

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on January 10, 2008 regarding Conceptual Site Plan CSP-07001 for Westphalia Row, the Planning Board finds:

1. **Request:** The conceptual site plan proposes to develop the subject property with a mix of residential and commercial development, including 140-180 townhouses, 48-96 three-family dwelling units, 200-325 multifamily dwelling units, and 40,000-70,000 square feet of office and 10,000-30,000 square feet of retail space. The overall number of dwelling units will total 420-600.

2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	M-X-T	M-X-T
Use(s)	Single-family houses	Attached and multifamily residential; commercial office and retail
Acreage	20.67	20.67
Dwelling Units	4	420-600
Commercial Square Footage	0	50,000-100,000
Residential Square Footage	5,544	1,160,500
Floor-Area Ratio	.006	1.4

3. **Location:** The subject property is located at the southwest corner of the intersection of Ritchie-Marlboro Road and Sansbury Road, in Planning Area 78, Council District 6. It is within the Developing Tier. This intersection is designated by the approved 2007 Westphalia Sector Plan as one of nine gateways into Westphalia. It is proposed in the plan as the location of a mixed-use village center. Fernwood Drive passes through the site.

4. **Surrounding Uses:** To the northwest of the site is the exit ramp leading from I-495 to Ritchie Marlboro Road. To the south of the subject site is an existing single-family residence in the R-R Zone. Further south and west on Fernwood Drive is a mobile home park. Across Sansbury Road to the east are the Ritchie Baptist Church property and the PB&J property, which are also zoned M-X-T as part of the village center. These two properties are currently developed with a church and a single-family house.

5. **Design Features:** The applicant proposes a mixed-use residential and commercial development. Fernwood Drive, which currently runs through the southern part of the site, is proposed to be relocated further north, through the center of the site. The illustrative plan shows four distinct portions of development.

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

South of Fernwood Drive, 114 townhouses are proposed on fee-simple lots around two small open spaces. Of these 83 are rear alley-loaded units, while 31 are front-loaded units laid out along the southern edge of the site.

North of Fernwood Drive additional rear alley-loaded units are located along the north and east sides of a large, roughly triangular open space that forms a “village green” in the center of the site. These units are proposed on fee-simple lots.

In the northeast portion of the site, 96 three-family dwelling units have been proposed in nine attached rows. These units are envisioned as condominium units on a common parcel.

The applicant proposes to provide a mix of indoor and outdoor recreational facilities for the site population. The fitness center and indoor recreational facilities are conceptually located in the southwest corner of the multifamily building, close to the village green and the center of the site. It is the understanding of staff that these facilities are to be made available without exception to all residents of the Westphalia Row community. The village green is proposed to include a gazebo and benches with a decorative fence along the street for safety and aesthetic purposes. A trail with fitness stations is proposed along the western side of the site.

6. **Previous Approvals:** This property was rezoned to M-X-T by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. As part of this rezoning, the District Council approved the concept plan for development of the subject property and the neighboring properties to the east and southeast as an integrated, mixed-use development. This concept plan is illustrated in plan view and with illustrative perspective renderings in Exhibit 19, presented as part of the public record for the Sectional Map Amendment. Exhibit 19 is intended to serve as a vision to guide the development of the village center.

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

7. **Urban Design review:** The proposed plan design is conceptually sound. It provides a

closely-spaced and walkable design for the community, mixes different land uses and residential unit types, and creates the potential for attractive, pleasant open spaces and streetscapes throughout the development. The plan appears to allow adequate space for landscaping in conformance with the requirements of the *Landscape Manual*. As the development plan evolves through the stages of the planning process, it will be reviewed in greater detail. At this time, the Urban Design section notes some broader design issues that need to be addressed.

- a. **Ritchie Marlboro Road Frontage:** The applicant's proposed arrangement of three-family attached units along the frontage of Ritchie Marlboro Road poses a design problem. Under the proposed arrangement, four rows of attached residential units are oriented perpendicular to Ritchie Marlboro Road. This fully exposes two private alleys to view from the public road, which is problematic because the alleys behind rear-loaded units are typically unattractive spaces dominated by garage doors. Furthermore, the proposed arrangement places the sides of units facing Ritchie Marlboro Road, which suggests an inwardly-focused development and reduces the visual attractiveness from the public road. Views from Ritchie Marlboro Road into this site are particularly important because it is a major arterial road and forms one of the main access routes into the Westphalia area. The applicant has proposed provision of attractive architectural treatments along the sides of these units to address this issue, but staff feel that this would not be adequate and that it is important to face a row of units directly onto the public road, minimizing public views of the alleys and providing an attractive northern face for the development.

In the proposed arrangement, the southern ends of these two alleys are screened from view by rows of units that face southward onto Private Road C. This portion is an appropriate arrangement that should be preserved because it potentially creates a very pleasant space along Private Road C, with fronts of units on both sides of the road.

The Urban Design Section recommends that at the time of detailed site plan review, the area should be redesigned to provide units fronting on Ritchie Marlboro Road as well as on Private Road C. It may not be necessary to remove all sides of units from Ritchie Marlboro, but the dominant visual impression to the north should be of fronts of units, and the public view into the alleys should be minimized. It should be recognized that because of the space limitations, this recommended redesign may result in fewer units than the current proposed arrangement, but staff feel that it is essential to creating an attractive community with an outward orientation.

Because of noise coming from traffic on Ritchie Marlboro Road and the Capital Beltway, a noise wall will be required along part of the northeastern edge of the site. As this wall will be within close view of many motorists passing through the interchange, it should be designed with an attractive appearance.

- b. **Sansbury Road Frontage:** The treatment of the subject property's frontage on Sansbury Road is very important to creating a main street environment for the mixed-use village center and to creating a distinctive gateway. Buildings along this frontage should have

pedestrian entrances along Sansbury Road and there should be a traditional main street streetscape including wide sidewalks, street trees, and public street furniture such as benches. The proposed plan shows townhouses south of Fernwood Drive facing onto Sansbury Road, and it is the understanding of staff that the multistory commercial and residential building will also front on Sansbury Road.

Staff recommend that a low, decorative fence or wall along the frontage of Sansbury Road should be considered at the time of detailed site plan review as an attractive means of accentuating the streetscape while delineating the boundary between the public right-of-way and the private lots and parcels. The fence or wall could also be utilized by the other M-X-T properties on the east side of Sansbury Road to help visually unify the village center.

- c. **Recreational Facilities:** The idea underlying the applicant's arrangement of recreational facilities is to preserve the open spaces within the area of attached units as green spaces by placing most active recreational facilities inside the multifamily building. This approach is reasonable, as long as the facilities provided are adequate for the community's needs and are available to all residents. Staff note that the proposed arrangement does not make much provision for recreation by children. The village green is large enough to serve as an open play area for games and sports, but young children may not be interested in the fitness trail or the indoor facilities. The Urban Design Section therefore recommends that the recreational package should include at least two outdoor playgrounds in two separate locations within the area of attached units in order to provide more opportunities for children's recreation.

It is the understanding of staff that the applicant intends for all of the proposed facilities, including those inside the multifamily building, to be made available without exception to all residents of the Westphalia Row community. However, there have been problems in the past with shared recreational facilities not being made available to all residents. As the development will include fee-simple lots as well as condominium units and rental units, it may be difficult to coordinate ownership and maintenance of the facilities between the different portions of the site. Therefore, if satisfactory legal arrangements cannot be made to ensure that the facilities will be equitably shared by all residents, it may not be possible to consider the indoor recreational facilities as accessible to the residents of the attached units. In that case, the applicant would need to provide adequate facilities with each phase of development to provide for the residents of that phase.

