

Case No. SP-08027

Applicant: Image Development Corp.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION, WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 09-27, to approve with conditions a detailed site plan for the construction of 200 single-family detached homes, for a project referred to as Westphalia Towns, on property described as approximately 46.35 acres of land in the R-T and R-R zones, located to the north of Westphalia Road, along Cedar Way, Forestville, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case. The Council has added conditions to those imposed by the Planning Board, to improve site and building design, and to insure high-quality architecture and lot design.

Approval of this detailed site plan is subject to the following conditions:

1. Prior to signature approval of the detailed site plan, the applicant shall revise the plans as follows:
 - a. Add a note to the fence detail stating that the fence shall have a natural, non-white color.
 - b. Create a brick front tracking chart.
 - c. Revise the Site Data notes and the plan to clearly demonstrate that portions of the subject property are located in the R-R Zone and are not included in the subject DSP.
 - d. Revise the Site Data notes to reflect all four underlying parcels that are included within the subdivision (Parcels 30, 143, 144, and 329).

- e. Identify which streets will be private and which streets will be public.
 - f. Identify and dimension the required five parking spaces for the physically handicapped, including two van-accessible spaces.
 - g. Demonstrate that the required ten-foot-wide public utility easement has been provided along all private streets.
 - h. The width of the sidewalk along the west side of Cedar Way will be determined by DPW&T. If a six-foot sidewalk in this location is approved by DPW&T, the applicant shall revise the plan to show a six-foot sidewalk along the west side of Cedar Way.
 - i. Revise the plan to place a 50-foot building restriction line along the west side of Cedar Way.
2. Prior to signature approval of the detailed site plan, the applicant shall revise the plans to reflect the following architectural requirements:
- a. All endwalls shall be faced with brick and have a minimum of three architectural features.
 - b. All units shall have a full front façade (excluding gables, windows, trim, and doors) constructed of brick with the following exceptions:
 - (1) In any stick of four or five dwelling units, a maximum of one unit may have brick on the first floor of the front elevations and siding on the second and third floors, and on the alternating small or large gable, as applicable.
 - (2) In any stick of six dwelling units, a maximum number of two units may have brick on the first floor of the front elevations and siding on the second and third floors, and on the alternating small or large gable, as applicable.
 - (3) Prior to certification of this DSP, the applicant may modify the architectural elevations to utilize stone or stucco materials on the front facades in accordance with this condition.
 - c. All chimneys shall be constructed of brick.
 - d. The architectural floor plans shall be revised to increase the minimum standard finished living area in the dwelling units, exclusive of the one-car garage, to 2,000 square feet.
 - e. Wider units of at least 22 feet shall be constructed on end lots.

3. Prior to certification of the detailed site plan, the TCP II shall be revised to:
 - a. Revise the Index Sheet to correctly indicate the detail sheets in the plan.
 - b. Remove the symbol for the proposed tree line from the plans and the legend.
 - c. Clearly label the PMA.
 - d. Correct the Reforestation Plant Schedule calculations.
 - e. Remove the notes regarding a Habitat Management Plan.
 - f. Have the revised plan signed and dated by the qualified professional who prepared the plan.
 - g. As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.
4. Prior to certificate approval of the Detailed Site Plan DSP-08027, the applicant shall submit to DPR for review and approval the detailed construction drawings for the construction of the trail connectors on adjacent parkland. The construction drawings shall include a grading plan, limit of disturbance, typical sections and details, and construction details.
5. The trail shall be designed in accordance with the applicable standards in the *Park and Recreation Facilities Guidelines*. Designs for any needed structures shall be reviewed and approved by DPR.
6. Prior to construction of the trail on parkland the trail location shall be staked in the field and approved by DPR staff.
7. The applicant shall complete the trail construction prior to issuance of the 100th building permit.
8. Prior to certificate approval of the Detailed Site Plan DSP-08027, the applicant shall revise the plan to remove the sign from the corner of Westphalia Road and Cedar Way. The configuration of the park parcel shall be revised so that it has frontage along Cedar Way for its entire length. The sign and its proposed landscaping shall be moved to a new location at the intersection of Lydia Lane and Cedar Way. The location of a temporary sign (pursuant to section 27-618(a)(1)) shall be shown. A right of entry shall be obtained from Parks and Recreation prior to installation of the sign.
9.
 - a. The following note shall be placed on the final plats:

“Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits,

evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC, Planning Department.”

- b. The area of the 50-foot landscape buffer on the dedicated parkland shall be designated with a building restriction line on the final plat.
10. The following note shall be placed on the final plats:

“All afforestation/reforestation and associated fencing shall be installed prior to the issuance of the first building permit. A certification prepared by a qualified professional shall be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.”
11. In conformance with the Approved Westphalia Sector Plan, and approved Preliminary Plan of Subdivision 4-07060 (Condition 14, PGCPB No. 08-05), the applicant and the applicant’s heirs, successors and/or assigns shall provide the following:
 - a. An eight-foot-wide hard surface Class II Trail along the subject site’s entire frontage of Westphalia Road, unless modified by DPW&T.
 - b. Standard sidewalks along both sides of the subject site’s portion of Cedar Way, unless modified by DPW&T.
 - c. Standard sidewalks along both sides of the subject site’s portion of Chester Grove Road, unless modified by DPW&T.
 - d. Standard sidewalks along both sides of all internal roads (excluding alleys), unless modified by DPW&T.
12. Prior to issuance of a sign permit for the gateway sign, the applicant shall submit a maintenance agreement that has been approved by the Department of Environmental Resources (DER).
13. At the time of building permit, pursuant to Zoning Ordinance No. 11-2005, the developer/builder shall certify to the Prince George’s County Minority Business Compliance Manager utilization of at least 15 percent local Prince George’s County minority contractors and/or suppliers in this development project. Certification shall include names and addresses of each contractor and/or supplier.

Ordered this 7th day of July, 2009, by the following vote:

In Favor: Council Member Bland, Campos, Dean, Dernoga, Exum, Harrison, Knotts, Olson
and Turner.

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Marilynn M. Bland, Chairperson

ATTEST:

Redis C. Floyd
Clerk of the Council