The Planning Board and District Council have imposed minimum lot size restrictions and other development standards on the subject site in accordance with this section. Those development standards are provided in Finding 9 of this report. The sector plan establishes a minimum lot size for single-family attached dwellings in the Westphalia town center of 1,000 square feet, while mixed-use fringe areas near the town center may have a range of single-family attached lot sizes from 1,300-1,800 square feet. The subject property does not fall within either of those areas, but the mixed-use village centers in Westphalia are generally treated similarly to the mixed-use fringe areas with regard to design considerations. The Planning Board previously considered these standards in establishing minimum lot sizes and setback standards for the proposed development. No limitation on the percentage of townhouses has been established.

- d. The Planning Board finds that the CSP is in conformance with the applicable conceptual site plan site design guidelines contained in Section 27-274. The subject development provides a more compact, urban layout, and in accordance with Section 27-274(a)(11)(B) the units front on roadways. Where the units do not front on roadways they front on shared green space.

To convey the individuality of each townhouse unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. Conformance with this design guideline will be addressed at time of detailed site plan.

- e. 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 approval. When the parking calculation is made, the townhouses shall demonstrate 2.04 off-street parking spaces per unit. In the approval of Conceptual Site Plan CSP-07001, the Planning Board found that each portion of the development shall provide extra parking for guests and visitors to use, to constitute at least ten percent of the spaces required by the Zoning Ordinance. Adequate visitors' parking will be addressed at time of detailed site plan.
- f. The Planning Board finds that the subject application conforms to 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:

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

The subject revision, which modifies a proposed unit type, does not affect previous findings regarding the conceptual site plan's conformance to this section. The proposed development is in conformance with this requirement. In accordance with Section 27-542(a)(2), the proposed conceptual site plan will implement the recommendation of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* by contributing to the creation of a compact, mixed-use community. The walkable, mixed-use development proposed on the site takes advantage of the transportation links available, and allows for reduction of the number and distance of automobile trips by constructing residential and nonresidential uses in close proximity to each other.

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

The Planning Board finds that the uses and development character proposed on the site are in conformance with those envisioned on Exhibit 19 and are generally consistent with the design guidelines of the sector plan.

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

The proposed development will be outwardly oriented. Although the main village green forms an internal focal point at the center of the community, residential and commercial buildings at the edge of the site will front onto Sansbury Road and Ritchie-Marlboro Road. As previously required, the townhouse units along Ritchie-Marlboro Road will largely front on Ritchie-Marlboro Road, with the exception of a cluster of townhouses in the northwest corner of the site, near the sound wall, which will have unit sides adjacent to the roadway. This is consistent with previous approvals.

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

The most intensive uses (in the multifamily and commercial buildings) are concentrated at the northeast corner of the site, with the attached units over the rest of the site helping to transition toward the lower-density residential uses south of the site. The proposed development will be compatible with the proposed development in the rest of the village center across Sansbury Road.

The subject revision, which modifies a proposed unit type, does not affect previous findings regarding the conceptual site plan's conformance to this section. The proposed townhouse units are consistent with approved units in other phases of the subject development.

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

The mix of uses, arrangement of buildings, and other improvements and amenities of the village center area will reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability. The proposed development on the subject site will be a key component of the village center.

- (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 is comprised of three phases. Phase I consisted of fee-simple townhouses as well as infrastructure. Phase II will consist of the townhouses proposed in the subject CSP revision. Phase III includes the multifamily building and the commercial building. The proposed project phasing shall be indicated on the conceptual site plan. Each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases.

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

This requirement will be evaluated in more detail at the time of detailed site plan. The conceptual site plan shows sidewalks along all public and private roads, forming a pedestrian network throughout the site. Pedestrian routes have not been proposed and are not deemed necessary within the private alleyways, which are envisioned for vehicular access.

- (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. Further attention shall be paid to the design of pedestrian spaces and public spaces at the time of detailed 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.**

The subject property was rezoned 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 was approved with the original Conceptual Site Plan CSP-07001, and a finding of adequate transportation facilities was made. The Planning Board adopt Finding 11 of PGCPB Resolution No. 08-06 by reference. No additional dwelling units are proposed on this CSP revision; therefore, the Planning Board's original finding of adequacy is not affected by the subject revision.

8. **2007 Approved Westphalia Sector Plan and Sectional Map Amendment:** The subject site plan is located within the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, and is identified as a Mixed-Use Activity Center and one of nine gateways into Westphalia.

This site was rezoned as part of the sector plan from R-R to M-X-T. As part of that application process, a series of design concepts were included as appendices in the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* and as Public Exhibit 19.

The Westphalia Row project is located in a designated mixed-use activity center at the northern gateway to the sector plan along a local street (Sansbury Road) and an arterial highway (Ritchie-Marlboro Road), close to the interchange for the I-95/495 (Capital Beltway). Replacing the triplex units with rear-loaded townhouse units will neither compromise the original design intent of the project, nor will it be inconsistent with the recommended development pattern vision, goals or policy contained in the Westphalia sector plan for mixed-use activity centers.