- d. **Parking Requirements:** The final quantities and distribution of parking areas for the development will be reviewed at the time of detailed site plan. The conceptual site plan shows various forms of parking provision for the different parts of the development. Parking for the multifamily building will primarily be located in the five-level parking garage. The commercial space has a small associated surface parking compound, and will also have a portion of its parking within the parking garage. The front-loaded townhouses are envisioned with garages, in addition to a tandem parking space on the driveway in front of the garage. The rear-loaded townhouses are envisioned with two-car garages,

while parking for the three-family dwellings is to be provided in the ground floor of the buildings. Parallel parking spaces are envisioned along Fernwood Drive, subject to the approval of the Department of Public Works and Transportation (DPW&T), and along the private roads of the development.

Section 27-574 allows for parking in the M-X-T to be calculated using shared parking arrangements where appropriate, subject to the approval of the Planning Board. It appears reasonable to allow for some sharing of parking between the commercial building and the multifamily building, as they are adjacent to each other and will probably experience their peak requirements of parking at different times of the day. The parking for the attached dwelling units on the rest of the site should not utilize shared parking calculations. Because of the size of the development, parking provided in one portion of the attached dwelling units may not be easily accessible to residents of other portions (for instance, off-street parking provided near the three-family dwellings may not be useful to residents of the front-loaded townhouses on the other side of the site). Therefore the parking should be calculated separately for each portion of the attached units to ensure a proper distribution of parking spaces throughout the site.

At the time of detailed site plan review, the applicant will need to demonstrate that adequate parking for the development has been provided. When the parking calculation is made, the townhouses should demonstrate 2.04 off-street parking spaces per unit and the three-family dwellings should demonstrate 2.0 off-street parking spaces per unit. Spaces provided in driveways or carports must allow at least 19 feet of parking space for cars, which must not obstruct pedestrian or vehicular travel routes. In addition, the Urban Design Section recommends that each portion of the development should provide extra parking for guests and visitors to use, to constitute at least 10 percent of the spaces required by the zoning ordinance.

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

**Required Findings for Conceptual Site Plans in the M-X-T Zone (Section 27-546(d)) (CB-78-2006):**

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

The proposed development is in conformance with this requirement. In accordance with Section 27-542(a)(2), the proposed conceptual site plan will implement the recommendation of the *Approved Westphalia Sector Plan and Sectional Map Amendment* by contributing to the creation of a compact, mixed-use community. The walkable, mixed-use development proposed on the site takes advantage of the transportation links available, and allows for reduction of the number and distance of automobile trips by constructing residential and nonresidential uses in close proximity to each other.

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

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

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

The proposed development will be outwardly oriented. Although the village green forms an internal focal point at the center of the community, residential and commercial buildings at the edge of the site will front onto Sansbury Road. As noted above under Urban Design review, the proposed arrangement of three-family units along Ritchie Marlboro Road is not outwardly oriented. Staff has proposed that this arrangement should be revised to create a more outwardly oriented development.

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

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

- (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;**

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

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

The applicant has proposed splitting the site into two development phases. Phase I will consist of the fee-simple townhouses as well as infrastructure, while Phase II will consist of the three-family dwellings, the multifamily building, and the commercial building. The Urban Design Section does not object in principle to this phasing. However, in order to ensure that the site becomes a truly mixed-use development, the Urban Design Section recommends that the commercial

building should be constructed before issuance of the permit for the 300<sup>th</sup> residential dwelling unit on the site. Furthermore, at each phase of development, the applicant should be able to demonstrate that there will be a reasonable amount of recreational facilities available for the residents of that phase to ensure that the phase will be a self-sufficient entity.

Following discussions between the applicant, staff, and the Planning Board, the Planning Board agreed to review a phasing schedule for the residential and commercial phases of the development at the time of detailed site plan review.

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

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

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

This requirement will be assessed at the time of the detailed site plan. There are several open areas proposed on the plan to serve as gathering places for people, in addition to the pedestrian routes along public and private roads.

**(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 applicant has submitted a traffic study to demonstrate the adequacy of transportation facilities for the site. With the conditions proposed by the Transportation Planning Section, the transportation facilities will be adequate to carry anticipated traffic for the proposed development. (See discussion in the transportation referral section below.)

The submitted conceptual site plan shows the total proposed development falling within a range of 420-600 dwelling units, 40,000-70,000 square feet of office space, and 10,000-30,000 square

feet of retail space. However, it should be noted that the traffic study submitted with the plans only assumed traffic generation for 502 dwelling units, 42,300 square feet of office space, and 14,100 square feet of retail space. The traffic study showed adequate transportation facilities for the trips that would be demonstrated by these quantities of development. The same number of trips might be generated by a slightly different mix of uses, which would still fall within the ranges of uses proposed on the conceptual site plan. Therefore, the staff's recommendation of approval for the range of units and uses proposed on the conceptual site plan is subject to the trip cap recommended by the Transportation Planning Section.

**Regulations of the M-X-T Zone (Section 27-544)**

- (b) 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) 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.**

The proposed conceptual site plan is intended to help implement the vision of the sector plan for a gateway village center at this location and follows the land-use recommendations envisioned at the time of the sectional map amendment. The referenced Exhibit 19 provides guidance for the development regulations to be incorporated into the conceptual site plan. The applicant has proposed a set of development standards for the site, but they do not appear to adequately address the necessary design issues. Staff has recommended alternative development standards to implement the concept of the Westphalia Sector Plan and SMA.

The M-X-T Zone allows a floor-to-area ratio (FAR) of 0.4, which can be increased to 1.4 when developing a mix of residential and commercial uses, and up to 8.0 with the provision of various incentive measures. This will be evaluated in greater detail during the review of the detailed site plan, when square footage numbers will be more definitive. The conceptual site plan shows a proposed FAR of approximately 1.4, including 50,000–100,000 square feet of commercial and 1,160,500 square feet of residential space. Any development above the allowed 1.4 FAR would require additional incentive measures.



9. ***2007 Approved Westphalia Sector Plan and Sectional Map Amendment***

**Village Center Guidelines**

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

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

The proposed commercial development is located in a four-story building including ground-floor retail and upper-floor office space. The applicant has indicated that the building will front on Sansbury Road, which is appropriate in order to promote a walkable main street character on that frontage.

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

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

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

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

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

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

**Gateway Guidelines**

The plan also identifies the intersection of Ritchie Marlboro Road and Sansbury Road as one of the nine gateways into Westphalia. Design features for the gateways are as follows:

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

- **Landmark elements such as entrance signage, artwork, monuments constructed on features such as stone or masonry, decorative columns, water features, or clock**

**towers.**

- **Landscape design including both softscape and hardscape.**
- **Resting and recreation facilities, information kiosks, or other amenities as appropriate.**

As this is the first gateway into Westphalia to be developed since the adoption of the sector plan, no standard or precedent has been set regarding these features. The Westphalia Gateway Subcommittee, including several developers and stakeholders active in the Westphalia sector plan area, is tasked with developing standards for gateway signage or other features throughout the plan area. Ideally, all nine gateways will have a similar treatment so that everyone entering the Westphalia area will be aware that they are entering a distinctive community. At the time of detailed site plan review, a package of design items such as gateway entrance features, architectural design, materials, colors, landscape palette, and streetscape features should be presented in order to create a distinctive sense of arrival.

