

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on July 18, 2019, regarding Detailed Site Plan DSP-19008 for Westphalia Center (Snapper), the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) is for an 85-foot-high, five-story, four-million-square-foot merchandise logistics center. In conjunction with this DSP, the Planning Board approved a departure from design standards, DDS-657 (PGCPB Resolution No. 19-88), from Section 27-558(a) of the Prince George's County Zoning Ordinance, to allow a reduced standard, nonparallel parking space size of 9 feet by 18 feet, to be used for all parking spaces.

2. **Development Data Summary**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	M-X-T/M-I-O	M-X-T/M-I-O
Use	Vacant	Merchandise Logistics Center
Total Gross Acreage	78.39	78.39
Floodplain	2.28	2.28
Right-of-way Dedication	0	2.58
Total Net Acreage	76.11	73.53
Parcels	2	2
Gross Floor Area	0	4,000,000 sq. ft.

**Parking Requirements\***

	<b>PROVIDED</b>
<b>Total Parking Spaces</b>	<b>1,794*</b>
Standard 9-foot x 18-foot spaces*	1,754
Handicap-Accessible Parking Spaces (21 required)	40

	<b>PROVIDED</b>
<b>Total Loading Spaces**</b>	<b>267</b>
Loading spaces	203
Loading spaces with docks	64

**Note:** \*The number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Prince George's County Planning Board approval at the time of DSP, as stated in Section 27-574 of the Zoning Ordinance. As discussed in Finding 7, the Planning Board found that the provided parking is sufficient for the development. See DDS-657 for reduced space size.

\*\*Pursuant to Section 27-583 of the Zoning Ordinance, the number of loading spaces in the M-X-T Zone is to be calculated by the applicant and submitted to the Planning Board for approval at the time of DSP. The base requirement from Section 27-582 is 100 loading spaces for the 3,950,000 square feet of warehouse and 1 loading space for the 50,000 square feet of office use. The development will meet and exceed this base requirement due to the needs of this specific use.

3. **Location:** The overall Westphalia Town Center is located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road, in Planning Area 78, in Council District 6. The DSP is located on existing Parcels 9 and 10, which is a total of 78.39 acres and is zoned Mixed Use-Transportation Oriented (M-X-T) within the Military Installation Overlay (M-I-O) Zone.
4. **Surrounding Uses:** The property is located in the core of the Westphalia Town Center development and is surrounded by properties in the M-X-T/M-I-O Zone. The DSP is bounded to the east by the public right-of-way (ROW) of Glover Park Drive and beyond by existing one-family attached dwelling units, to the north by the currently undeveloped Moore property, and to the west by a stream valley, with the Parkside residential development beyond. The property will front on the future Presidential Parkway (A-66) to the south, with a planned transit area and commercial areas within the Westphalia Town Center beyond.
5. **Previous Approvals:** The subject property was rezoned to the M-X-T Zone from the Light Industrial, Planned Industrial/Employment Park, and Residential-Agricultural Zones by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). The property is also the subject of Conceptual Site Plan CSP-07004, which was approved with conditions by the Prince George's County Planning Board on December 18, 2008 (PGCPB Resolution No. 08-189). It was approved with conditions by the Prince George's County District Council on May 19, 2009, with a first revised Order of Approval issued on June 8, 2009, and a second revised Order of Approval issued on September 21, 2009.

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

CSP-07004-02 was approved by the Planning Board on June 27, 2019, with a resolution to be adopted on the same day as this DSP is heard, on July 18, 2019.

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

On June 18, 2019, the District Council adopted and enacted Prince George's County Council Bills CB-018-2019 and CB-019-2019; CB-018-2019 for the purpose of adding a definition of a merchandise logistics center and amending the definition of regional urban community in the Zoning Ordinance; and CB-019-2019 for the purpose of amending the regulations of the M-X-T Zone.

6. **Design Features:** The applicant requests to construct a four-million-square-foot merchandise logistics center with surrounding surface parking and loading areas on 78.39 acres within the Westphalia Town Center development. The property has frontage on future A-66 to the south and future Dower House Road (MC-637) to the west.

**Architecture:** The DSP shows an 85-foot-high, five-story building with an 818,423-square-foot footprint located in the middle of the property. The height and massing of this building are in keeping with the CSP vision. The building will be constructed of precast concrete base elements and insulated metal panels (IMP) on the upper stories. The building will use a range of natural colors and a blue accent color to break up the massing. Offices associated with the merchandise logistics center are located on the first floor facing A-66 in a one-story projection of the building. Ground floor windows, relief, and pattern elements are provided, along with different textures and colored materials. Specific attention has been placed on the corners and the main entrances. These design features enhance the pedestrian-scale and help break up the large building. The bright blue accent color is used to highlight building entrances, and building-mounted signage is included above the main entrance to help facilitate way finding.

The east, west, and north elevations also have one-story projections that extend from the main rectangular building for storage and loading docks. These façades will be composed of precast concrete and will use two color tones to break up the massing. Multiple service and loading doors will be located on the northern and western façades. The massing of the overall building is further broken up by vertical stairwells finished with a dark, wave-textured IMP and a column of windows.

The building is capped by a blue line, but it is still very monolithic. The Planning Board requested additional changes in the materials, such as glass and/or metal panels, reduction of blank wall spaces, and additional fenestration and vertical elements to all elevations. These revisions are intended to make the building appear similar to an office building and integrate it into the town center development. The Planning Board included a condition herein requiring the applicant to provide these architectural changes.

A metal water tank and precast concrete outbuilding will be placed north of the building and will be painted to match the main building. In addition, two guardhouses will be constructed out of matching precast concrete. One will be placed in the northeast corner of the property at the truck entrance to the rear loading area and the other on the west side of the building at the truck exit.

**Parking:** A 1,794-space surface parking lot is located on the southern and eastern sides of the building. Five-foot striped pedestrian pathways are shown in the center of every other row of parking throughout the parking compound. Landscape islands break up the areas of pavement and help define main drive aisles. There are three access driveways to the parking compound and a fourth truck access point at the eastern end off of A-66. The north and west sides of the building will have 64 loading docks and an additional 203 truck/trailer parking spaces. There is one access drive off of MC-637 to the parking and loading areas on the west end of the building.

**Screening:** The loading area (truck court) will be screened by a 20-foot-high, concrete sound wall on the north end of the truck court and a 14-foot-high sound wall on the west end of the truck court. The northern wall be 35 feet from the property line and the western wall will be 180 feet from MC-637. During the Planning Board hearing, there were concerns about the design and appearance of the sound wall. Therefore, the Planning Board included a condition herein requiring the wall be designed to incorporate additional art patterns and/or design to provide visual interest.

A 50- to 100-foot-wide section of woodland will be retained on the east side of the property. The retained woodland will separate the truck access on the east end of the property from the existing residential community to the east. During the Planning Board hearing, the applicant proffered to add evergreen and native plantings and an eight-foot-high solid masonry wall, at the top of the berm, to this buffer area to increase the screening. The graded site will sit 8 to 16 feet lower in elevation than the woodland buffer along the eastern edge, adding to the buffer.

**Landscaping:** Shade trees, shrubs, and a 4-foot-high landscape wall will line the majority of the property's frontage on A-66 and MC-637, where adjacent to the surface parking lot. However, the Planning Board found that additional enhanced landscaping and street furniture should be included along both of these road frontages to contribute to the pedestrian experience and included a condition herein. Interior parking lot landscaping will be provided in islands in the parking lot to shade and break up the parking. Additional plantings will be placed around the base of the building. A combination of shade trees, evergreen trees, and shrubs will be planted between the property line and the sound wall. A stormwater facility will also provide landscaping between the sound wall and MC-637. The rear sound wall will be buffered from adjoining properties by shade and evergreen trees along the northern property boundary. Existing trees will be retained on the east side of the property and separate the site from the eastern edge of the town center. Evergreen trees will be planted along the truck access to enhance this buffer. The applicant will have to modify the landscape plan to accommodate Campobello Road in the northeast corner of the property, as is conditioned herein.

**Signage:** The DSP includes two freestanding signs along A-66, one at the corner of A-66 and MC-637, and one at the parking lot entrance at the east end of the site. The freestanding signs will be 8 feet tall by 12 feet wide and ground-mounted on a painted concrete base, which will match the building colors and materials. The sign background will be white with black acrylic letters and will be internally-illuminated.

The building-mounted signage will include a 138-square-foot, internally-illuminated tenant logo sign over the main entry on the southern elevation. An additional building-mounted sign will be located on the west end of the southern elevation, which will be a 198-square-foot, internally-illuminated tenant name and logo sign. The Planning Board approved of the signage, as shown.

During the Planning Board hearing, the applicant proffered to post signage on public streets in the neighborhood to prohibit through truck traffic, as approved by the operating agencies and permitting authority.