#### **Village Center Guidelines**

The plan designates the subject property, along with other land to the east, as part of a mixed-use activity center, one of two such areas in Westphalia. The plan establishes a number of guidelines for these areas. The following design principles warrant discussion at this time:

#### **Design commercial development to front a main street or parks, plazas, or courtyards.**

The proposed commercial development is located in a four-story building including ground-floor retail and upper-floor office space. The applicant has indicated that the building will front on



Sansbury Road, which is appropriate in order to promote a walkable main street character on that frontage.

**Design internal streets/site circulation as low-speed streets with parallel or angled on-street parking.**

Fernwood Drive is designed with parallel parking on either side, subject to the approval of DPW&T. Similarly, the private streets (not the private alleys) throughout the site are designed to have parallel parking on one or both sides.

**Residential and commercial development should be medium-to-high density with a minimum of two-story buildings, up to six.**

The proposed buildings will be between two and six stories in height.

**Design off-street surface parking to be placed to the side and rear of buildings, in the interior of blocks, and screened from public walks and streets.**

The majority of surface parking proposed on the site is envisioned as parallel on-street parking. There are two small surface parking areas proposed within the townhouse area and one row of parking spaces to the east of the commercial building. A five-level parking garage will provide the bulk of the parking spaces needed to serve the multifamily building and commercial building and is located in the interior of a block largely screened from public view by surrounding buildings.

**Gateway Guidelines**

Policy 7 on page 32 of the Westphalia sector plan establishes the intersection of Ritchie-Marlboro Road and Sansbury Road as one of the gateways entering the Westphalia community. Gateways require compliance with design principles aimed at distinguishing and delineating them as attractive entrances into the sector. Gateway design principles from the Westphalia sector plan include the following:

**Design designated gateways to include at least the following design elements:**

- **Landmark elements such as entrance signage, artwork, monuments constructed on features such as stone or masonry, decorative columns, water features, or clock towers.**
- **Landscape design including both softscape and hardscape elements.**
- **Resting and recreational facilities, information kiosks, or other amenities as appropriate.**

The design of buildings, landscaping, signs and any special features along the Ritchie-Marlboro Road frontage as well as Sansbury Road are critical to the image of Westphalia that will be portrayed at this northern entryway. At the time of detailed site plan review, a package of design

items such as gateway entrance features, architectural design, materials, colors, landscape palette, and streetscape features shall be presented in order to create a distinctive sense of arrival. The CSP shall be revised to include an asterisk or other indicator at the intersection of Ritchie-Marlboro Road and Sansbury Road on the subject site as the location of a gateway. The design of this area shall be addressed at time of DSP for Phase III of the project.

9. **Conceptual Site Plan CSP-07001:** Conceptual Site Plan 07001 was approved by the District Council on July 1, 2008, for construction of 140–180 townhouses, 48–96 three-family dwelling units, 200–325 multifamily dwelling units, 40,000–70,000 square feet of office and 10,000-30,000 square feet of retail. On June 18, 2012, the District Council approved Zoning Ordinance No. 7-2012 to amend Condition 9.b(2). The conditions of Conceptual Site Plan CSP-07001 are as follows:

1. **Prior to certificate approval of the Conceptual Site Plan, the Plan shall be revised to show the approved development standards.**

This condition was addressed prior to certificate of approval of CSP-07001, and does not need to be carried forward with this approval.

2. **Prior to certification of the Conceptual Site Plan, the Type I Tree Conservation Plan TCP I/031/07 shall be revised as follows:**

- a. **Revise the gross tract area and any other incorrect calculations to be in conformance with the NRI.**
- b. **Revise the plan to show the 100-year floodplain and the PMA in their entirety.**
- c. **Remove the “proposed treeline” from the TCP I and the symbol from the legend.**
- d. **Remove the vague symbol for the limits of disturbance and use a line or other clear symbol.**
- e. **Remove the small area of PMA impact behind Lots 62-64, Block B.**
- f. **Mark the specimen trees to be removed and add all required information to the specimen tree table.**
- g. **Revise the plans to show conceptually the stormwater management facilities proposed and all associated easements.**
- h. **Have the revised plans signed and dated by the qualified professional who prepared them.**

This condition was addressed prior to certificate of approval of Conceptual Site Plan CSP-07001, and does not need to be carried forward with this approval.

3. **No woodland conservation shall be proposed on dedicated parkland unless written authorization from the Department of Parks and Recreation has been provided.**

This condition remains in effect and is carried forward with this approval.