10. **Development Standards:** In order to create a distinctive sense of place and realize the vision of the Westphalia Sector Plan and Sectional Map Amendment for a pedestrian-friendly, mixed-use village center, the Urban Design Review Section recommends the adoption of development regulations that will regulate the location and placement of buildings on the subject site. The applicant has proposed a set of development standards as follows:

**Applicant's Proposed Development Standards**

- a. Townhouses (fee simple)
  - (1) Minimum lot size: 900 square feet
  - (2) Front yard setback: 10 feet
  - (3) Side yard setback: 0 feet
  - (4) Rear yard setback: 0 feet
  - (5) Building height: 45 feet
- b. Three-family dwellings and Townhouses (condominium)
  - (1) Minimum parcel size: no minimum
  - (2) Building to building setbacks:
    - (a) Building front to building front: 50 feet
    - (b) Building side to building side: 10 feet
    - (c) Building side to building rear: 30 feet
    - (d) Building rear to building rear: 30 feet
  - (3) Building height: 55 feet
- c. Multifamily, office, and retail buildings
  - (1) Minimum lot size: no minimum
  - (2) Public street setback: 10 feet
  - (3) Side yard setback: 0 feet

- (4) Rear yard setback: 0 feet
- (5) Building height: 75 feet

The proposed development standards of the applicant are not unreasonable but do not address all of the relevant design considerations. Specifically, the standards do not differentiate between front-loaded and rear-loaded townhouses and do not provide for build-to lines. Staff recommend that front-loaded and rear-loaded townhouses should have different development standards because each type of unit has different issues. Front-loaded units should be placed far enough from the street that a standard car can park in the driveway without obstructing the sidewalk or the road. The minimum lot size for townhouses in the M-X-T Zone is typically 1,800 square feet, but this requirement does not apply to the subject site by virtue of Section 27-544(b)(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 sector plan establishes a minimum lot size for single-family attached dwellings in the Westphalia town center of 1,000 square feet, while mixed-use fringe areas near the town center may have a range of single-family attached lot sizes from 1,300-1,800 square feet. The subject property does not fall within either of those areas, but the mixed-use village centers in Westphalia are generally treated similarly to the mixed-use fringe areas with regard to design considerations. The applicant's proposed preliminary plan of subdivision (4-07038, submitted concurrently with the subject application) includes a number of lots that are larger than 1,000 square feet but smaller than 1,300 square feet. Because the Westphalia Sector Plan gives no particular direction regarding the lot sizes in village centers, the Urban Design Section is not recommending that all townhouses on the subject site be required to meet the stricter standards of the mixed-use fringe areas. Instead, staff recommends that the rear-loaded attached lots be no smaller than 1,000 square feet and the front-loaded lots should be no smaller than 1,300 square feet.

#### **Staff's Proposed Development Standards**

- a. Front-loaded Townhouse (fee simple)
  - (1) Minimum lot size: 1300 square feet
  - (2) Minimum front yard setback: 20 feet from back of sidewalk
  - (3) Minimum yard area: 400 square feet
  - (4) Maximum building height: 45 feet
  - (5) Minimum lot width: 20 feet
- b. Rear-loaded townhouse (fee simple)
  - (1) Minimum lot size: 1000 square feet
  - (2) Minimum front yard setback: 10 feet from back of sidewalk
  - (3) Maximum building height: 45 feet
  - (4) Maximum lot width: 20 feet

- c. Three-family dwellings and townhouse (condominium)
  - (1) Minimum spaces between buildings:
    - (a) Building front to building front: 50 feet
    - (b) Building side to building side: 10 feet
    - (c) Building side to building rear: 30 feet
    - (d) Building rear to building rear: 30 feet
  - (2) Maximum building height: 55 feet
- d. Multifamily, office, and retail buildings
  - (1) Buildings shall be set back 15-35 feet from the ultimate right-of-way line of Ritchie Marlboro Road. Building walls must be within 35 feet of the ultimate right-of-way line for at least 75 percent of the linear distance of the parcel's frontage on Ritchie Marlboro Road.
  - (2) Buildings shall be set back 15-25 feet from the ultimate right-of-way line of Sansbury Road. Building walls must be within 25 feet of the ultimate right-of-way line for at least 75 percent of the linear distance of the parcel's frontage on Sansbury Road.
  - (3) Maximum building height: 75 feet.

Following discussions between the applicant, staff, and the Planning Board, the Planning Board agreed to a slightly different lot standard for rear-loaded townhouses, as reflected in the conditions of approval.

The proposed regulations are intended to establish build-to lines that will bring buildings close to the street, particularly along Sansbury Road. Sansbury Road is envisioned as the most appropriate area for a pedestrian-friendly environment because of the dense mixed-use development proposed along it. Although the visual appeal of the development along Ritchie Marlboro Road is crucial, it is less feasible to create a pedestrian-oriented environment there because the road is very wide and other properties to the east and north along the road will be lower-density, single-use development for the foreseeable future.

11. **Transportation Referral:** In a memorandum dated November 28, 2007 (Burton to Lindsay), the Transportation Planning Section provided the following comments:

The property is located in an area generally bounded by Ritchie Marlboro Road to the north, the Capital Beltway (I-495) to the west, and Sansbury Road to the east. The applicant proposes to develop the property under M-X-T zoning with approximately 502 residential units and 14,100 square feet of retail and 42,300 square feet of general office space.

The applicant (in a joint effort with the developer of the adjacent PB&J property—CSP-07002) prepared a traffic impact study dated September 25, 2007, in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The study has been referred to the county's Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). The findings and recommendations outlined below are based upon a

review of all materials received and analyses conducted by the staff and are consistent with the guidelines. It is worth noting that all of the analyses presented in the study are based on the traffic generated by both the subject application and the adjacent PB&J property. Both applications are located on either side of Sansbury Road and will impact the same transportation facilities; consequently, they will receive the same off-site transportation conditions.

### **Growth Policy—Service Level Standards**

The subject property is located within the Developing Tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

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

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

### **Traffic Impact Study**

Pursuant to the scoping agreement between the applicant and staff, the traffic impact study identified the following intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Ritchie Marlboro Road & Sansbury Road	C/1171	A/915
Ritchie Marlboro Road & White House Road	B/1072	A/727
Sansbury Road & D'Arcy Road (unsignalized)	B/12.6 secs.	B/12.2 secs.
Unsignalized intersections are analyzed using the highway capacity software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service "D," which is deemed acceptable, corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1,450 or less is deemed acceptable as per the guidelines		

The traffic study identified 18 background developments whose impact would affect some or all of the study intersections. Additionally, a growth rate of 1.5 percent per year (through 2010) was

applied to the existing traffic counts. A second analysis was done to evaluate the impact of the background developments on the existing infrastructure. The analysis revealed the following results:

BACKGROUND CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Ritchie Marlboro Road & Sansbury Road	F/1736	E/1515
Ritchie Marlboro Road & White House Road	E/1476	B/1012
Sansbury Road & D'Arcy Road	F/947 secs.	F/538 secs.
I-95 @ Ritchie Marlboro Road SB Ramps-Roundabout	A/8.4	C/33.1
I-95 @ Ritchie Marlboro Road NB Ramps-Roundabout	A/9.4	B/17.0
Unsignalized intersections are analyzed using the highway capacity software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service "D," which is deemed acceptable, corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1,450 or less is deemed acceptable as per the guidelines		