**Lighting:** The applicant will provide lighting throughout the surface parking lot and truck court. Pedestrian-scale lights will be provided around the front of the building and lighting on the building will be provided above loading docks and service doors. The submitted photometric plan shows that there is adequate lighting for pedestrians on-site near the building and in the parking lot. However, the provided photometric plan does not indicate light levels all the way to the eastern and northern property lines, where there are existing and future residential developments. Therefore, a condition is included in this approval requiring the photometric plan to be revised to indicate minimum spillover at these property lines and all parking lot lighting to be downward, cut-off fixtures to prevent spillover.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for conformance to the requirements of the M-X-T and M-I-O Zones of the Zoning Ordinance, as follows:
  - a. The subject application has been reviewed for conformance with the requirements of Section 27-547, Uses permitted of the Zoning Ordinance. The merchandise logistics center use as part of a regional urban community is a permitted use in the M-X-T Zone. This use is defined as follows:

**Merchandise Logistics Center: A facility located within a Regional Urban Community, where goods or products are received and may be sorted, packed and stored for the purpose of distribution to parcel carriers or delivery directly to a customer, and which may include ancillary, and related functions such as indoor or outdoor loading and unloading, light maintenance and refueling of fleet vehicles, employee break room(s), ancillary retail sales and customer service areas, pick and pack areas, printing, packaging, and assembling or making products on demand and ancillary and related uses.**
  - b. This DSP is in conformance with the applicable site design guidelines as referenced in Section 27-283 of the Zoning Ordinance, and contained in Section 27-274 of the Zoning Ordinance, as previously established at the time of CSP-07004-02 approval regarding parking and circulation, lighting, green areas, amenities, grading, and public spaces.

- c. Section 27-546, Site Plans, includes requirements for approval of a DSP in the M-X-T Zone as follows:

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

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

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

- (a) The purposes of the M-X-T Zone are:**

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

The subject DSP will bring a major employment use to Westphalia Town Center, which already includes existing residential uses and planned commercial and residential uses. The overall town center will allow for an orderly development of land in the vicinity of three major interchanges along MD 4. The major employer will enhance the economic status of the county and provide desirable employment, surrounded by living and entertainment opportunities for its citizens.

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

Phase I included residential uses only, and this DSP is for a merchandise logistics center, which will add a major employment use that is walkable to the remainder of the town center. As one of the phases of a larger

mixed-use development, this DSP will help to create a compact, mixed-use, and walkable neighborhood, including a mix of residential, commercial, recreational, open space, employment, and institutional uses as anticipated in the approved CSP-07004-02.

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

The overall town center plan takes full advantage of the development potential of the site, allowing for both public and private development, as well as a mix of various uses that create a viable community. This DSP should act as a catalyst to the implementation of future development through the creation of an employment center in the core.

- (4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

The overall development plan for a mix of residential and nonresidential uses in proximity to one another will facilitate walking and bicycling, and will position the town center for the development of transit services. This DSP will be located across from a planned transit area, as shown on the approved CSP, with a complete pedestrian system connecting it to surrounding destinations. The entire design is consistent with the previously approved CSP and will serve as the main employment center of Westphalia Center.

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

The major employer will bring daytime and nighttime employees that will activate the mix of uses provided within the overall development plan. This will help facilitate and encourage a 24-hour environment. When the project is fully built out, the development will achieve maximum activity and interaction between the uses and those who live, work, and visit the area.

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

The larger CSP plan includes an appropriate horizontal and vertical mix of land uses. This DSP is Phase II of the larger development, including only commercial/employment development. The screen walls, landscape buffers, and streetscape improvements, as revised per conditions, will ensure this use blends harmoniously with adjacent land uses.

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

The individual uses will coexist in a common urban environment with a distinctive character and identity. This commercial section will provide buffers and screening to transition from incompatible uses. The design of the building utilizes various design features to create a distinctive character that future development can respond to, build on, and further develop the visual identity and character of the town center. Additional design features to be added, in accordance with conditions of approval, will incorporate distinctive visual character.

**(8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;**

The overall development plan will promote optimum land planning through compact development, which will concentrate multiple uses in close proximity to ensure



economies of scale and savings in energy. The commercial section included in this DSP will house and bring a large number of jobs to the Westphalia Center and allow people to live and work in the same community.

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

The overall development plan includes a variety of dwelling unit types and flexible ranges of commercial and office development. The amended CSP-07004-02 and this DSP allow for an appropriate response to the existing market while promoting economic vitality and investment with the major employer use.

**(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 massing of the building has been addressed through color, materials, and projections, while still responding to the existing and future architecture. Additional architectural and design features are conditioned with this approval. This DSP is the next step toward implementation of the land use and development patterns envisioned in the previously approved CSP-07004-02. The DSP provides an employment use that will help promote the surrounding development. This DSP conforms to the purposes and other provisions of the M-X-T Zone, with respect to promoting the orderly development of land and creating dynamic functional relationships among individual uses with a distinctive visual character and identity.

**(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 or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan and General Plan;**

The subject Westphalia Town Center property was placed in the M-X-T Zone through the Westphalia Sector Plan and SMA. This DSP only covers approximately 78 acres of the Westphalia Town Center property, as included in the CSP, but includes 88 percent of the approved total commercial/employment density. CB-19-2019 amended this required finding, allowing for a major employment use, such as the approved merchandise logistics center, which is consistent with the economic development strategies 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;**

This DSP will be a catalyst for adjacent development by adding a major employer, with potentially 1,500 jobs, to the town center. The project will face A-66 and will be integrated with future commercial, multifamily, and transit development. The project will also provide buffering and screening to transition from existing and future adjacent residential development.

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

The merchandise logistics center is compatible as the overall CSP envisioned a mix of different uses in close proximity to one another. The DSP shows a landscaped buffer surrounding the development, with a 100-foot buffer from the existing townhouses to the east and a 35-foot-wide buffer and 20-foot-high sound wall to the north. Stormwater facilities and open space will be located to the west of MC-637 and will buffer the property from existing residential to the northwest. The project fronts A-66 and will be compatible with future commercial and industrial development across the street. This DSP is compatible with the rest of the planned regional urban community based on the previously approved CSP.

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

This DSP contains only a major employment use within a future, larger mixed-use project, which includes residential, commercial, retail, office, and hotel. The arrangement and design of the buildings, landscaping, and other improvements, and the provision of public amenities is consistent

with those as previously approved in CSP-07004-02. This DSP steps the site closer to realizing the land use vision of the CSP and will help to create a unique and cohesive independent environment for the Westphalia area.

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

The Westphalia Town Center project is a multi-stage development for a mixed-use, master-planned, regional urban community consisting of up to 5,000 single-family detached, single-family attached, and multifamily dwelling units; approximately 5,900,000 square feet of commercial retail and office space; and 3 hotels with up to 600 rooms. According to the previously approved CSP-07004-02, the Westphalia Town Center will be developed in five phases and each phase is designed to allow for effective integration of subsequent phases as a self-sufficient entity. This DSP is the first phase of the commercial section and is the implementation of the previously approved staging plan, which will allow for effective integration of the subsequent phases.

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

An extensive pedestrian system consisting of master plan trails, bikeways, and sidewalks on all internal streets has been planned for the Westphalia Town Center, as well as the adjacent areas. The system is connected to all major destinations within the development and is convenient and comprehensively designed. A comprehensive network of sidewalks will ensure that non-motorized access is possible throughout Westphalia Town Center and surrounding developments. Approved CSP-07004-02 and PPS 4-08002 included detailed road cross sections that incorporate facilities for pedestrians and bicyclists. The subject DSP will further implement the pedestrian system as previously approved and will provide specific design of pedestrian crossings, sidewalks, and trails.

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

This DSP includes master-planned trails along its frontages of MC-637 and A-66. Landscaping and decorative knee walls, as well as additional landscaping and street furniture as conditioned herein, are approved along A-66 to add to the human scale and screen the parking lot. No other public gathering places are included on this site due to the nature of the development.

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

The subject application is a DSP for Phase II of the Westphalia Town Center. An amendment to the infrastructure DSP has been submitted to complete A-66, which is infrastructure that is needed to for this project. This DSP also shows the extension of MC-637. The project does not exceed the approved trip cap triggers, which if exceeded would require additional improvements.

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

CSP-07004-02, on which this DSP is based, covers the entire Westphalia Center site and was approved by the Planning Board on June 27, 2019 (PGCPB Resolution No. 19-83). As the CSP was approved less than six years ago, the prior finding of adequacy is still valid for this DSP.

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

The DSP does not include a mixed-use planned community as defined in the Zoning Ordinance.

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

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

- (1) **For property not subject to Section 27-544(f)(2)(I), the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change, and a referenced exhibit of record for the property shall provide guidance for the development regulations to be incorporated into the Conceptual Site Plan.**
- (2) **The limitations on the 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 property was placed in the M-X-T Zone through an SMA approved after October 1, 2006, for which a comprehensive land use planning study was conducted prior to initiation. However, CB-19-2019 modifies this requirement, so it is not applicable to property, subject to Section 27-544(f)(2)(I), which includes this DSP.