4. **Prior to certificate approval of the Conceptual Site Plan, the Phase I noise study shall be revised as follows:**
- a. **Revise the study to evaluate the ten-year projected ADT level.**
  - b. **Eliminate the use of "future" noise levels – the ten-year projected noise levels are the only ones to be provided. Label this line the "unmitigated 65 dBA Ldn" on the CSP and TCP I. Do not base the ten-year projected levels on the existence of proposed buildings**
  - c. **Base the study on the proposed design layout instead of an earlier layout.**
  - d. **Provide all maps to scale so that they can be compared to the other plans Show the centerline of all roadways from which measurements are being taken.**
  - e. **Provide match lines for all separate sheets that form the overall map.**
  - f. **Provide an analysis of the gap between the buildings in relation to Parcel 'E.'**

This condition was addressed prior to certificate of approval of Conceptual Site Plan CSP-07001, and does not need to be carried forward with this approval.

5. **Prior to certification of the Conceptual Site Plan, a copy of the approved Stormwater Management Concept Plan associated with approval 36373-2006-00 shall be submitted and the facilities shall be correctly reflected on the TCP I.**

This condition was addressed prior to certificate of approval of Conceptual Site Plan CSP-07001, and does not need to be carried forward with this approval. The conceptual site plan reflects the location of approved storm water facilities.

6. **Prior to acceptance of the Detailed Site Plan for the multi-family and office buildings, the package shall be evaluated to ensure that it includes a description of the use of green building techniques and the use of alternative energy sources.**

This condition remains in effect and is carried forward with this approval.

- 7. Prior to acceptance of a Detailed Site Plan for that portion of the site, the arrangement of three-family attached units between Private Road C and Ritchie Marlboro Road shall be redesigned to provide units fronting on Ritchie Marlboro Road as well as on Private Road C. Some sides of units may face Ritchie Marlboro Road but this should be avoided to the fullest extent possible. Public views of alleys should be minimized by screening the ends of alleys to the fullest extent possible.**

This condition was addressed prior to the acceptance of Detailed Site Plan DSP-08039-01. The triplex units were designed to front on Ritchie-Marlboro Road as well as Private Road "C." The arrangement of the townhouse units between Private Road "C" and Ritchie-Marlboro Road shall be designed to front on Ritchie-Marlboro Road as well as on Private Road "C," consistent with what is shown on the subject CSP. Public views of alleys should be minimized by screening the ends of alleys to the fullest extent possible. A modified condition regarding the final arrangement of the townhouses is provided in the conditions of approval.

- 8. Detailed Site Plan submittal shall include examples and evidence of all necessary covenants or other legal instruments that will be used to insure that the recreational facilities on the site will be available in perpetuity to all residents of the Westphalia Row development. If a legally sufficient arrangement to share the recreational facilities cannot be demonstrated, then adequate recreational facilities shall be demonstrated for the individual portions of the development.**

This condition remains in effect and is carried forward with this approval.

- 9. The following development standards shall apply to and be reflected on the Detailed Site Plan. At the time of Detailed Site Plan review, the Planning Board may make modifications to the development standards without the need to amend the Conceptual Site Plan if the Planning Board finds such modification is appropriate and consistent with the character and quality of the development envisioned by the conceptual site plan and the sector plan.**

**a. Front-loaded townhouses (fee simple)**

- (1) Minimum lot size: 1300 square feet**
- (2) Minimum front yard setback: 20 feet from back of sidewalk**
- (3) Minimum yard area: 400 square feet**
- (4) Maximum building height: 45 feet**
- (5) Minimum lot width: 20 feet**

**b. Rear-loaded townhouses (fee simple)**

- (1) Minimum lot size: 1000 square feet for no less than 50% of the units and a minimum of 800 feet for the remainder**

- (2) **Minimum front yard setback: 6 feet from property line**
  - (3) **Maximum building height: 45 feet**
  - (4) **Minimum lot width: 20 feet for no less than 50% of the units and a minimum of 16 feet for the remainder**
- c. **Three-family dwellings and townhouses (condominium)**
  - (1) **Minimum spaces between buildings:**
    - (a) **Building front to building front: 50 feet**
    - (b) **Building side to building side: 10 feet**
    - (c) **Building side to building rear: 30 feet**
    - (d) **Building rear to building rear: 30 feet**
  - (2) **Maximum building height: 55 feet**
- d. **Multi-family, office, and retail buildings**
  - (1) **Buildings shall be set back 15-35 feet from the ultimate right-of-way line of Ritchie Marlboro Road. Building walls must be within 35 feet of the ultimate right-of-way line for at least 75 percent of the linear distance of the parcel's frontage on Ritchie Marlboro Road.**
  - (2) **Buildings shall be set back 15-25 feet from the ultimate right-of-way line of Sansbury Road. Building walls must be within 25 feet of the ultimate right-of-way line for at least 75 percent of the linear distance of the parcel's frontage on Sansbury Road.**
  - (3) **Maximum building height: 75 feet.**

The subject application includes the elimination of the three-family dwellings and townhouses (condominium) unit type. Rear-loaded townhouses (fee simple) are now proposed for Phase I and Phase II of the development. The elimination of development standards for the three-family dwellings and townhouses (condominium) unit type is appropriate. The remaining elements of this condition are carried forward with this approval.