An analysis of the traffic data under total conditions represents a combination of background traffic and site-generated traffic. Using trip generation rates from the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, as well as the Institute of Transportation Engineer's (ITE) *Trip Generation Manual*, 7<sup>th</sup> edition, the study has determined that the proposed development, based on the above-mentioned uses, would generate a net total of 398 (146 in, 252 out) AM peak-hour trips, and 471 (264 in, 207 out) PM peak-hour trips. In the case of the PB&J property, that development would generate a net 207 (106 in, 101 out) AM peak-hour trips, and 269 (133 in, 136 out) PM peak-hour trips. Using these site-generated trips, an analysis of total traffic conditions was done, and the following results were determined:



TOTAL CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Ritchie Marlboro Road & Sansbury Road <i>With Improvements</i>	F/1834 D/1373	E/1665 C/1286
Ritchie Marlboro Road & White House Road <i>With Improvements</i>	E/1512 C/1300	B/1043 A/994
Sansbury Road & D'Arcy Road	F/999 secs.	F/635 secs.
I-95 @ Ritchie Marlboro Road SB Ramps-Roundabout	A/8.8 secs.	C/52.9 secs.
I-95 @ Ritchie Marlboro Road NB Ramps-Roundabout	A/9.7 secs.	B/21.2 secs.
Ritchie Marlboro Road @ PB&J (west)	B/11.1	E/35.8
Ritchie Marlboro Road @ PB&J (east)	B/11.1	E/36.1
Sansbury Road @ PB&J	C/19.2	C/18.9
Sansbury Road @ Westphalia Row	C/22.6	E/48.0
Unsignalized intersections are analyzed using the highway capacity software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service "D," which is deemed acceptable, corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1,450 or less is deemed acceptable as per the guidelines		

The results shown in the table above have indicated that there are three intersections that would operate unacceptably under total traffic conditions. To address those inadequacies, the following improvements were proposed in the traffic study:

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

Given the projected delay in excess of 50 seconds, the applicant proposes a traffic signal warrant study for this intersection.

- b. Sansbury Road/Ritchie-Marlboro Road intersection

The applicant proposes the addition of a third eastbound and westbound through lane on Ritchie-Marlboro Road. With this improvement in place, the intersection is projected to operate with a LOS/CLV of D/1373 during the AM peak hour and C/1283 during the PM peak hour.

- c. Ritchie Marlboro Road/White House Road intersection

Provide the following improvements:

- Southbound approach: A right turn lane and a shared through-left lane
- Eastbound approach: A left turn lane, 2 through lanes, and a right turn lane



- Westbound approach: A left turn lane, 2 through lanes, and a right turn lane
- Northbound approach: 2 left turn lanes and a shared left-through-right lane

With all of the improvements cited above, the traffic study concluded that the development of the site as proposed will satisfy traffic adequacy.

### **Staff Review and Comments**

Upon review of the applicant's traffic study, staff agrees with its overall conclusion regarding the road system being able to accommodate the proposed development. In addition to the Transportation Planning staff, the traffic study was reviewed by two other agencies—the State Highway Administration (SHA) and the Department of Public and Transportation (DPW&T). SHA concurred with the study findings and conclusion pending the provision of the proffered improvements. Although DPW&T is also in general agreement with the study's conclusions, in its November 16, 2007, letter to staff (Issayans to Burton), it has stated that it would not permit two separate median breaks along Sansbury Road for the Westphalia Row and the PB&J properties. In light of DPW&T's position on median openings, the PB&J property would be limited to a right-in/right-out access along Sansbury Road.

The DPW&T letter also addressed the issue of the D'Arcy Road-Sansbury Road intersection. DPW&T suggests that the applicant should contribute to the relocation. In fact, there are three developments ((D'Arcy Park North, D'Arcy Park South, and Westphalia Towns) that have been required to realign the intersection AND conduct a signal warrant study. Should the signal be warranted, then all parties would be required to share in the cost of installation.

Although the traffic study reported the level of service at the intersections of I-95 at Ritchie Marlboro Road southbound/northbound ramps-roundabout in terms of delay, it has also reported the performance of those facilities by listing the corresponding volume to capacity (v/c) ratio. The Planning Department's guidelines does not address adequacy for roundabouts. However, SHA has written guidelines for evaluating the adequacy of roundabouts. Based on SHA's guidelines, a roundabout with a v/c ratio greater than 0.85 is considered to be operating inadequately. The results from the traffic study show v/c ratios of 0.896, 0.866, 0.400 and 1.342 for both roundabouts during the AM and PM peak hours.

In its November 8, 2007, letter to staff (Foster to Foster), SHA did not address those inadequacies. While one may perceive this omission as an oversight by SHA, it should be noted that previously SHA has provided written comments on its position regarding the issue of adequacy at the roundabouts at the Beltway and Ritchie Marlboro Road. During the Planning Board hearing on 9/20/07 for the preliminary plan of subdivision for the Kenwood Village (4-06159) application, staff discussed the contents of a September 12, 2007, letter from SHA to staff (Foster to Foster). In that letter, SHA acknowledged the fact that the roundabouts would operate inadequately under background conditions even with the addition of a third lane to that facility. It further stated that no additional expansion to the roundabouts would be acceptable. In light of those comments by the SHA in September 2007, staff is of the opinion that SHA's position remains unchanged.

The site will be accessed primarily from Sansbury Road by way of a relocated Fernwood Drive. Fernwood Drive will be rebuilt as a 60-foot primary residential street for which parking on both sides will be allowed. A series of internal streets and alleys will provide internal circulation between the various components of the proposed development. Staff finds the proposed site layout to be acceptable.

### **Transportation Staff Conclusions**

Based on the preceding findings, the Transportation Planning Section determines that the plan conforms to the required findings for approval of the conceptual site plan from the standpoint of transportation if the application is approved with conditions listed in the recommendation section of this report.

12. **Community Planning Referral:** In a memorandum dated October 19, 2007 (Smith to Lindsay), the Community Planning South Division offered the following comments:

- This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier.
- This application generally conforms the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* land use policies for a mixed-use activity center at Sansbury and Ritchie Marlboro Roads, but consideration should be given to increasing the minimum amount of proposed commercial development and extending commercial land use farther south along Sansbury Road. Gateway design features have not been addressed.
- CB-78-2006 revised the review criteria for conceptual site plans in the MXT Zone under certain circumstances, which apply in the Westphalia Sector Plan area, to establish master plan design guidelines or standards and referenced exhibits in the public record as important review criteria for development regulations to be established by the conceptual site plan. Exhibit 19 in the public record of the 2007 *Approved Westphalia Sector Plan and SMA* pertains to review of this application.

### **Planning Issues**

**Revised Conceptual Site Plan Review Criteria**—Concurrent with preparation of the Westphalia Sector Plan and SMA, zoning ordinance regulations pertaining to conceptual site plan (CSP) review criteria were revised by approval of Council Bill CB-78-2006. This revision added master plan design guidelines or standards and referenced exhibits in the public record as important CSP review criteria for certain plans and SMAs approved after October 1, 2006, such as the Westphalia Sector Plan/SMA. Exhibits and development illustrations submitted to the public record are not to be considered as the approved site plan for the area; they are only the development concept that was presented to the public during preparation of the sector plan that generally reflects the intended land use and design character for that area. These exhibits are the starting point for more formal review, not the end result. When inconsistencies between development concepts, design principles, and exhibits occur, they should be resolved in ways that

best achieve the development goals and policies of the sector plan.