- (f) **Regional Urban Community Regulations.**

- (1) **A Regional Urban Community shall conform to the definitions, regulations, and requirements set forth in Sections 27-107.01, 27-276, and 27-508 of the Zoning Ordinance.**

Section 27-107.01 of the Zoning Ordinance provides the following definition for a regional urban community:

**A contiguous land area of 500 or more acres in the M-X-T or R-M Zone within a General Plan designated center in the Developing Tier, and which is to be developed as follows: a mixed use, urban town center including retail, office, employment and residential uses with a defined core, edge and fringe as defined by the Sector Plan or a major employment use or center consistent with County economic development strategies; transit- and pedestrian-oriented, with ample public spaces suitable for community events, adjacent to a planned or developed public park of 100 or more acres that includes a variety of recreational and cultural facilities for public use, such as amphitheaters, performance stages and plazas.**

The merchandise logistics center conforms to this use definition as a major employment use consistent with County economic development strategies.

Conformance with Section 27-276 of the Zoning Ordinance was found with the applicable CSP-07004-02 and is not changed with this DSP, and Section 27-508 of the Zoning Ordinance only applies to a regional urban community in the Residential Medium Development Zone.

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

**(A) The maximum number and type of dwelling units shall be determined at the time of the Conceptual Site Plan approval.**

This finding was recently changed with CB-19-2019, which went into effect on June 18, 2019. The subject application does not include any dwelling units, but CSP-07004-02 was approved by the Planning Board on June 27, 2019

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

The Type II tree conservation plan is in conformance with this requirement, as modified by previous conditions of approval.

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

The DSP has an approved stormwater management (SWM) concept, however, a revision is under review subject to the final site and building layout.

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

Residential uses are not included in this DSP.

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

Townhouses are not included in this DSP.

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

The approved 1,794 parking spaces greatly exceeds the parking requirement for a traditional warehouse use, which is only 1,089 spaces. A merchandise logistics center use is unique, and the applicant has based its parking needs on the requirements of its operations and employees. The applicant submitted

documents that the employee population will be approximately 1,778 per day, working in two shifts per 24 hours. Consequently, while all the parking spaces will not be occupied at all times, there needs to be enough to cover the overlapping times when the two shifts are rotating. Given the percentage of employees that will be arriving by single-occupant cars and carpools, as well as visitors, and the fact that no other use will be using these parking spaces, it is the conclusion of the Planning Board that the overall parking needs created by this development will be adequately met with the proposed parking spaces.

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

Residential is not included in this DSP.

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

The building will be set back approximately 200 feet from A-66.

- (I) In the event that a major employment use or center is identified after the adoption of the applicable Sector Plan, the Conceptual Site Plan may be amended to provide appropriate guidelines for such development to be applied at Detailed Site Plan to integrate the use into the surrounding development pattern. Such guidelines may include architecture, streetscape amenities, buffers and landscaping. Such guidelines shall be flexible to accommodate the requirements of the proposed employment use or center.**

CSP-07004-02 approved the incorporation of a major employment use identified after the adoption of the applicable sector plan in accordance with this section. The approved use will be surrounded by public roads, except to the northwest, where a buffer is provided adjacent to the future residential community with this DSP. The major employment use modifies



the open space pattern, as was established with the Special Purpose DSP-12043, which was conditioned in the CSP to be amended to reflect the removal of open spaces previously located within the Core area. The condition added with CSP-07004-02 for consideration of architecture, streetscape amenities, and buffers and landscaping at the time of DSP for a major employment use is addressed in Finding 8 below.

- e. The DSP is consistent with Section 27-548, Regulations, of the Zoning Ordinance. The following discussion is offered:
- (1) The floor area ratio (FAR) requirement in Section 27-548(a) does not apply to the subject DSP, as Section 27-548(j) allows for the regulations on the DSP, such as density, to be based on the design guidelines from the sector plan. However, since CB-19-2019 was adopted, the subject DSP is exempt from the provisions of Section 27-548(j) because it is subject to the provisions of Section 27-544(f)(2)(I). This new requirement allows for appropriate guidelines for a major employment use to be applied to integrate the use into the surrounding development pattern, as discussed above.
  - (2) Developments in the M-X-T Zone are required to have vehicular access to a public street, in accordance with Section 27-548(g), noted below.
    - (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The merchandise logistics center has frontage on and access to MC-637 and A-66. The valid, applicable PPS has provided appropriate frontage and vehicular access for all lots and parcels.

- f. **Military Installation Overlay (M-I-O) Zone:** The subject property is located within Imaginary Surface D (Inner Horizontal Surface) and the Noise Intensity Zone of the M-I-O Zone. The maximum height for structures in this area is 150 feet above the runway surface. The site is within a noise contour of 60–74 dBA and noise mitigation is required for new residential construction. However, this DSP does not include residential development and the approved building only reaches 85 feet in height. Therefore, the DSP is in conformance with the M-I-O Zone requirements.
8. **Conceptual Site Plan CSP-07004-02:** The Planning Board approved CSP-07004 for a mixed-use town center known as Westphalia Center project, consisting of up to 5,000 dwelling units; 800,000–1,400,000 square feet of retail space; and 4,000,000–4,500,000 square feet of office space, as well as up to 600 hotel rooms, on December 18, 2008. The District Council approved the CSP on September 21, 2009. CSP-07004-01, which fully replaced and modified the

conditions of CSP-07004, was approved with conditions by the District Council on February 24, 2014. CSP-07004-02 was approved by the Planning Board on June 27, 2019, and a resolution (PGCPB No. 19-83) is scheduled for adoption on July 18, 2019. The -02 amendment specifies that it supersedes and replaces the previously approved CSP-07004 and CSP-07004-01 in their entireties. Of 37 conditions attached to the approval of CSP-07004-02, the following are applicable to the review of this DSP:

- 3. The stormwater management ponds shown on the Type I tree conservation plan, with the preliminary plan of subdivision and all subsequent plans shall be designed as amenities to the community to the fullest extent possible with features such as utilization of the natural contours of the site, providing extensive landscaping, providing walking trails where appropriate, and shall include the use of low-impact development stormwater management techniques to the fullest extent possible, such as the use of forebays to trap sediment, bioretention, French drains, depressed parking lot islands, and native plants.**

The SWM facility shown is new and was not a part of previous approvals. It is intended to retain water from multiple properties in Westphalia and its location, surrounded by public ROWs, does not lend itself to use as an amenity. A maintenance road is shown on the top of the pond, but it is not intended for use as a trail. The pond is functional, generally follows the contours of the site, is landscaped and attractive, but it is not intended for public recreational use.

- 7. The locations of the master-planned trails along Back Branch and Cabin Branch shall be determined at the time of preliminary plan of subdivision review. The trails shall be designed to avoid the primary management area (PMA), to the extent possible, and trail alignments along parallel roads may be utilized where necessary. Impacts to the PMA shall be addressed at that time.**

Back Branch is beyond the limits of the subject site. Within the limits of the subject site, the connection to Central Park and Cabin Branch Trail will be along MC-637, as discussed below.

- 10. Prior to approval of a detailed site plan (DSP) for specific buildings for either Moore Property or the balance of Westphalia Center, excluding Moore Property, the applicants of Moore Property and the balance of Westphalia Center, separately, shall obtain approval of a special-purpose DSP to establish regulating standards for signage and to identify appropriate locations for transit stops, in consultation with the Prince George's County Department of Public Works and Transportation and the Washington Metropolitan Area Transit Authority. The special-purpose DSP shall also show the site plan details of the public open spaces and establish a timing plan for improvement of these public spaces and the public trail system. This condition requires approval of two special-purpose DSPs: one encompassing the entire Westphalia Town Center site, excluding Moore Property, and another for Moore Property. This condition shall be construed such that Moore Property may**

**proceed prior to the entire Westphalia Center. However, standards established in the first special-purpose DSP shall be evaluated with respect to the feasibility of their inclusion in the subsequent special-purpose DSP for the balance of the Westphalia Center site, and the subsequent plan shall be evaluated in its review with respect to the standards and requirements established in the Moore Property special-purpose DSP. Regulating standards established by a previous special-purpose DSP for any portion of the Westphalia Center project shall provide guidance for similar standards to be established in a subsequent special-purpose DSP for the balance of Westphalia Center.**

Special Purpose DSP-12043 was approved for the balance of Westphalia Center, currently known as Westphalia Town Center, which covers the subject site of this DSP. The limited signage is in conformance with this special purpose plan. No public open space is included in this DSP. This condition has been fulfilled.

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

The applicant provides several green building measures for this development, including:

- Reflective Roofing meeting LEED Heat Island Reduction category for SRI >78.
- High Efficiency Plumbing Fixtures and Fittings meeting Indoor Water Use LEED Prerequisites for flow.
- Energy efficient LED lighting, including: Interior Lighting Efficiencies meeting certain interior IEQ Interior Lighting requirements; Office Lighting with occupancy and daylight harvesting sensors for groups of fixtures; and Warehouse Lighting with onboard occupancy sensors for individual non-egress fixtures.