10. **At the time of Detailed Site Plan review, parking shall be calculated separately for: (1) the multi-family and commercial buildings, (2) for the three-family dwelling units, (3) for the rear-loaded townhouses north of Fernwood Drive, and (4) for the townhouses south of Fernwood Drive. Parking spaces in driveways and carports must allow at least 19 feet of parking space for cars, which must not obstruct pedestrian or vehicular travel routes. In addition to the total number of off-street parking spaces required for each type of unit by Section 27-568, each portion of the**

**development shall also provide an additional 10 percent of this number for visitor parking, which may include parallel parking spaces on private roads.**

This condition remains in effect and is carried forward with this approval. The reference to the three-family dwelling units is eliminated, as those units are no longer proposed.

- 11. At time of Detailed Site Plan review for the subject property, the site will be evaluated for conformance to the gateway design guidelines of the Westphalia Sector Plan. Review should include items such as gateway entrance features at Fernwood Drive and Sansbury Road, architectural design, materials, colors, landscape palette, and streetscape features and amenities. The Applicant shall provide an easement for the location of a gateway feature at Ritchie Marlboro Road and Sansbury Road.**

This condition was partially addressed as a part of previous detailed site plan approvals for Phase I of the development. During detailed site plan review it was determined that while some attractive features could be implemented within Phases I and II, the full treatment could not be implemented until Phase III of the development for the multifamily and retail building, which includes the land area closest to the primary gateway into Westphalia, located at the intersection of Ritchie-Marlboro Road and Sansbury Road. The design of buildings, landscaping, signs and any special features along the Ritchie-Marlboro Road frontage as well as Sansbury Road are critical to the image of Westphalia that will be portrayed at this northern entryway. Approval of this CSP reflects the need to address these gateway design issues at time of detailed site plan review for Phase III of the project.

- 12. The Applicant, his successors, and/or assignees shall provide adequate private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The private recreational facilities shall be reviewed by the Urban Design Review Section of Development Review Division for adequacy and property sitting, prior to approval of the Detailed Site Plan by the Planning Board.**

This condition remains in effect and is carried forward with this approval.

- 13. The Applicant, his successors, and/or assignees shall submit three (3) original, executed private Recreational Facilities Agreements (RFA) to the Development Review Division for their approval three weeks prior to applying for building permits. Upon approval by Development Review Division, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.**

This condition remains in effect and is carried forward with this approval.

- 14. The Applicant, his successors, and/or assignees shall submit to Development Review Division a performance bond, letter of credit, or other suitable financial guarantee**

**in an amount to be determined by Development Review Division, within at least two (2) weeks prior to applying for building permits.**

This condition remains in effect and is carried forward with this approval.

- 15. The developer, his successor and/or assignees shall satisfy the Planning Board or designee that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.**

This condition remains in effect and is carried forward with this approval.

- 16. The private recreational facilities package to be provided by this development shall include those facilities proposed with the Conceptual Site Plan application as well as two (2) outdoor play areas for children. Recreational facilities within the Westphalia Row development should be made accessible equally to all residents of the development.**

The subject revision complies with this requirement. With the removal of one active play area, two play areas for children will remain. Those play areas are located within Phase I of the development, and are within walking distance to the proposed townhouses in Phase II. With further demonstration at time of detailed site plan that adequate recreational facilities continue to be provided in these spaces, the Planning Board has no objection to the elimination of one active play area on the CSP. With rewording, this condition has been carried forward with this approval.

- 17. The noise attenuation wall shall be designed to promote attractive views from the public roadways.**

This condition remains in effect and is carried forward with this approval.

- 18. The Applicant shall provide an eight-foot-wide side path or wide sidewalk along Sansbury Road, unless modified by the Department of Public Works & Transportation (DPW&T).**

This condition remains in effect and is carried forward with this approval.

- 19. The final record plat shall include a note that the Applicant, the Applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of appropriate signage for the Class III bikeway along Sansbury Road. The contribution shall be made prior to the issuance of the first building permit.**

This condition remains in effect and is carried forward with this approval.

- 20. The Applicant shall provide standard sidewalks along both sides of Private Road A, B, C, D, and E.**

This condition remains in effect and is carried forward with this approval; however there is no record of a Private Road "E" on the previously approved or subject CSP, so the reference to Private Road "E" is eliminated. Standard sidewalks shall be provided on both sides of the proposed private roads (not the alleys).

- 21. The Applicant shall provide standard sidewalks along both sides of relocated Fernwood Drive, unless modified by DPW&T.**

This condition remains in effect and is carried forward with this approval.

- 22. Appropriate pedestrian amenities and pedestrian safety features will be evaluated at the time of Detailed Site Plan.**

This condition remains in effect and is carried forward with this approval.