**Master Plan Guidelines**—This application is located in a designated mixed-use activity center at the northern gateway to the sector plan along a local street (Sansbury Road) and an arterial highway (Ritchie Marlboro Road), close to the interchange for I-95. The design principles or guidelines for mixed-use activity centers are contained in CR-2-2007 (DR-2), Attachment A (p.9 -11) which approved the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The intent of the guidelines for mixed-use activity centers is to promote development of distinct residential and neighborhood commercial activity centers designed around a main-street theme and anchored by shared amenities. Main-street character and accompanying pedestrian orientations can most effectively be achieved along Sansbury Road, not Ritchie Marlboro Road, which is intended as a 6- to 8-lane divided highway along the frontage of this property. (Note: An application for the PB&J property—CSP-07002—submitted concurrently to this one, composes another portion of this mixed-use activity center.)

**Exhibits to Public Record of the Westphalia Sector Plan**—An illustrative concept plan and illustrative site development plan were submitted to the public record of the Westphalia Sector Plan as Exhibit 19 for the mixed-use activity center at Sansbury and Ritchie Marlboro Roads, of which this application is a part, along with graphic illustrations—perspectives of Sansbury Road and the Village Green. This CSP application falls within “Block A” of the submitted illustrative site plan (Exhibit 19), which shows 25,000-40,000 square feet of retail use and 350-450 dwelling units in the southwest quadrant of the intersection of Ritchie Marlboro and Sansbury Roads. The majority of area along Sansbury Road south of Ritchie Marlboro Road is indicated for mixed residential and commercial land uses. The perspective of Sansbury Road shows a continuous, walkable streetscape with building frontages and sidewalks along the properties on Sansbury Road. The perspective of the Village Green shows a pedestrian-oriented shared amenity within the residential component of the activity center. These images depict the type of pedestrian-friendly, mixed-use, residential and main-street commercial development envisioned by the sector plan.

**CSP-07001 Development Proposal**—This CSP application proposes development of a complex of multistory buildings at the northeast corner of Sansbury and Ritchie Marlboro Roads: two multifamily residential buildings, one mixed-use commercial building with retail on the ground floor and offices above, and a centrally located shared parking structure. Attached residential dwelling units (townhouse and triplex) and recreation or open space sites are proposed for the remainder of the property. This development concept is similar to that illustrated by Sector Plan Exhibit 19 with one exception—Exhibit 19 shows the mixed commercial land use extending somewhat farther south along Sansbury Road than does this CSP application.

The attached residential dwelling unit pattern proposed for the southern and western portions of the property conforms to the land use concepts anticipated by the sector plan as illustrated by Exhibit 19. Although no vertically mixed commercial/residential structures are proposed along Sansbury Road, a complex of both commercial and residential land uses are proposed for the northeast quadrant of the site in a lot pattern that is conducive to achieving the sector plan concept for a distinctive, walkable, mixed-use area with a main street character. The design of commercial

and multifamily buildings along Sansbury Road will need to be addressed during review of the detailed site plan to ensure that building orientations, streetscape, and the desired main street character are realized.

**Gateway**—This application is also located within a designated gateway. (Map 3a: Proposed Land Use, approved by CR-2-2007 [DR-2]). Policy 6 establishes it as one of ten gateways at “key intersections entering the Westphalia community.” (CR-2-2007 [DR-2] Attachment A, p.12) Gateways require compliance with design principles aimed at distinguishing them as attractive entrances into Westphalia, including such elements as “entrance signage, artwork, monuments... landscape design including both softscape and hardscape...” etc. “Resting and recreation facilities, information kiosks, or other amenities as appropriate” are also called for. (CR-2-2007 [DR-2] Attachment A, p.12) The design of buildings, landscaping, signs and any special features along the Ritchie Marlboro Road frontage as well as Sansbury Road are critical to the image of Westphalia that will be portrayed at this northern entryway. In addition, design themes and elements should be coordinated with other projects within this activity center and along the gateway frontage, such as pending application CSP-07002, the PB&J property, on the eastern portion of this mixed-use activity center (Block “B” of Exhibit 19). Approval of this CSP should reflect the need to address these design issues at detailed site plan.

13. **DPW&T Referral:** In a memorandum dated August 24, 2007, the Department of Public Works and Transportation (DPW&T) offered the following comments:
- a. The property is located on the southwest corner of the Ritchie Marlboro and Sansbury Road intersection. Ritchie Marlboro Road along the frontage is a state-maintained roadway; therefore, coordination with the Maryland State Highway Administration (SHA) is necessary for Ritchie Marlboro Road. Rights-of-way dedication and frontage improvement in accordance with DPW&T’s urban major collector road for Sansbury Road and urban primary residential road for the relocated Fernwood Drive are required.
  - b. The internal private street will require a DPW&T street construction permit in accordance with DPW&T’s specifications and standards.
  - c. All improvements within the public rights-of-way, as dedicated for public use to the county, are to be in accordance with the county’s Road Ordinance, DPW&T’s specifications and standards, and the Americans with Disabilities Act.
  - d. Full-width, two-inch mill and overlay for all county roadway frontages is required.
  - e. An access study shall be conducted by the applicant and reviewed to determine the adequacy of access points. Coordination with the PB&J property across Sansbury Road will be required for the access points on Sansbury Road.
  - f. Compliance with DPW&T’s utility policy is required. Proper temporary and final

patching and the related mill and overlay in accordance with the established DPW&T's "Policy and Specification for Utility Installation and Maintenance Permits" are required.

- g. All storm drainage systems and facilities are to be in accordance with DPW&T's specifications and standards.
- h. Conformance with DPW&T's street tree and street lighting standards is required.
- i. Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- j. The proposed site development has an approved concept plan, 36373-2006, dated August 31, 2006.
- h. A soil investigation report, which includes subsurface exploration and geotechnical engineering evaluation for public streets, is required.

**Urban Design Comment:** It should be noted that DPW&T usually enforces its conditions through its own permitting process. DPW&T's road standard for Sansbury Road as an urban major collector road does not generally allow space for on-street parallel parking as shown on the plan. Allowing on-street parking along Sansbury would help to create a main street environment, but is subject to the approval of DPW&T.

14. **Environmental Referral:** In a memorandum dated November 26, 2007 (Fritz to Lindsay), the Environmental Planning Section recommends approval of CSP-07001 and TCPI/033/07 subject to conditions.

### **Background**

The Environmental Planning Section has no record of any previous applications for this property. The current application is for residential, retail, and business development in the M-X-T Zone.

### **Site Description**

This 20.67-acre site in the M-X-T Zone is located on the east side of the Capital Beltway (I-495/95) and on the southwestern corner of the Ritchie Marlboro Road and Sansbury Road intersection. A review of the available information indicates that streams, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. The site is adjacent to the Capital Beltway, which is a source of traffic-generated noise. The soils found to occur on this site, according to the Prince George's County Soil Survey, are in the Adelphia, Collington, Ochlockonee, Rumford, Sandy, Sassafra, and Westphalia soil series. According to available information, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or adjacent to this property. There are no designated scenic and historic roads in the vicinity of this property, which is located

in the Southwest Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the General Plan.

### **Environmental Issues Addressed in the Westphalia Sector Plan**

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

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

The site is not located within the designated network of the *Countywide Green Infrastructure Plan*.

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

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

The site does not currently contain agricultural uses.

The plan shows a stream in the southwest portion of the site. Because the plan proposes no road crossings of the on-site stream or any other essential impacts such as water or sewer connections, no stream corridor assessment is required.

The plan proposes that stormwater management will be provided through the use of an above-ground pond and an underground facility or facilities. The TCPI does not show the proposed underground facilities. A copy of the approved stormwater concept approval plan was not provided; however, a copy of the letter was included in the preliminary plan package. The letter mentions the use of bioretention, infiltration, and extended detention that are not shown on

the plans. The plans must be revised to conceptually show how stormwater is being managed.