- 13. Each detailed site plan (DSP) shall demonstrate conformance to landscaping standards. In general, development on the site shall be subject to the standards of Section 4.8 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), in addition to the following standards:**

- a. **Single-family detached lots larger than 9,500 square feet shall provide at least one shade tree and one ornamental or evergreen tree on the lot.**
- b. **Required landscaping for attached dwelling units shall be provided on individual lots or common open space directly associated with the attached dwellings. Plantings within public or private open spaces shall only be**

counted towards the requirements where those spaces are located, adjacent to the attached dwellings, and are easily accessible to residents.

- c. **Except in the Core area, surface parking lots larger than five parking spaces shall be subject to the landscaping standards of Section 4.3 of the Landscape Manual.**
- d. **In general, uses within the town center shall not be buffered from each other. However, buffering of highly incompatible adjacent uses may be deemed necessary at the time of DSP review.**

The property will be developed as commercial and is not subject to Condition 13a and b, as no dwellings are included in this DSP. Landscape buffers are provided on the northern and eastern property line in accordance with Condition 13d. This DSP is located in the core area and is not subject Section 4.3 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as stated in Condition 13c.

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

Conditions of approval for streetscape improvements and pedestrian safety features through the surface parking lot are included in this approval, in conformance with this condition.

- 26. The phasing of residential and commercial uses shall be determined with approval of the conceptual site plan (CSP) covering the whole property. All properties within Westphalia Center shall be subject to this CSP and the relevant special-purpose detailed site plan (DSP). The phasing plan schedule shall be subject to review and revision with each DSP.**

**The Prince George's County Planning Board, in subdivision review for any proposed residential construction on the subject property, shall include all relevant issues, including without limitation, public facilities adequacy and master plan conformance, as they concern the entire Westphalia Center property and project, not just the issues arising at the site for that subdivision.**

**The following phasing regulations will apply to this project. For the purposes of this condition, "constructed" shall be construed to mean that the buildings are built and ready for occupancy, except for tenant-specific fit-out improvements.**

- a. **The minimum development amounts on the site shall be 150 single-family detached houses; 1,650 attached dwelling units; 1,800 multifamily dwelling units; 500 hotel rooms; 200,000 square feet of retail; and 2,400,000 square feet of office/employment uses. As development proceeds, adequate traffic**

**capacity shall be reserved to allow the development of these minimum amounts. Development may proceed beyond the established trip cap, provided adequate transportation capacity will exist for that development.**

- c. Prior to approval of permits for the 1,400th dwelling unit on the balance of the Westphalia Center property, excluding Moore Property, either (i) 300,000 square feet of retail space or (ii) 500,000 square feet of office/employment space shall be constructed in the Core area. Permits for development on Moore Property may be issued prior to any commercial development in the central Core area.**

The applicant has provided a phasing plan in the DSP, which is consistent with the CSP phasing that shows this property within Phase II. The construction of this four million square feet of employment use within the Core area will fulfill the minimum development amount and fulfill the requirement of Subcondition c above.

- 27. In conformance with the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall:**

- a. Construct the master plan trail along the subject site's entire segment of Back Branch. The trail alignment, design, and timing shall be determined at the time of the preliminary plan of subdivision.**

Back Branch is beyond the limits of the subject application.

- b. Construct the minimum 8-foot-wide master plan trail along the subject site's entire frontage of the north side of MC-634 and A-66. In the vicinity of the town center, this trail may be replaced by a decorative wide sidewalk and streetscape. Treatment alternatives shall be evaluated at the time of detailed site plan.**

MC-634 and A-66 run along the southern edge of the subject site. The applicant originally proposed reducing the width of the planned facility along these roads to 6 feet.

However, since one east-west master plan trail connection (along what would have been Observatory Place) is already being eliminated due to the building placement, the Planning Board found that maintaining the master plan trail along A-66 is even more important. The trail/wide sidewalk along A-66 will accommodate residents from the nearby residential portion of the town center walking to the subject site MC-634 and the trail system on the nearby Central Park. Given that one master plan trail is being eliminated on-site, the

Planning Board found that the trail/wide sidewalk along MC-634 and A-66 shall remain eight feet wide.

- 28. In areas of landscaping and street furniture, a clear horizontal sidewalk space of eight feet shall be maintained to accommodate the heavier pedestrian traffic anticipated in the town center Core area. The optional zone may be reduced to 28 feet in order to accommodate this change.**

Street furniture is required along the site's frontages, per a condition of this approval, to accommodate pedestrian use and enhance the built environment. The necessary clear space is maintained.

- 36. Prior to approval of a building permit for the major employment use by the Maryland-National Capital Park and Planning Commission, Special Purpose Detailed Site Plan DSP-12043 shall be amended, at Planning Director level, to reflect the amendment to the conceptual site plan and demonstrate how the removal of the open spaces previously located within the Core area, specifically P1, P2, P5 and P6, have been addressed.**

This DSP is in conformance with the approved CSP-07004-02, but the Special Purpose DSP-12043 has not yet been amended and will be required prior to approval of a building permit, in accordance with this condition.

- 37. At the time of DSP for a major employment use, the following considerations shall be addressed:**

- a. Architecture, as visible from surrounding residential communities, shall be enhanced to provide details and visual interest.**

The building has been designed to break the large structure into smaller parts with varied colors, material, and architectural elements. The use of vertical columns of windows and projections of internal staircases wrapped in textured metal panels set a rhythm for the building and divide up the mass. Much of the building will be screened by grade changes, landscaping, and existing woodlands on the east side of the building. In addition to the landscaping, 14- to 20-foot-high sound walls surround the truck courtyard. Additional architectural features shall be added, as conditioned herein.

- b. Streetscape amenities shall be provided to ensure a pedestrian-friendly environment, including wide sidewalks and enhanced landscaping, along all abutting public roadways.**

The applicant provides a landscape strip along adjacent streets with a four-foot-high landscape wall. Breaks in the wall are provided at access points to the parking lot and approximately every 250 feet to provide visual interest with planting beds including shrubs, groundcover, and annual plantings. A hardscaped sidewalk will indicate to

pedestrians the walkway to the main entrance. The sidewalk along A-66 will be widened to eight feet, and enhanced landscaping and street furniture shall be provided to create an appropriate pedestrian space along both Presidential Parkway and Dower House Road.

- c. **Buffers and landscaping shall be provided to screen the use and any generated noise, to the fullest extent possible, from surrounding residential communities. This may include the use of increased setbacks, existing or proposed trees, and screen walls or fences.**

Existing woodlands will be retained on the east side of the property to buffer the project from existing residential to the east. A change in topography creates a 6- to 12-foot berm on either side and additional trees will be planted where grading is required. The width of the east buffer will be approximately 100 feet or more.

The north side of the property is adjacent to a future phase of residential development and will have a 20-foot-high sound wall that will be set back 35 feet or more from the adjacent property. Trees will be planted along the buffer area to soften the wall.

A stormwater facility will provide 180 feet of separation between the 14-foot-high sound wall and MC-637 at its widest point and 40 feet at the narrowest. The sound wall will be screened by a double row of evergreen trees and shrubs.

The applicant submitted a study entitled "Site Sound Emissions and Control," by Ostergaard Acoustical Associates, dated June 10, 2019. This study evaluated potential sound emissions from the 24-hour use relative to rooftop heating, ventilation, and air conditioning units, truck activity, and auxiliary noise sources, such as an emergency generator. The analysis shows that, with the provision of the sound barriers, sound emissions at nearby residential property lines would be below 55 dBA during nighttime hours and 65 dBA during daytime hours, which meets the requirements in Section 19-122(a)(1) of the Prince George's County Code.

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

1. **Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:**

- n. **Provide a general note regarding the parcel description, and who the land is to be dedicated to with acreage for the police, library, transit, fire/EMS, and school sites. Include a note regarding the trigger for dedication of each consistent with the approved preliminary plan.**

The PPS was signature approved on February 7, 2011. Condition 1(n) and the library finding on page 91 of the PPS Resolution required the location and dedication of the library site. Accordingly, the PPS identified a potential parcel for the library location within the Core, west of MC-637. Subsequently, Special Purpose DSP-12043, approved by the Planning Board on May 16, 2013 (PGCPB Resolution No. 13-51), reconfirmed the potential location and library dedication requirement.

The approved PPS reflects the potential library within the area of this application; however, CSP-07004-02 approved the relocation of the floating library symbol to Parcel 23, located south of A-66. The library parcel should be identified on a future DSP, which includes, or is abutting, the corresponding area shown on the CSP.

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

A TCPII has been submitted with the current application. The woodland conservation worksheet shown on the TCPII must be phased and is conditioned herein.

4. **At the time of final plat, the applicant shall dedicate a public utility easement as approved on the detailed site plan along the public rights-of-way.**

Public utility easements (PUEs) are labeled and delineated along A-66 and delineated along MC-637. Public Road B (Campobello Road), as shown on the PPS, is to be realigned with this application. The extent of Campobello Road within the subject site should be shown on the DSP. The DSP should delineate and label PUEs along all public ROWs.