- 23. The proposed development shall be limited to a mix of uses where the net new trips shall not exceed 398 AM and 471 PM peak-hour trips. The mix of uses allowable is subject to the following:**

- a. The mix of uses used to calculate the site's trip generation must include no less than a total of 40,000 square feet of office, retail, or commercial space, which shall be more specifically set for at the time of detailed site plan.**
- b. The mix of dwelling units shall fall within the ranges proposed on the conceptual site plan, unless modified at the time of detailed site plan.**

This condition remains in effect and is carried forward with this approval.

- 24. 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.**

- a. Sansbury Road/D'Arcy Road intersection (unsignalized).**

**The Applicant shall provide separate left and right turn lanes for the D'Arcy Road approaches. Since these additional improvements will not lower the delay below 50 seconds in any given movement, and per the requirement of DPW&T, the Applicant shall conduct a traffic signal warrant study and install if deemed to be warranted.**



**b. Sansbury Road/Ritchie-Marlboro Road intersection.**

**Provide the addition of a third eastbound and westbound through lane on Ritchie-Marlboro Road.**

**c. Ritchie Marlboro Road/White House Road intersection.**

- Provide the following improvements:**
  - Northbound approach: (2) two left turn lanes and a shared left-through-right lane.**

This condition remains in effect and is carried forward with this approval.

- 25. At the time of Detailed Site Plan review, the Applicant shall proffer a phasing schedule to M-NCPPC staff that sets forth the anticipated building schedule of the residential and commercial phases of the property. The phasing schedule must be approved by the Planning Board.**

This condition was addressed in the Planning Board's approval of DSP-08039 (PGCPB Resolution No. 09-44). The proposed project phasing shall be indicated on the CSP.

- 26. Applicant is to relocate the existing Fernwood Drive. Once the existing Fernwood Drive is relocated, the previous property in which the old Fernwood Drive was located shall be deeded from Prince George's County, Maryland to the Applicant.**

This condition has been addressed and is no longer necessary. Fernwood Drive has been reconstructed.

- 27. The Applicant has indicated a desire to be a part of the established Westphalia Financing Plan. Therefore, at the time of the Detailed Site Plan, if the Applicant is a recognized participant in a designated Westphalia Financing Plan, any designated financial contributions to the overall Westphalia Plan, including contributions to the Central Park, shall be so designated as a condition on the detailed site plan, as part of the established financing formula and plan.**

The sector plan states that a contribution of \$3,500 per new dwelling unit (in 2006 dollars) is needed to construct the public Central Park facility recommended for the sector plan area. While the applicant is encouraged to comply with the Westphalia sector plan recommendation and participate in the county and community effort to build a unique community with high quality recreation facilities for the benefit of all future Westphalia residents, contributions are not required. This condition is carried forward.

28. **At the time of the Detailed Site Plan, the Applicant shall provide to the District Council, any plans or specifications that the Applicant may have, with reference to its efforts that will be used in trying to achieve the Westphalia Sector Plan's policy goal of ensuring minority participation.**

This District Council condition is carried forward with this approval.

10. **2010 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 Landscape Manual will be determined when a more finalized plan of development is submitted for review. The Planning Board adopts the following, which will be reviewed at the time of DSP review.
- a. **Section 4.1—Residential Requirements,** requires a certain number of plants to be provided for residential lots depending on their size and type. The subject development will be evaluated for conformance to Section 4.1 at the time of DSP review when a final lot number and pattern is established.
  - b. **Section 4.6—Compliance with Section 4.6, Buffering Development from Special Roadways,** is required along Ritchie-Marlboro Road, which is a designated historic road. The site is within the geography previously designated as the Developing Tier and reflected on Attachment H(5) of the *Plan Prince George's 2035 General Plan* as found in Prince George's County Planning Board Resolution No. 14-10 (see County Council Resolution CR-26-2014, Revision No. 31); therefore, a 20-foot-wide planting strip is required. The conceptual site plan shall be revised to illustrate this 20-foot-wide strip, which will result in some redesign of the site frontage. The applicant's representative indicates that the one portion of Private Road "D" between the townhouse lots and the northern property line could be eliminated, thus providing a wider landscape strip. Conformance with these requirements will be evaluated further at the time of DSP review.
  - c. **Section 4.7—This site will be subject to Section 4.7, Buffering Incompatible Uses.** More specific information regarding bufferyard requirements along property lines adjoining other uses will be evaluated at the time of DSP. A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transitions between moderately incompatible uses.
  - d. **Section 4.9—This site will be subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants, along with other sustainable practices.**
  - e. **Section 4.10—This site will be subject to Section 4.10, which requires street trees along private streets.** Conformance with these requirements will be evaluated further at the time of DSP review.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The Planning Board finds that the project area is not subject to Subtitle 25, the Woodland and Wildlife Habitat Conservation Ordinance (WCO) that became effective September 1, 2010 and February 1, 2012 because the previously approved tree conservation plan (TCP) was approved prior to September 1, 2010 and there are no significant changes to the limit-of-disturbance (LOD).