The existing woodland adjacent to the stream is proposed for preservation and areas within the floodplain are proposed for planting.

**Comment:** The proposed stormwater management facilities must be shown on the plans. Refer to the Environmental Review section below for more details on this requirement.

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

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

The plan proposes a 250-unit building for residential, retail, and office space. The use of environmentally sensitive building techniques should be considered as part of this development.

**Recommended Condition:** Prior to acceptance of the detailed site plan, the package shall be evaluated to ensure that it includes a description of the use of green building techniques and the use of alternative energy sources.

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

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

The site is not located within any noise impact areas associated with Andrews Air Force Base. I-95 and Ritchie Marlboro Road are considered noise generators. Noise is discussed in detail in the Environmental Review Section of this memo. A Phase I noise study was not submitted with this application and noise attenuation measures have not been shown.

### **Environmental Review**

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe the changes, the date made, and by whom.

- a. A signed Natural Resources Inventory (NRI/114/06), which included a detailed forest stand delineation (FSD), was submitted with the application. The site contains sensitive environmental features such as streams, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils.

The FSD report describes four forest stands totaling 8.92 acres, labeled A, B, C and E, dominated by yellow poplar, sweetgum, and red oak. Stands A and B are relatively dense, immature hardwood stands with an average diameter at breast height of 11 inches. Stand C is more sparsely dense, with an average diameter at breast height of 10 inches. These stands are a high priority for preservation because of the good condition of the vegetation. Stand E is an early secession hardwood stand with an average diameter at breast height of only two inches. Stand E has a medium priority rating for preservation.

Previously, the plans had some discrepancies between the approved NRI and the submitted CSP and TCPI. These discrepancies have been corrected on the revised NRI/114/06-02. A portion of the floodplain shown on the NRI is not shown on the TCPI.

**Comment:** The revised NRI shows the required information correctly. This information should be used as the base information for all other plans. The required revisions to the TCPI are detailed below.

- b. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area exceeds 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. A Type I tree conservation plan has been submitted.

This 22.44-acre (including 1.77 acres of the Fernwood Drive right-of-way) property contains a total of 8.73 acres of woodland outside the floodplain according to the NRI. The woodland conservation threshold has been incorrectly calculated and should be revised to be 3.28 acres. As currently shown, the areas of clearing result in a total requirement of 7.64 acres. The plan proposes to meet the requirement by providing 0.19 acre of woodland preservation, 0.65 acre afforestation/reforestation, and 6.45 acres of off-site mitigation. As previously discussed, the gross tract acreage shown on this plan is not consistent with the NRI and revised plans and information are required.



According to the CSP, 1.59 acres of dedicated parkland are required for this development. If, at the time of preliminary plan, the park dedication is required, the area must be identified on the TCPI. It should be noted that woodland conservation is not permitted on dedicated parkland unless written authorization from the Department of Parks and Recreation is providedd

The TCPI does not show a portion of the 100-year floodplain that exists to the north of the existing stream and north of relocated Fernwood Drive. This 100-year floodplain and its designation as part of the primary management area (PMA) must be shown on the TCPI.

The “proposed treeline” and slopes should be removed from the TCPI. It is not clear which specimen trees on-site are to remain and which are to be removed. The symbol for the limit of disturbance needs to be revised to be clearer. All stormwater management facilities must be shown conceptually on the TCPI. In addition, a small area of impact to the Patuxent River PMA is shown and needs to be eliminated.

**Recommended Condition:** Prior to certification of the CSP, the Type I Tree Conservation Plan shall be revised to:

- (1) Revise the gross tract area and any other incorrect calculations to be in conformance with the NRI.
- (2) Revise the plan to show the 100-year floodplain and the PMA in their entirety.
- (3) Remove the “proposed treeline” from the TCPI and the symbol from the legend.
- (4) Remove the vague symbol for the limits of disturbance and use a line or other clear symbol.
- (5) Remove the small area of PMA impact behind Lots 62-64, Block B.
- (6) Mark the specimen trees to be removed and add all required information to the specimen tree table.
- (7) Revise the plans to show conceptually the stormwater management facilities proposed and all associated easements.
- (8) Have the revised plans signed and dated by the qualified professional who prepared them.

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

- c. The Patuxent River PMA is not shown correctly on the TCPI as noted above. The plans

must show this information correctly and impacts to the PMA must be minimized.

**Comment:** This issue will be addressed in detail during the review of the preliminary plan.

- d. This property is located on the eastern side of the Capital Beltway (I-95), classified as a freeway, and on the south side of Ritchie-Marlboro Road, a classified arterial. Both are considered transportation-related noise generators. The CSP shows a noise attenuation wall that will help mitigate the 65 dBA Ldn noise contour associated with I-95 and Ritchie-Marlboro Road, although the plan does not show the unmitigated noise contours based on a Phase I noise study.

A Phase I noise study was submitted with the preliminary plan application. The study does not provide the required information and makes unclear assumptions with regard to projected future noise levels. A Phase I noise study should be based on a 10-year projection of the ADTs, using data provided by the State Highway Administration. The study assumes that in ten years the only increase in projected noise levels is two decibels. The Environmental Planning Section's noise model cannot conduct complicated evaluations involving more than one roadway, but it clearly indicates that a two decibel increase is inadequate in projecting future noise levels. The study also denotes existing noise levels that are not used in the analytical process for noise.

The CSP must show the unmitigated 65 dBA Ldn noise contour based on the ten-year projected ADTs for I-95 and Ritchie-Marlboro Road. Sansbury Road is not classified as an arterial or greater roadway so it does not need to be included in the calculations.

The study also provides maps on 8 ½ by 11-inch sheets that do not have a scale provided and do not show the centerlines of the roadways. This information needs to be provided so that its accuracy can be evaluated.

The design of the proposed wall is not shown clearly on the CSP or the TCPI; it is unclear where the wall starts and stops and the elevations are not shown. In addition, it appears that the wall does not come south far enough to provide mitigation for the outdoor activity area on Parcel E. When the noise study is redone, an analysis of this area must be included.

**Recommended Condition:** Prior to certificate approval of the CSP, the Phase I noise study shall be revised as follows:

- (1) Revise the study to evaluate the 10-year projected ADT levels.
- (2) Eliminate the use of "future" noise levels—the ten-year projected noise levels are the only ones to be provided. Label this line the "unmitigated 65 dBA Ldn" on the CSP and TCPI. Do not base the ten-year projected levels on the existence of proposed buildings.

- (3) Base the study on the proposed design layout instead of an earlier layout.
  - (4) Provide all maps to scale so that they can be compared to the other plans. Show the centerline of all roadways from which measurements are being taken.
  - (5) Provide match lines for all separate sheets that form the overall map.
  - (6) Provide an analysis of the gap between the buildings in relation to Parcel E.
- e. The soils found to occur on this property are in the Adelphia, Collington, Ochlockonee, Rumford, Sandy land, Sassafra, and Westphalia soil series.

**Discussion:** This information is provided for the applicant's benefit. No further action is needed as it relates to this conceptual site plan. A soils report may be required by the Prince George's County Department of Environmental Resources during the permit process review.

- f. The site has a stormwater management concept approval letter (36373-2006-00); however, the associated plan was not submitted. The letter states that stormwater will be controlled through the use of bioretention, infiltration, and extended detention, and that stormdrain easements are required. The TCPI does not show the required facilities as noted above. The required easements are not shown on the plan.