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

The PPS delineates nine parcels, traffic circles, and north-south and east-west roadways in the area of this site. The subject application consolidates the parcels shown on the PPS to two and includes changes to the uses and circulation in the Westphalia Center Core to allow for a single-use development on the subject site. The following roadways shown on the approved PPS are approved to be modified or removed with this DSP:

- Public Road A (Town Center Core Blvd.)
- Public Road B
- Traffic Circle (Parcel T1) as part of MC-637
- Private Road L



- Private Road S
- Public Road UU

It is noted that none of the roadways affected are master-planned roads. The Planning Board found that the ROW modifications will still allow for adequate circulation, are consistent with the approved PPS, and that the approved development does not exceed the capacity established with the PPS.

- 7. Prior to approval of each detailed site plan, the public utility companies shall provide comments to ensure adequate area exists to provide proper siting and screening of the required utilities, and to provide for direct bury utilities where feasible. Review shall include, but may not be limited to the following:**
- a. Coordination with other utility companies to use one side of the street for Potomac Electric and Power Company (PEPCO) use only. If this is not possible Verizon may ask for two feet or so of additional space on the public utility easement (PUE) for FIOS cables making some of the PUEs to be 12 feet wide in some areas. The main transmission line may require up to a 15-foot-wide PUE.**
  - b. Private roads shall have a five to seven-foot-wide utility easement (UE). (The current plan shows seven-foot-wide UEs, but at the time of detailed site plan continued coordination with utility companies will establish the ultimate UE locations and sizes). Gas service shall be provided in the alley as shown on the utility sketch plan.**
  - c. At the time of detailed site plan, coordination with PEPCO is required to account for locations of transformers especially in some of the tighter arranged townhome blocks.**
  - d. Unless modified by a, b, or c above, a ten-foot PUE shall be provided along public roads and master-plan roads.**

Comments from the utility companies were not included in the documents submitted with this application. However, this application approved a single parcel for a merchandise logistics center and is not served by private roads or alleys. The DSP reflects that a 10-foot-wide PUE is provided along the public ROWs as required in accordance with the Subdivision Regulations. Prior to certification, the applicant should provide confirmation from the utility companies that the 10-foot-wide PUEs are sufficient to serve the site. A condition has been added to this approval requiring this documentation to be provided.

- 15. Prior to signature approval of the preliminary plan, the applicant shall submit evidence that the property is not encumbered by any prescriptive or descriptive easements that are to the benefit of other properties, and not already provided on the preliminary plan. The applicant shall submit evidence that the rights and privileges associated with those easements will not be interrupted with the development of this property, or the applicant shall provide evidence of the agreement of those benefited properties to the abandonment or relocation of said easements. Prior to approval of the final plat, the applicant shall submit a copy of the recorded abandonment of said easement(s) including Moore's Way.**

The PPS obtained signature approval on February 7, 2011. A portion of Moore's Way, a 30-foot prescriptive ROW, extends onto the subject site. The applicant's Statement of Justification (SOJ) confirms the applicant's understanding that the abandonment of Moore's Way must be recorded prior to final plat approval.

- 21. In conformance with the approved Westphalia sector plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following, with triggers for construction to be determined with the special purpose detailed site plan:**

- a. Construct the master-plan trail along the subject site's portion of Cabin Branch. The trail alignment shall follow the existing sewer easement to the extent practical and will cross the Westphalia Center, Moore Property, and Smith Property applications.**

The Cabin Branch stream valley runs through the western edge of the site. Discussions with Prince George's County Department of Parks and Recreation have indicated that they are not interested in extending the master plan trail along Cabin Branch to the south of the Central Park. Furthermore, the master plan trail along MC-637 (shown as an 8-foot-wide sidewalk along both sides of the road) parallels the stream valley at this location and makes the necessary bicycle and pedestrian connection from the subject site to the Central Park to the north. Given that a public bicycle/pedestrian connection will be provided in the public ROW, the Planning Board finds that a duplicate connection is not necessary on the privately-owned stream valley.

- c. Construct the minimum eight-foot-wide master-plan trail along the subject site's entire frontage of the north side of MC-634 and A-66. In the vicinity of the town center, this trail may be replaced by a decorative wide sidewalk and streetscape. Treatment alternatives can be evaluated at the time of DSP.**

As discussed in CSP-07004-02, Condition 27 in Finding 8 above, the Planning Board approved that the trail/wide sidewalk along MC-634 and A-66 remain at 8-feet wide.

- l. Provide six-foot-wide sidewalks and designated bike lanes along MC-637 as approved on the street sections for CSP-07004.**

Eight-foot wide sidewalks are shown along both sides of MC-637, which exceeds the standard noted above. The plans shall be revised to include designated bike lanes, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)/Prince George's County Department of Public Works and Transportation.

- m. Standard sidewalks shall be provided along both sides of all internal roads (excluding alleys), unless modified by DPW&T.**

Sidewalks are shown along all road frontages and internal walkways are provided throughout the surface parking lot.

- n. Each DSP shall be referred to WSSC for additional review and comments concerning the stream valley trail alignment within the sanitary sewer easement.**

The DSP was referred to the Washington Suburban Sanitary Commission, but no stream valley trail is within the limits of the DSP.

- 29. The submission package for the first DSP for any area of the Westphalia Center draining into Back Branch shall contain:**

- a. A comprehensive and detailed stream restoration plan for Back Branch.**
- b. A technical stormwater management plan which demonstrates the use of stream restoration as an innovative stormwater management technique. Access to conduct the proposed work must be shown, along with all required clearing and grading for the proposed work. Staging areas, phasing, and other plan details needed for construction shall also be provided.**

A stream restoration plan was approved with DSP-13006 and shown on TCPII-029-12-02.

- 37. Prior to signature approval of the preliminary plan, the following note shall be placed under the worksheet on the TCPI:**

**"The use of fee-in-lieu to meet the off-site woodland conservation requirement was approved by the District Council. Other methods of meeting the woodland conservation threshold on-site may be explored during the preparation and review of the TCPII. Every attempt shall be made to meet the threshold on-site using street trees, trees in bioretention areas, preservation of woodlands in the PMA outside the 100-year floodplain, and other allowable methods. If, during the review of the**

**TCPII, the threshold cannot be met completely on-site, the remainder of the requirement shall be met using fee-in-lieu. Prior to signature approval of the DSP, a recipient of the fee-in-lieu funds shall be identified.”**

This note was placed on the Type I tree conservation plan prior to signature approval of the PPS. The TCPII, as submitted, shows the use of off-site mitigation to meet the woodland conservation requirements for this phase of development within the Westphalia Town Center. The use of off-site mitigation is in keeping with the hierarchy of mitigation options outlined in the current Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO). The applicant has been encouraged to provide off-site mitigation instead of fee-in-lieu, to the extent practicable.

- 39. Each detailed site plan, other than the special-purpose DSP, shall survey locate specimen trees within 100 feet of the ultimate limits of disturbance within the Westphalia Center property boundary. The specimen trees that are determined to remain as part of the survey shall be evaluated for appropriate preservation measures. Details of the preservation methods shall be shown on the TCPII including information on treatments to occur prior to, during, and after construction.**

A note must be added below the specimen tree table to indicate that the trees within 100 feet of the limits of disturbance (LOD) have been survey located. The closest trees to remain within this phase are located approximately 100 feet from the LOD, within the primary management area (PMA), and have adjacent preservation and/or reforestation. No additional information is needed for the specimen trees to remain within this phase.

- 42. Total development within the subject property shall be limited to uses which generate no more than 6,816 AM peak-hour trips, and 8,526 PM peak-hour trips, in consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates. Any development generating an impact greater than that identified herein-above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This development, as approved, will be the second phase of the Westphalia Center. Table 1 below shows development to-date and the corresponding trip totals, which have not been exceeded:

Table 1		
	AM Peak	PM Peak
Total Trip Cap (Condition No. 42)	6,816	8,526
<i>Less 346 townhomes DSP-13006-06</i>	<i>242</i>	<i>277</i>
<i>Less Logistical Center</i>	<i>1,336</i>	<i>1,334</i>
<b>Remaining trips within cap</b>	<b>5,238</b>	<b>6,915</b>

- 43. A traffic phasing analysis will be submitted and reviewed during the processing of the detailed site plan for each phase. This traffic phasing analysis will define the improvements required for Phase 1A, 1B, 1C, 2A, 2B, 2C, 2D, 3A, 3B, and Phase 5. These above-mentioned traffic conditions will be modified to adjust the timing trigger and extent of these improvements for each phase. This phasing analysis will not exceed the 6,186 AM peak-hour trips, and 8,526 PM peak-hour trip cap, unless a new preliminary plan of subdivision is processed.**
- 47. Prior to the issuance of any building permits within the subject property for uses generating peak-hour trips in excess of 1,610 AM and 1,719 PM, the applicant and the applicant's heirs, successors and/or assignees shall pay a pro rata share of the road improvements at the intersection of MD 223 at Rosaryville Road. The pro rata share shall be payable to Prince George's County, with evidence of payment provided to the Planning Department with each building permit application. The pro rata share shall be  $\$1,126.23$  per average peak-hour trip  $\times$  (Engineering News Record Highway Construction Cost Index at the time of building permit application) / (Engineering News Record Highway Construction Cost Index for the second quarter 2008).**
- 48. Prior to the issuance of any building permits within the subject property for uses generating peak-hour trips in excess of 1,610 AM and 1,719 PM, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