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance, because it has a previously approved tree conservation plan. A revised Type I tree conservation plan (TCPI) has been submitted.

These submitted plans are in conformance with the previously approved TCPI. The woodlands on-site have been cleared within the approved limit-of-disturbance areas. A few technical revisions shall be provided prior to certificate of approval of the CSP.

12. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of tree canopy coverage on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area in tree canopy. The subject property is 20.67 acres in size, resulting in a tree canopy coverage requirement of 2.07 acres. Compliance with this requirement will be evaluated at the time of DSP.

13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions.

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

- (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*.
- (3) This application is within the Joint Base Andrews Interim Land Use Control (ILUC) impact area. The property is primarily within Imaginary Surface D (Outer Horizontal Surface) establishing a height limit of 500 feet above the runway surface. The property is not located within any aviation noise contours. The property is not within an Accident Potential Zone.

- b. **Transportation Planning**—The subject revision is seeking a replacement of triplex units with townhouses. This change if approved, will likely result in a trip reduction of 30 AM and 34 PM peak-hour trips. In light of the fact that this application represents a reduction in traffic from a previously approved development proposal, the Planning Board concludes that this development's traffic impact can be considered *de minimus*.

All of the previous findings of Conceptual Site Plan CSP-07001 regarding transportation adequacy remain in effect.

- c. **Trails**—The application conforms to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT); and the appropriate sector plan with regard to implementing planned trails, bikeways, and pedestrian improvements.
- d. **Environmental Planning Section (EPS)**—The Planning Board adopts the following:
  - (1) **Site Description:** The subject property is located on the eastern side of the I-95/495 (Capital Beltway) and on the southwestern corner of the Ritchie-Marlboro Road and Sansbury Road intersection. This application is for a 3.53-acre portion of the subdivision located in the northwest corner of the site. A review of the available information indicates that streams, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. The site is adjacent to the Capital Beltway, which is a source of traffic-generated noise. The soils found to occur on this site according to the *Prince George's County Soil Survey* are in the Adelphia, Collington, Ochlockonee, Rumford, Sandy, Sassafras, and Westphalia soil series. According to available information, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The property is located in the Southwest Branch watershed of the Patuxent River Basin and in the Developing Tier as reflected in the 2002 *Prince George's County Approved General Plan*.
  - (2) **Natural Resource Inventory:** The site has an expired approved Natural Resources Inventory (NRI-114-06), for the entire development. This NRI was approved in 2006 and is not valid, because the approval is over five years old. The overall site contains sensitive environmental features such as streams, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils. The revision area contains no regulated environmental features. A large portion of the site has been developed. A Natural Resources Inventory-Equivalence Letter has been approved for the application area. A copy of the Natural Resources Inventory-Equivalence Letter shall be provided with all subsequent applications.
  - (3) **Regulated Environmental Features:** No impacts to regulated environmental features are proposed with this application. All impacts were previously approved with the Conceptual Site Plan (CSP-07001), Preliminary Plan of Subdivision (4-07038), and Detailed Site Plan (DSP-08024 and DSP-08039) for the subject property.

- (4) The soils found to occur on this property are in the Adelphia, Collington, Ochlockonee, Rumford, Sandy land, Sassafras, and Westphalia soil series.
- (5) The Stormwater Management Concept Plan (3673-2006-02) submitted with the subject application shows the use of one extended detention facility. No underground stormwater facilities area proposed on this concept plan. The concept is correctly reflected on the TCP1. Also, the approval letter was issued on March 15, 2013, and states that the project will pay a fee of \$112,500.00 in-lieu-of providing on-site attenuation/quality control measures.

No further action regarding stormwater management is required with this Conceptual Site Plan review.

- e. **Subdivision Review**—The subject site is located on Tax Map 074 in Grid E-4, is within the M-X-T Zone, and is 3.53 acres. The property was recorded as Parcel L, Block A, per Plat MMB 235-89 on April 17, 2014 in the County Land Records. The currently undeveloped site was previously approved as part of Preliminary Plan of Subdivision (PPS) 4-07038 (22.44 acres). The applicant has submitted a conceptual site plan for the conversion of 96 condominium triplex-units, previously approved under CSP-07001, PPS 4-07038, and DSP-08039 and subsequent revisions, to 53 fee-simple townhouse dwellings. Additionally, the CSP revision proposes the conversion of an outdoor activity area to a sitting area and a small change in the configuration of the private streets. Section 24-111 of the Subdivision Regulations states that “In any case where land has been legally subdivided according to the law in existence at the time of such subdivision and the present owner desires to change the relationships between a lot and the street shown on the record plat, or between one lot and another, action by the Planning Board shall be governed by the same procedures, rules, and regulations as for a new subdivision.” A new preliminary plan, PPS 4-13026, has been submitted. Upon approval, this PPS will supersede its predecessor.
- f. **Department of Parks and Recreation (DPR)**—In a memorandum dated June 4, 2014, the Department of Parks and Recreation provided comments regarding the subject application and recommended that relevant conditions of CSP-07001 be carried forward with the subject approval.
- g. **Prince George’s County Health Department**—At the time of this writing, no response from the Health Department has been received.
- h. **Prince George’s County Police Department**—The Prince George’s County Police Department has no comments on the CSP revision.
- i. **Prince George’s County Fire/EMS Department**—In a memorandum dated February 7, 2014, the Fire Department provided standard comments regarding turning radii, and building location relative to a fire hydrant.

14. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the Planning Board finds that the CSP will, as approved with the proposed conditions below, represent the 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.
15. 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.**

No additional impacts to regulated environmental features are proposed with this application. All impacts were previously approved with the Conceptual Site Plan (CSP-07001), Preliminary Plan of Subdivision (4-07038), and Detailed Site Plan (DSP-08024 and DSP-08039) for the subject property.

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-033-07-01), and further APPROVED Conceptual Site Plan CSP-07001-01 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 CSP, or information shall be provided:
  - a. Label Ritchie-Marlboro Road as a historic road.
  - b. Revise the plan to provide a conceptual 20-foot-wide landscape strip along the site's frontage on Ritchie-Marlboro Road in accordance with Section 4.6, Buffering Development from Special Roadways.
  - c. Indicate the project phasing on the CSP, and reference all relevant approved phasing triggers.
  - d. Show the stormwater management access road on the CSP and label it as "stormwater management access road/ pedestrian walkway."
  - e. Revise the plan to include an asterisk or other indicator at the intersection of Ritchie Marlboro Road and Sansbury Road on the subject site as the location of a gateway.
2. Prior to certification of the conceptual site plan (CSP), the Type 1 tree conservation plan (TCP1) shall be revised as follows:

- a. The most current TCP worksheet shall be added to the plan.
  - b. Add "K Fitz - 6/2/2008" to the initial approval line on the TCPI approval block.
  - c. Provide an additional column next to the date column and add the appropriate case number with which this TCPI is being approved.
  - d. Have the revised plans signed and dated by the qualified professional who prepared them.
3. No woodland conservation shall be proposed on dedicated parkland unless written authorization from the Department of Parks and Recreation has been provided.
4. Prior to acceptance of the Detailed Site Plan for the multifamily and office buildings, the package shall be evaluated to ensure that it includes a description of the use of green building techniques and the use of alternative energy sources.
5. Prior to approval of a future detailed site plan for the proposed townhouses, the arrangement of the townhouse units between Private Road "C" and Ritchie-Marlboro Road shall be designed to front on Ritchie-Marlboro Road as well as on Private Road "C," consistent with what is shown on the subject CSP. Public views of alleys should be minimized by screening the ends of alleys to the fullest extent possible.
6. Detailed Site Plan submittal shall include examples and evidence of all necessary covenants or other legal instruments that will be used to insure that the recreational facilities on the site will be available in perpetuity to all residents of the Westphalia Row development. If a legally sufficient arrangement to share the recreational facilities cannot be demonstrated, then adequate recreational facilities shall be demonstrated for the individual portions of the development.
7. The following development standards shall apply to and be reflected on the Detailed Site Plan. At the time of Detailed Site Plan review, the Planning Board may make modifications to the development standards without the need to amend the Conceptual Site Plan if the Planning Board finds such modification is appropriate and consistent with the character and quality of the development envisioned by the conceptual site plan and the sector plan.
  - a. Front-loaded townhouses (fee simple)
    - (1) Minimum lot size: 1300 square feet
    - (2) Minimum front yard setback: 20 feet from back of sidewalk
    - (3) Minimum yard area: 400 square feet
    - (4) Maximum building height: 45 feet
    - (5) Minimum lot width: 20 feet
  - b. Rear-loaded townhouses (fee simple)
    - (1) Minimum lot size: 1,000 square feet for no less than 50 percent of the units and a minimum of 800 feet for the remainder.

- (2) Minimum front yard setback: 6 feet from property line.
- (3) Maximum building height: 45 feet.
- (4) Minimum lot width: 20 feet for no less than 50 percent of the units and a minimum of 16 feet for the remainder.