**Recommended Condition:** Prior to certification of the CSP, a copy of the approved stormwater management concept plan associated with approval 36373-2006-00 shall be submitted and the facilities shall be correctly reflected on the TCPI.

15. **Trails Referral:** In a memorandum dated November 5, 2007 (Shaffer to Lindsay), the trails coordinator offered the following comments:

The approved Westphalia Sector Plan designates Ritchie Marlboro Road as a master plan trail corridor and Sansbury Road as a master plan bikeway. It should also be noted that the right-of-way of the former Chesapeake Beach Railroad runs through the subject site.

The master plan trail along Ritchie-Marlboro Road has been completed in the vicinity of the subject site via the recent interchange improvements made by SHA. These improvements consist of an eight-foot-wide sidewalk that provides access under the Capital Beltway and around the existing traffic circles.

The sector plan also recommends a master plan trail within the former Chesapeake Beach Railroad right-of-way. This trail has been implemented through several recent developments between the subject site and Upper Marlboro including Winshire, Kings Grant, and Fox Chase. The sector plan, as well as the 1994 approved Melwood-Westphalia Master Plan and 1985 Equestrian Addendum to the approved Countywide Trails Plan, recommend a trail within the

railroad right-of-way. However, in the vicinity of the Capital Beltway the trail is shown merging with Ritchie-Marlboro Road to utilize the existing underpass of the limited access roadway.

After an evaluation of the trail corridor and discussions with the Department of Parks and Recreation, staff concurs that this is the appropriate alignment for the trail. The right-of-way for the abandoned railroad runs through the middle of the subject site, then directly across an existing Beltway ramp, across the Capital Beltway, and across another Beltway ramp in the vicinity of one of the traffic circles. Due to these constraints, staff supports utilizing the existing wide sidewalk along Ritchie-Marlboro Road as the most practical way of getting the master plan trail under the Capital Beltway. This existing wide sidewalk fulfills the master plan recommendation for a trail along Ritchie-Marlboro Road and will also accommodate the planned Chesapeake Beach Rail-Trail under the beltway.

Staff recommends an eight-foot wide side path (or wide sidewalk) along the subject site's entire frontage of Sansbury Road in order to provide access from the subject property to the master plan trail. The internal sidewalk network appears to be adequate, with sidewalks being provided along both sides of the main roadways, including the relocated Fernwood Drive, Private Roads A, B, D, and E, and most of Private Road C. Staff recommends that sidewalk be provided along the segment of Private Road C adjacent to the HOA Parcel D. This addition will ensure that all major roads include sidewalks along both sides.

16. **State Highway Administration Referral:** In a memorandum dated September 27, 2007 (Foster to Lindsay), the State Highway Administration offered the following comments:

All access to the site shall be onto Sansbury Road as proposed in the plan. Coordination with Dawit Abraham, Associate Director, Engineering Services Division is necessary to obtain a permit for the relocation of Fernwood Drive.

The proposed stormwater management facility located on Parcel D will require oversight by SHA. Once the site design is finalized, the hydraulic design, pre- and post-development computations and drainage area maps will need to be submitted to the SHA for review and approval.

Based upon the size, scope, and potential trip generation of this development, a traffic impact study is necessary to provide an adequate measure of mitigation.

The development proposes a significant number of residential units and commercial space in close proximity to the I-495/Ritchie Marlboro Road western roundabout. The SHA has concerns that the potential trips generated by the site may affect the capacity and circulation at the nearby roundabout.

17. **Department of Parks and Recreation Referral:** In a memorandum dated November 16, 2007 (Asan to Lindsay), the Department of Parks and Recreation offered the following comments:

The staff of the Department of Parks and Recreation (DPR) has reviewed the above-referenced

conceptual site plan application for conformance with the requirements of the approved *Westphalia Sector Plan and Sectional Map Amendmenn*, conditions of Council Resolution CR-2-2007, the Land Preservation and Recreation Program for Prince George's County, and current zoning and subdivision regulations as they pertain to public parks and recreation.

## FINDINGS

- The property is located in the Westphalia Sector Plan area. The Westphalia Sector Plan goals, policies and strategies related to parks and recreation are:
- Create public and private parks, open space, and recreational facilities sufficient to meet the needs of the current and future residents of the Westphalia sector plan area.
- Create a park system consisting of 1,850 acres of public and private parks and green spaces.
- Ensure development of the parks system that result in central green spaces that serve to unite the Westphalia community and its surrounding neighborhoods.
- Designate the Westphalia Central Park and Cabin Branch Greenway as the community focus areas. These parks should become a regional draw and icon for Westphalia.
- Ensure major development projects are adequately integrated into the implementation of the sector plan parks system recommendations.
- Ensure the proper financing, construction and maintenance of the proposed park system.
- Develop and finalize a comprehensive public facilities plan that includes detailed recommendations for the financing mechanisms, phasing, construction and maintenance of the proposed park facilities.

Amendment 8 of the adopted Westphalia Sector Plan, Council Resolution CR-2-2007 states:

“Revise the adopted plan parks and recreation element text to:

- “• Add text to Policy 3, under the strategy describing the Westphalia Central Park (p.38) as follows:
  - “- Add a new paragraph that states: Form a multiagency public/private work group to implement the vision for the Westphalia Central Park on expedited basis.
- “• Revise the plan text to specify that a parks fee of \$3,500 per new dwelling unit (in 2006 dollars) is required to construct the public parks facilities recommended for the sector plan area.”

Comment: M-NCPPC and county staff are working on preparation of state legislation to address this recommendation. At this time, DPR staff encourages the applicant to comply with the sector plan recommendation.

The subject property is located within Westphalia Sector Plan and Sectional Map Amendment area at its northern edge. The subject property includes a 20.67-acre parcel in the M-X-T Zone, on which the applicant anticipates residential development of 502 units, including single-family (townhouses, triplexes) and multifamily units and 14,100 square feet of retail and 42,300 square feet of office space.

DPR staff believe that mandatory dedication requirement applicable to this subdivision should be met by the provision of private, on-site recreational facilities to serve an anticipated population of 1,390 new residents in this development. The applicant allocates some open space for private recreational facilities on site, but includes no specific proposal for private recreational facilities on site. DPR staff is of the opinion that at the time of the detailed site plan, the applicant should provide centrally located private recreational facilities. The recreational facilities package should include a trail connector to the existing Chesapeake Beach Railroad trail located along the Ritchie Marlboro Road.

In addressing the Westphalia Sector Plan recommendation for a contribution of \$3,500 per unit parks fee toward construction of the regional central park, DPR staff encourage the applicant to comply with the Westphalia Sector Plan recommendation and be part of the county and community effort to build a unique community with high-quality recreational facilities for the benefit of all future Westphalia residents.

**Urban Design Comment:** As noted above under Design Features, the applicant's plan conceptually proposes to provide indoor recreation facilities within the multifamily building, along with a fitness trail along the western side of the property and passive recreational facilities on the village green. The Urban Design Section recommends that additional active recreational facilities should be distributed within the areas of the plan proposed for attached dwellings, including at least two outdoor play areas for children.