  - a. MD 4 and Forestville Road intersection**

    - (1) Add a third westbound through lane along MD 4.**
    - (2) Add a second northbound double-left-turn lane along Forestville Road at MD 4.**
    - (3) Add a second northbound through lane along Forestville Road at MD 4.**
    - (4) Convert the southbound right-turn lane into a combined through-and-right lane.**
    - (5) Add a second southbound left-turn lane along Forestville Road at MD 4.**
    - (6) Rebuild the existing traffic signal.**
  - b. MD 4 and MD 223 Interchange**

- (1) The applicant will rebuild this interchange as detailed on Exhibit 12 as Alternate P-1.
  - (2) Install new traffic signals at Old Marlboro Pike and Presidential Parkway, Old Marlboro Pike and Melwood Road and Old Marlboro Pike and MD 4 WB off ramp.
  - (3) Construct a second southbound left turn along MD 223 at the MD 4 EB on ramp.
  - (4) Widen the MD 4 EB on ramp to accept the southbound double-left movement.
  - (5) Provide a third NB through lane along MD 223 at the MD 4 EB on ramp.
  - (6) Install a traffic signal at the intersection of MD 223 and MD 4 EB off ramp—MD 4 EB on ramp.
- c. MD 223 and Perrywood Road—Conduct a signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.
- d. Old Marlboro Pike and Ritchie Marlboro Road
  - (1) Create a separate northbound left-turn lane along Ritchie Marlboro Road.
  - (2) Create a separate southbound left-turn lane along Ritchie Marlboro Road.
  - (3) Create a separate eastbound right-turn lane along Old Marlboro Pike.
  - (4) Modify traffic signal.
- e. MD 223 and Marlboro Pike
  - (1) Construct a southbound double-left-turn lane.
  - (2) Modify traffic signal.
  - (3) Provide separate left, through and right-turn lanes on eastbound approach.

**f. MD 223 and Dower House Road**

- (1) Create a double left, a through and a separate right-turn lane on the northbound approach along MD 223.**
- (2) Create a left turn, a through and a shared through-and-right lane on the southbound approach along MD 223.**
- (3) Modify traffic signal.**

**g. MD 4 and Dower House Road—Construct a grade-separated, two-point diamond interchange with traffic signals at both at-grade intersections, subject to the requirements of SHA.**

**h. MD 4 and Westphalia Road—Prior to the issuance of any building permits within the subject property for uses generating peak-hour trips in excess of 1,610 AM and 1,719 PM, the following road improvements (which shall not commence construction until the interchange at Suitland Parkway and MD 4 is completed and open to traffic) shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, (c) have an agreed-upon timetable for construction with the appropriate operating agency.**

- (1) Reconfigure the intersection with a set of channelized traffic islands such that through movements across MD 4 and left turns from all approaches are prohibited.**
- (2) Reconstruct/upgrade Burton's Lane to DPW&T standards.**
- (3) Upgrade Old Marlboro Pike from a point approximately 400 feet north of its intersection with Burton's Lane to the point where it connects to the proposed interchange at MD 4 and Suitland Parkway**

**OR**

- (4) Prior to the issuance of the first building permit within the subject property for uses generating peak-hour trips in excess of 1,610 AM and 1,719 PM for the development, the applicant and the applicant's heirs, successors, and/or assignees shall:**

- In lieu of Condition 48 H(1), (2), and (3), pay a pro rata share of the cost of construction of an interchange at MD 4 and Old Marlboro Pike-Westphalia Road. The pro rata share shall be payable to Prince George's County (or its designee) with evidence of payment provided to the Planning**

**Department with each building permit application. The pro rata share shall be determined after the Planning Board adopts a resolution establishing a surplus capacity reimbursement procedure (SCRP). The pro rata share shall be indexed by multiplying the dollar amount (\$) x (Engineering News Record Highway Construction Cost Index at the time of building permit application) / (Engineering News Record Highway Construction Cost Index for the second quarter 2006).**

- **The above improvement shall have full financial assurances through either private money and/or full funding in the CIP, in a SCR, State CTP, or public financing plan approved by the Council.**

Because of the provisions of Conditions 47 and 48, none of the above-mentioned off-site improvements have been implemented as of the writing of this report. Specifically, these conditions allow development to proceed without any off-site improvements, provided that any such development does not exceed 1,610 and 1,719 (vested) AM and PM peak trips respectively.

Table 2		
	AM Peak	PM Peak
Total Vested Trips (Condition No. 48)	1,610	1,719
<i>Less 346 townhomes (DSP-13006-06)</i>	<i>242</i>	<i>277</i>
<b>Remaining Trips</b>	<b>1,368</b>	<b>1,442</b>
<i>Less Merchandise Logistics Center</i>	<i>1,336</i>	<i>1,334</i>
<b>Remaining Vested Trips (after revision)</b>	<b>32</b>	<b>108</b>

The results of Table 2 show that, with the approved development, there will be sufficient vested trips available to not trigger the need for any off-site improvements. This determination is based upon the assertion by the applicant that the development will in fact generate 1,336 AM and 1,334 PM peak trips. These projections are further predicated on the assumption that the travel demand created by this proposal will be offset by transportation demand management strategies, specifically a bus or shuttle service (public/private). Without a bus/shuttle service, it is estimated that the vehicular trip generation for the use will be approximately 1,646 AM and 1,644 PM. A condition has been included in this approval requiring the applicant to provide bus service, or other necessary improvements, unless evidence of conformance with these conditions are submitted prior to approval of a building permit and final certificate of occupancy.

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



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

A parking analysis was submitted by the applicant and the provided parking was found to be adequate, as discussed in Finding 7 above.

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

The DSP includes one direct vehicular access onto MC-637 and four onto A-66. Given the size of the property and the approved use, this number of access points is minimized to the fullest extent possible.

10. **2010 Prince George's County Landscape Manual:** This DSP is subject to the requirements of Section 4.8, Landscape Requirements in a Regional Urban Community, of the Landscape Manual. According to Section 4.8, the landscape requirements for a regional urban community shall be determined at the time of CSP pursuant to Section 27-544. In accordance with Section 27-548(j) and 27-544(f)(2)(I), in the event a major employment use or center is identified, the CSP may be amended to provide appropriate guidelines for landscaping. The subject application is in conformance with CSP-07004-02, as discussed in Finding 8 above.
11. **1993 Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This property is subject to the provisions of the Woodland Conservation and Tree Preservation Ordinance (WCO) adopted in 1993. The TCPH associated with this DSP is the -05 revision to TCPH-029-12.

The worksheet shown on the TCPH, as submitted, is a standard worksheet showing only the information for the current application. Because the TCPH covers the entire 482.57 acres of the Westphalia Town Center, the worksheet must be revised to a phased worksheet showing the requirement for the overall site and all previously approved phases. The current application must be a phase within the overall worksheet.

The plan requires technical changes to be in conformance with the WCO, which are thoroughly discussed in a memorandum dated June 17, 2019 (Reiser to Hurlbutt) and incorporated herein by reference. Conditions requiring the necessary plan revisions have been included in this approval.

Based on the TCPH and a tree summary memorandum dated April 22, 2019 as submitted, there are more specimen trees located on the site than were identified on previous versions of the plan. There has also been permitted clearing on-site, in accordance with the previously approved TCPH for development.

Within the limits of this application, trees 22-24, 74, 89, 90, 109 and 111-115 were previously approved for removal. Trees 224-226, 228-247, 250, 251, and 255 are approved to be removed with this application. A majority of the trees are located centrally within the subject application

area and need to be removed for the reasonable development of the site. The specimen trees that are located along the edge of the clearing are either of poor quality or a species that does not withstand adjacent development well. For these reasons, the Planning Board supports the clearing of specimen trees as shown on the TCPII.

12. **Prince George's County Tree Canopy Coverage Ordinance:** The site is subject to the requirements of the Tree Canopy Coverage Ordinance and must provide a minimum 10 percent of the site to be covered by tree canopy because the site is zoned M-X-T. As the site measures 78.39 acres, approximately 7.84 acres (341,466 square feet) of tree canopy must be provided. The site plan is approved with 3.08 acres (134,164.8 square feet) in on-site woodland conservation, and 140,042 square feet is provided in landscape trees. Therefore, the total tree canopy coverage on the site, 274,585 square feet, does not meet the requirement. A condition is included in this approval, requiring the applicant to provide the additional required tree canopy on-site.
13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are included in this report by reference, and major findings are summarized, as follows:
  - a. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated June 3, 2019 (Rowe to Hurlbutt) that indicated that master plan conformance is not required for a site plan application and provided the following summarized comments:

This application is located in the Westphalia Local Town Center. *Plan Prince George's 2035 Approved General Plan* (Plan 2035), the County's General Plan, indicates that local town centers include a range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall the centers are less dense and intense than other center types and may be larger than a half-mile in size due to their auto orientation. The centers typically have a walkable core, or town center. Often the mix of uses is horizontal across the centers, rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction.