c. Multifamily, office, and retail buildings

- (1) Buildings shall be set back 15–35 feet from the ultimate right-of-way line of Ritchie-Marlboro Road. Building walls must be within 35 feet of the ultimate right-of-way line for at least 75 percent of the linear distance of the parcel's frontage on Ritchie-Marlboro Road.
  - (2) Buildings shall be set back 15–25 feet from the ultimate right-of-way line of Sansbury Road. Building walls must be within 25 feet of the ultimate right-of-way line for at least 75 percent of the linear distance of the parcel's frontage on Sansbury Road.
  - (3) Maximum building height: 75 feet.
8. At the time of Detailed Site Plan review, parking shall be calculated separately for: (1) the multifamily and commercial buildings, (2) for the rear-loaded townhouses north of Fernwood Drive, and (3) for the townhouses south of Fernwood Drive. Parking spaces in driveways and carports must allow at least 19 feet of parking space for cars, which must not obstruct pedestrian or vehicular travel routes. In addition to the total number of off-street parking spaces required for each type of unit by Section 27-568 of the Zoning Ordinance, each portion of the development shall also provide an additional ten percent of this number for visitor parking, which may include parallel parking spaces on private roads.
9. At time of Detailed Site Plan review for the Phase III of the development, the site will be evaluated for conformance to the gateway design guidelines of the Westphalia sector plan. A package of design items such as gateway entrance features, architectural design, materials, colors, landscape palette, and streetscape features shall be provided in order to create a distinctive sense of arrival. Design details for a gateway feature near the Ritchie-Marlboro Road and Sansbury Road intersection shall be provided.
10. The Applicant, his successors, and/or assignees shall provide adequate private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. The private recreational facilities shall be reviewed by the Urban Design Section of Development Review Division for adequacy and proper siting, prior to approval of the Detailed Site Plan by the Planning Board.
11. The Applicant, his successors, and/or assignees shall submit three (3) original, executed private Recreational Facilities Agreements (RFA) to the Development Review Division for their approval three weeks prior to applying for building permits. Upon approval by the Development Review



Division, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

12. The Applicant, his successors, and/or assignees shall submit to the Development Review Division a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by the Development Review Division, within at least two (2) weeks prior to applying for building permits.
13. The developer, his successor and/or assignees shall satisfy the Planning Board or designee that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.
14. The private recreational facilities package to be provided by this development shall include those facilities proposed with the Conceptual Site Plan application, which includes two (2) outdoor play areas for children.
15. The noise attenuation wall shall be designed to promote attractive views from the public roadways.
16. The Applicant shall provide an eight-foot-wide side path or wide sidewalk along Sansbury Road, unless modified by the Department of Public Works & Transportation (DPW&T).
17. The final record plat shall include a note that the Applicant, the Applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation (DPW&T) for the placement of appropriate signage for the Class III bikeway along Sansbury Road. The contribution shall be made prior to the issuance of the first building permit.
18. The Applicant shall provide standard sidewalks along both sides of Private Roads A, B, C, and D.
19. The Applicant shall provide standard sidewalks along both sides of relocated Fernwood Drive, unless modified by DPW&T.
20. Appropriate pedestrian amenities and pedestrian safety features will be evaluated at the time of Detailed Site Plan.
21. The proposed development shall be limited to a mix of uses where the net new trips shall not exceed 398 AM and 471 PM peak-hour trips. The mix of uses allowable is subject to the following:
  - a. The mix of uses used to calculate the site's trip generation must include no less than a total of 40,000 square feet of office, retail, or commercial space, which shall be more specifically set forth at the time of detailed site plan.

- b. The mix of dwelling units shall fall within the ranges proposed on the conceptual site plan, unless modified at the time of detailed site plan.
22. 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
- a. Sansbury Road/D'Arcy Road intersection (unsignalized):
    - The Applicant shall provide separate left and right turn lanes for the D'Arcy Road approaches. Since these additional improvements will not lower the delay below 50 seconds in any given movement, and per the requirement of DPW&T, the Applicant shall conduct a traffic signal warrant study and install if deemed to be warranted.
  - b. Sansbury Road/Ritchie-Marlboro Road intersection:
    - Provide the addition of a third eastbound and westbound through lane on Ritchie-Marlboro Road.
  - c. Ritchie-Marlboro Road/White House Road intersection:
    - Provide the following improvements:
      - Northbound approach: (2) two left-turn lanes and a shared left-through-right lane.
23. The Applicant has indicated a desire to be a part of the established Westphalia Financing Plan. Therefore, at the time of the Detailed Site Plan, if the Applicant is a recognized participant in a designated Westphalia Financing Plan, any designated financial contributions to the overall Westphalia Plan, including contributions to the Central Park, shall be so designated as a condition on the detailed site plan, as part of the established financing formula and plan.
24. At the time of the Detailed Site Plan, the Applicant shall provide to the District Council, any plans or specifications that the Applicant may have, with reference to its efforts that will be used in trying to achieve the Westphalia Sector Plan's policy goal of ensuring minority participation.


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.

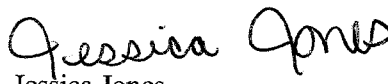
\* \* \* \* \*

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 and Hewlett voting in favor of the motion, and with Commissioners Bailey and Geraldo absent at its regular meeting held on Thursday, June 5, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of June 2014.

Patricia Colihan Barney  
Executive Director

  
APPROVED AS TO LEGAL SUFFICIENCY  
M-NCPPC Legal Department  
Date 6/13/14

By   
Jessica Jones  
Planning Board Administrator

PCB:JJ:MF:arj