Plan 2035 establishes growth management goals for the County that include a recommendation for 5 percent of new jobs to be located in town centers such as Westphalia. Although Plan 2035 states that these goals are not to be applied to individual development projects, the subject proposal does advance this general goal.

The Westphalia Sector Plan and SMA recommends a mix of land uses on the subject property. The sector plan designated Westphalia as a regional center, and possible future metropolitan center, pursuant to the 2002 Prince George's County Approved General Plan. Plan 2035 amends this designation by reclassifying Westphalia Center, including the subject property, as a local town center. A local town center, by definition, is "less dense and intense than other center types."

- b. **Transportation**—The Planning Board adopted, herein by reference, a memorandum dated June 13, 2019 (Burton to Hurlbutt) that provided a review of conditions attached to prior approvals, found the site circulation to be adequate, and concluded that, overall from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance. Trip generation analysis is provided in Finding 9 above and the following expands on this analysis:

The approved development is a four-million-square-foot merchandise logistics center. There are no established trip generation rates for this type of land use. In keeping with past practices, staff requested that the applicant collect trip generating data from three existing sites that were not being served by transit (bus/train). The applicant provided trip generation data that showed that the development would generate 1,336 AM and 1,334 PM peak trips. These projections are further predicated on the assumption that the travel demand created by this proposal will be offset by transportation demand management strategies, specifically a bus or shuttle service (public/private). Without a bus/shuttle service, it is estimated that the vehicular trip generation for the use will be approximately 1,646 AM and 1,644 PM peak trips. These projections will exceed the vested trips from the PPS and will trigger the list of off-site improvements in Conditions 47 and 48 prior to issuance of any building permit. In light of these projections, the applicant has agreed to provide shuttle buses between the current terminus of existing public bus services (Washington Metropolitan Area Transit Authority and TheBus) and the building. The shuttle bus service will connect to the appropriate bus transit terminus for both weekday and weekend transit schedules and routes.

In order to determine the scope of bus service, the Planning Board relied on recommendations from commuter studies commissioned by the Metropolitan Washington Council of Governments. In the most recent study (2013), the following information in Table 3 below was observed:

Table 3	
Inner suburbs including Prince George's County	
Mode choice	Percentage
Drive Alone	70
Take Transit	15
Bike/Walk	1
Telework	8
Carpool/Vanpool	6
Total	100

Given the location and nature of the development, biking, walking, or teleworking are not feasible commuting modes for potential employees. Consequently, the results were adjusted to more accurately reflect the approved conditions. To that end, the Planning Board found the following:

- Drive alone 70 percent
- Transit (bus) 19 percent
- Carpool 11 percent

Table 4		
	AM	PM
Trip generation with transit	1,336	1,334
Trip generation without transit	1,646	1,644
<b>Employees needing bus service</b>	<b>310</b>	<b>310</b>

Given the number of employees that will be requiring bus service within the peak hour, a 40-passenger bus with a headway of approximately 15–20 minutes should be adequate to the needs of the travel demand. The size of the buses could also be offset with the size of the headways. The Planning Board approved multiple conditions relative to the trip generation and required transit or improvements.

The building approved in the subject application occupies a footprint of over 817,000 square feet. Based on the previously approved CSP and PPS, the development will be located in an area that was once planned for over 1.6 million square feet of office and retail development. As a result of these modifications in land uses, there will be three roads from the approved CSP and PPS that will be removed. Public Roads K and L, which are both north-south oriented, and Public Road A, which is oriented east-west, will all be removed. The facility will be accessible from two future public roads, MC-637 to the west and A-66 to the south. The applicant is also proposing the elimination of Public Road B (Campobello Road) between Public Road L and the planned MC-637. In lieu of this elimination, the applicant has agreed to dedicate a 54-foot-wide ROW to the north and east of the building. This ROW dedication, when connected to Public Road C, will provide an alternative east-west vehicular access through the future Moore Property subdivision, immediately north and adjacent to the development. All other aspects of the site circulation are deemed acceptable.

- c. **Trails**—The Planning Board adopted, herein by reference, a memorandum dated June 17, 2019 (Shaffer to Hurlbutt) that provided a review of conditions attached to prior approvals, as well as the following summarized discussion:

Bus shelters are provided on-site that will accommodate future bus transit in the area. The shelters are connected to the building via a complete sidewalk connection. The revised plans appear to incorporate more pedestrian walkways that are designated by pavement markings only, as opposed to concrete sidewalks somewhat protected from motor

vehicles by a curb. Details shall be provided for the walkways (both sidewalks and walkways designated with pavement markings only) shown on-site and protected sidewalks will be used throughout the parking lot, to the extent feasible and practicable.

- d. **Subdivision**—The Planning Board adopted, herein by reference, a memorandum dated June 18, 2019 (Turnquest to Hurlbutt) that provided a review of conditions attached to prior approvals, and noted technical revisions needed to the DSP, which have been included as conditions in this approval.
- e. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board adopted, herein by reference, a memorandum dated May 29, 2019 (Zyla to Hurlbutt) in which DPR provided no comment because this DSP does not contain a residential component, is not adjacent to, and/or does not impact any existing or proposed parkland.
- f. **Environmental**—The Planning Board adopted, herein by reference, a memorandum dated June 17, 2019 (Reiser to Hurlbutt) that included a discussion of relevant previous conditions of approval, which has been incorporated into Findings 8 and 9 above, and conditions that have been included in this approval.

An approved SWM Concept Letter (44782–2007-03) was submitted for the overall Westphalia Town Center property and Moore property (530.27 acres). The approved concept is based on a previous layout and does not reflect the revised stormwater facility shown with this DSP on Parcel 9. The revised concept has been submitted to DPIE but has not yet been approved. The revision to the concept must be approved prior to certification of the DSP.

- g. **Historic Preservation**—The Planning Board adopted, herein by reference, a memorandum dated April 30, 2019 (Stabler to Hurlbutt) that indicated that the subject property was surveyed for archeological resources in 2006. No archeological resources were identified within the project boundaries. There are no historic sites or resources on, or adjacent to, the subject property. This proposal will not impact any historic sites, resources, or known archeological sites.
- h. **Washington Suburban Sanitary Commission (WSSC)**—In an email dated May 3, 2019, WSSC offered numerous comments that were provided to the applicant and will be addressed in their separate permitting process.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In an email dated May 17, 2019, DPIE offered numerous comments that were provided to the applicant and will be addressed in their separate permitting process.
- j. **Prince George's County Health Department**—The Health Department did not provide comments on the subject project.

- k. **Prince George's County Department of Public Works and Transportation (DPW&T)**—DPW&T did not provide comments on the subject project.
  - l. **Prince George's County Police Department**—The Police Department did not provide comments on the subject project.
  - m. **Verizon**—Verizon did not offer comments on the subject application.
  - n. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments on the subject application.
  - o. **Westphalia Sector Development Review Advisory Council (WSDRAC)**—WSDRAC did not offer comments on the subject application.
16. **Planning Board Hearing:** At the July 18, 2019 Planning Board hearing, many residents presented opposition to the proposed development. They discussed concerns about the District Council's zoning text amendments that added the use and amended the required findings; the placement of a warehouse-type use adjacent to residential uses; the amount and quality of community outreach by the applicant; truck traffic; size and appearance of the structure; noise; potential decrease in home values; and health and environmental impacts to the surrounding communities. They requested that the Board deny the DSP.

The Board's legal counsel stated that the Council Bills (CB-18 and CB-19) are text amendments and have different notice requirements from re-zonings/map amendments. The text amendments were enacted and are now legal requirements in the Zoning Ordinance, to which the Planning Board must adhere. Also, the question was raised as to how the DSP conforms to the sector plan, in accordance with Section 27-546 (d)(2) of the Zoning Ordinance. Counsel pointed out that language requiring conformance to the design guidelines or standards in the sector plan was the subject of one of two text amendments enacted by the District Council, which amended the language to allow conformance to the economic development strategies of the general or sector plan. The new language formed the basis of planning staff's analysis and recommendation, and ultimately the Planning Board found the DSP met this requirement.

The Board has jurisdiction to review physical site improvements, not the use, which is in this case permitted by right, and not issues such as home values, salaries, or working conditions. The Board can only follow the law as it is enacted by the District Council. Many of the residents' concerns were, for that reason, not relevant to the site plan application. The Board expressed gratitude to all the residents who came out to speak and told the applicant that its lack of meaningful community engagement seemed to contribute to the volume and substance of the concerns raised.

The Planning Board found the additional required and proffered conditions fell within the bounds of a site plan review and found them to be reasonable revisions based on the record and testimony in this matter. Overall, the Planning Board found the DSP in conformance with all required findings, subject to the conditions of approval herein.

17. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
18. Section 27-285(b)(4) of the Zoning Ordinance requires that a DSP demonstrate that regulated environmental features have been preserved and/or restored, to the fullest extent possible. Impacts to the PMA were approved with PPS 4-08002 for Westphalia Town Center. The impacts are grandfathered for this project and the DSP, as submitted, shows impacts that are in general conformance with the previous approvals. Therefore, the regulated environmental features have been preserved and/or restored, to the fullest extent possible.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type II Tree Conservation Plan TCPH-029-12-05, and further APPROVED Detailed Site Plan DSP-19008 for the above described land, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the applicant shall:
  - a. Submit an approved stormwater management concept showing a design consistent with what is shown on the DSP and Type II tree conservation plan.
  - b. Show designated bike lanes along Dower House Road, unless modified by the Prince George's County Department of Public Works and Transportation/ Prince George's County Department of Permitting, Inspections and Enforcement.
  - c. Revise the sidewalk along Presidential Parkway (A-66 and MC-634) to eight feet wide, unless modified by DPW&T/DPIE.
  - d. Provide appropriate details and specifications for the internal walkways proposed through the surface parking lot. Concrete sidewalks should be provided rather than pavement markings to the extent feasible and practicable.
  - e. Provide and label all public utility easements along the public rights-of-way.
  - f. Provide an accurate acreage of the site in the general notes and on the plans.
  - g. Revise the parcel designations, acreage, and ownership information for adjacent properties.

- h. Show the extent of Campobello Road within the subject site and dedicate 54 feet of right-of-way (Parcel A) between Public Road L and Public Road C, as shown on Conceptual Site Plan CSP-07004-02.
- i. Provide confirmation from the utility companies that the 10-foot-wide public utility easements are sufficient to serve the site and that all utilities are properly screened.
- j. Revise the site plan to designate 270 parking spaces (or 15 percent of all provided parking spaces) for carpool parking. These parking spaces shall be the closest parking spaces to all building entrances, except for handicap-accessible parking spaces, and shall be signed as “carpool parking only” spaces. After Conditions 47 and 48 of Preliminary Plan of Subdivision 4-08002 have been satisfied to allow the issuance of building permits for uses generating peak-hour trips in excess of 1,610 AM and 1,719 PM, the applicant may adjust the number and location of the carpool parking spaces by a minor amendment to the DSP, approved by the Planning Director.
- k. Revise the landscape plan to accommodate Campobello Road on the north side of the property.
- l. Revise the tree canopy coverage schedule and plan to satisfy the requirement for the entire gross tract area.
- m. Revise the architecture to add changes in the materials, such as glass and/or metal panels, reduce blank wall spaces, and include additional fenestration and vertical elements to all elevations. These revisions shall serve to make the building appear similar to an office building and integrate it into the town center development. The architecture shall be approved by the Planning Director as designee of the Planning Board.
- n. All parking lot lighting shall be downward, cut-off fixtures to prevent spillage of light beyond the property boundary. Revise the photometric plan to indicate light levels up to and along the northern and eastern property lines, with a maximum level of 0.1 footcandles.
- o. Revise the Type II tree conservation plan, as follows:
  - (1) Replace the specimen tree table on the TCPII with the table submitted in the tree summary memorandum dated April 22, 2019.
  - (2) Show a phased worksheet.
  - (3) Show noise contours as previously shown.
  - (4) Show the standard general information table.
  - (5) Show the tracking table on the cover, as previously shown.



- (6) Update the TCPII approval block to fill-in all approval information.
- (7) Remove the TCP easement note from below the approval block.
- (8) Show a single limit of disturbance for the subject phase only.
- (9) Show all existing and proposed utilities.
- (10) Show temporary tree protection fence and signs along the edge of all clearing areas.
- (11) Show permanent tree protection fence and signs along the edge of all planting areas.
- (12) Show the reforestation sign symbol in the legend.
- (13) Ensure all woodland conservation areas meet the minimum requirements for woodland conservation credits.
- (14) Revise the label for the reforestation symbol in the legend to remove reference to the Maryland State Highway Administration.
- (15) Ensure all symbols shown on the plan are unique, are in conformance with the Environmental Technical Manual, and are labeled in the legend.
- (16) Reevaluate "Preservation not counted Area 3," to determine if it can be counted as woodland conservation credits.
- (17) Revise the reforestation detail shown on sheet 2B to be labeled as such and updated to the current standard reforestation detail.
- (18) Add the following standard details to the plan:
  - i. Permanent tree protection fence.
  - ii. Plant distribution detail.
  - iii. Site stocking detail.
- (19) Revise the site statistics table to reflect the information approved on the -04 version of the plan.
- (20) Revise overlapping text to ensure plan legibility.

- (21) Have the plan signed and dated by a qualified professional.
  - p. Revise the sound wall design to incorporate additional art, patterns, and/or design to provide visual interest.
  - q. Provide additional enhanced landscaping and street furniture along the Dower House Road and Presidential Parkway frontages.
2. Prior to approval of a building permit, unless evidence that Conditions 47 and 48 of Preliminary Plan of Subdivision 4-08002 have been satisfied to allow issuance of building permits for uses generating peak-hour trips in excess of 1,610 AM and 1,719 PM, the applicant must provide transportation demand management strategies to offset the trip generation, as follows:
- a. Provide a written commitment from either the Washington Metropolitan Area Transit Authority (WMATA), or Prince George's County, or other satisfactory evidence as determined by Transportation Planning Section staff, that public bus service shall be extended to the proposed use on or before issuance of a final certificate of occupancy for the development; or
  - b. Provide a written commitment from the applicant, satisfactory to Transportation Planning Section staff, for the provision of a shuttle service from the subject property to existing bus stops served by Washington Metropolitan Area Transit Authority (WMATA) Metrobus and/or Prince George's County's TheBus. At a minimum, the contract or other evidence must demonstrate the following:
    - (1) The shuttle service must begin by the issuance of a final certificate of occupancy for the merchandise logistics center;
    - (2) The shuttle service must be provided between the hours of 6:00–8:00 a.m. and 5:00–7:00 p.m., seven days a week, with transit headways of 15 minutes; and
    - (3) The shuttle service must accommodate at least 40 passengers, or other combination of bus sizes and headways as deemed appropriate by the Transit Section of the Prince George's County Department of Public Works and Transportation.
- The shuttle service must be provided for a period of time as set forth in Condition 3.
3. Prior to issuance of a final certificate of occupancy, unless evidence that Conditions 47 and 48 of Preliminary Plan of Subdivision 4-08002 have been satisfied to allow issuance of building permits for uses generating peak-hour trips in excess of 1,610 AM and 1,719 PM, the applicant shall provide transportation demand management strategies to offset the trip generation, as follows:

- a. Provide a written commitment from either the Washington Metropolitan Area Transit Authority (WMATA), or Prince George's County, or other satisfactory evidence as determined by Transportation Planning Section staff, that public bus service shall be extended to the proposed use on or before issuance of a final certificate of occupancy for the development; or
- b. Provide a copy of a signed contract, or other satisfactory evidence as determined by Transportation Planning Section staff, for the provision of a shuttle service from the subject property to existing bus stops served by WMATA Metrobus and/or Prince George's County's TheBus. At a minimum, the contract or other evidence must demonstrate the following:
  - (1) The shuttle service must begin by the issuance of a final certificate of occupancy for the merchandise logistics center;
  - (2) The shuttle service must be provided between the hours of 6:00–8:00 a.m. and 5:00–7:00 p.m., seven days a week, with transit headways of 15 minutes; and
  - (3) The shuttle service must accommodate at least 40 passengers, or other combination of bus sizes and headways as deemed appropriate by the Transit Section of the Department of Public Works and Transportation.

The shuttle service must be provided until either bus service is provided as required by Condition 3(a) above. The applicant must inform staff promptly if the shuttle service is modified, including if a new vendor is chosen to provide shuttle service, and at staff's discretion, the applicant may be required to provide supplemental evidence that the shuttle service remains operational.

4. The applicant shall work with the Prince George's County Department of Permitting, Inspections and Enforcement and the Prince George's County Department of Public Works and Transportation, as appropriate, to post signage on neighborhood public streets in locations approved by the permitting authority that prohibit through truck traffic.
5. Construct an eight-foot-high solid masonry wall on top of the berm located for the full length of the eastern edge of the property to provide additional screening.
6. Revise the landscape plan to provide additional plantings along the western edge of Glover Park Drive utilizing a variety of evergreen and other native plantings to provide additional screening. To the extent the additional plantings are proposed within the public right-of-way, approval of the permitting authority is required.

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioners Doerner and Washington absent at its regular meeting held on Thursday, July 18, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of July 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:JH:gh