18. **WSSC Referral:** On October 22, 2007, the Washington Suburban Sanitary Commission offered the following comments:

- p. Sewer extension will be required.
- q. Project DA4749Z08 is an approved project within the limits of this proposed site.
- r. An amendment revision and hydraulic review to DA4749Z08 will be required to reflect the current proposed development for the site as shown on this plan. Show existing and proposed water and sewer mains and connection locations for a 250-unit multifamily building and office/retail building. Show and reserve right-of-way easement on the southwest portion of the site for future water and sewer facilities. Please note that a minimum right-of-way width of 30 feet is required for both water and sewer lines

installed in the same right-of-way at normal depth. The minimum right-of-way width for one extension, either water or sewer installed at normal depth, is 20 feet. Installation of deep water and / or sewer mains will require additional right-of-way width. The minimum clearance between a building and a WSSC pipeline is 15 feet. Based on WSSC requirements, the absolute minimum spacing between adjacent buildings with both water and sewer lines between them is 40 feet with a preference of 45 to 50 feet. Balconies and other building appurtenances are not to be within the right-of-way. Also, water and sewer should maintain five feet of separation from stormdrain pipeline/structures and other utilities.

19. As required by Section 27-276(b) of the Zoning Ordinance, the conceptual site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/033/07), and further APPROVED Conceptual Site Plan CSP-07001 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan, the plan shall be revised to show the approved development standards.
2. Prior to certification of the conceptual site plan, the Type I Tree Conservation Plan TCPI/031/07 shall be revised as follows:
  - a. Revise the gross tract area and any other incorrect calculations to be in conformance with the NRI.
  - b. Revise the plan to show the 100-year floodplain and the PMA in their entirety.
  - c. Remove the "proposed treeline" from the TCPI and the symbol from the legend.
  - d. Remove the vague symbol for the limits of disturbance and use a line or other clear symbol.
  - e. Remove the small area of PMA impact behind Lots 62-64, Block B.
  - f. Mark the specimen trees to be removed and add all required information to the specimen tree table.
  - g. Revise the plans to show conceptually the stormwater management facilities proposed and all associated easements.

- h. Have the revised plans signed and dated by the qualified professional who prepared them.
- 3. No woodland conservation shall be proposed on dedicated parkland unless written authorization from the Department of Parks and Recreation has been provided.
- 4. Prior to certificate approval of the CSP, the Phase I noise study shall be revised as follows:
  - a. Revise the study to evaluate the ten-year projected ADT levels.
  - b. Eliminate the use of “future” noise levels—the ten-year projected noise levels are the only ones to be provided. Label this line the “unmitigated 65 dBA Ldn” on the CSP and TCPI. Do not base the ten-year projected levels on the existence of proposed buildings.
  - c. Base the study on the proposed design layout instead of an earlier layout.
  - d. Provide all maps to scale so that they can be compared to the other plans. Show the centerline of all roadways from which measurements are being taken.
  - e. Provide match lines for all separate sheets that form the overall map.
  - f. Provide an analysis of the gap between the buildings in relation to Parcel ‘E.’
- 5. Prior to certification of the CSP, a copy of the approved stormwater management concept plan associated with approval 36373-2006-00 shall be submitted and the facilities shall be correctly reflected on the TCPI.
- 6. Prior to acceptance of the detailed site plan, the package shall be evaluated to ensure that it includes a description of the use of green building techniques and the use of alternative energy sources.
- 7. Prior to acceptance of a detailed site plan for that portion of the site, the arrangement of three-family attached units between Private Road C and Ritchie Marlboro Road shall be redesigned to provide units fronting on Ritchie Marlboro Road as well as on Private Road C. Some sides of units may face Ritchie Marlboro Road but this should be avoided to the fullest extent possible. Public views of alleys should be minimized by screening the ends of alleys to the fullest extent possible.
- 8. Detailed site plan submittal shall include examples and evidence of all necessary covenants or other legal instruments that will be used to insure that the recreational facilities on the site will be available in perpetuity to all residents of the Westphalia Row development. If a legally sufficient arrangement to share the recreational facilities cannot be demonstrated, then adequate recreational facilities shall be demonstrated for the individual portions of the development.
- 9. The following development standards shall apply to and be reflected on the detailed site plan. At the time of detailed site plan review, the Planning Board may make minor modifications to the



development standards without the need to amend the conceptual site plan if the Planning Board finds such modification is appropriate and consistent with the character and quality of the development envisioned by the conceptual site plan and the sector plan.

- a. Front-loaded Townhouses (fee simple)
    - (1) Minimum lot size: 1300 square feet
    - (2) Minimum front yard setback: 20 feet from back of sidewalk
    - (3) Minimum yard area: 400 square feet
    - (4) Maximum building height: 45 feet
    - (5) Minimum lot width: 20 feet
  - b. Rear-loaded townhouses (fee simple)
    - (1) Minimum lot size: 1000 square feet for no less than 50% of the units and a minimum of 800 feet for the remainder
    - (2) Minimum front yard setback: 10 feet from back of sidewalk
    - (3) Maximum building height: 45 feet
    - (4) Minimum lot width: 20 feet for no less than 50% of the units and a minimum of 16 feet for the remainder
  - c. Three-family dwellings and townhouses (condominium)
    - (1) Minimum spaces between buildings:
      - (a) Building front to building front: 50 feet
      - (b) Building side to building side: 10 feet
      - (c) Building side to building rear: 30 feet
      - (d) Building rear to building rear: 30 feet
    - (2) Maximum building height: 55 feet
  - d. Multifamily, office, and retail buildings
    - (1) Buildings shall be set back 15-35 feet from the ultimate right-of-way line of Ritchie Marlboro Road. Building walls must be within 35 feet of the ultimate right-of-way line for at least 75 percent of the linear distance of the parcel's frontage on Ritchie Marlboro Road.
    - (2) Buildings shall be set back 15-25 feet from the ultimate right-of-way line of Sansbury Road. Building walls must be within 25 feet of the ultimate right-of-way line for at least 75 percent of the linear distance of the parcel's frontage on Sansbury Road.
    - (3) Maximum building height: 75 feet.
10. At the time of detailed site plan review, parking shall be calculated separately for: (1) the multifamily and commercial buildings, (2) for the three-family dwelling units, (3) for the rear-loaded townhouses north of Fernwood Drive, and (4) for the townhouses south of Fernwood Drive. Parking spaces in driveways and carports must allow at least 19 feet of parking space for cars, which must not obstruct pedestrian or vehicular travel routes. In addition to the total number of off-street parking spaces required for each type of unit by Section 27-568, each portion of the development shall also provide an additional 10 percent of this number for visitor parking, which

may include parallel parking spaces on private roads.

11. At time of detailed site plan review for the subject property, the site will be evaluated for conformance to the gateway design guidelines of the Westphalia Sector Plan. Review should include items such as gateway entrance features at Fernwood Drive and Sansbury Road, architectural design, materials, colors, landscape palette, and streetscape features and amenities. The applicant shall provide an easement for the location of a gateway feature at Ritchie Marlboro Road and Sansbury Road.
12. The applicant, his successors, and/or assignees shall provide adequate private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to approval of the Detailed Site Plan by the Planning Board.
13. The applicant, his successors, and/or assignees shall submit three original, executed private Recreational Facilities Agreements (RFA) to the DRD for their approval three weeks prior to applying for building permits. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
14. The applicant, his successors, and/or assignees shall submit to DRD a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.
15. The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.
16. The private recreational facilities package to be provided by this development shall include those facilities proposed with the conceptual site plan application as well as two outdoor play areas for children. Recreational facilities within the Westphalia Row development should be made accessible equally to all residents of the development.
17. The noise attenuation wall shall be designed to promote attractive views from the public roadways.
18. The applicant shall provide an eight-foot-wide side path or wide sidewalk along Sansbury Road, unless modified by DPW&T.
19. The final record plat shall include a note that the applicant, the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of appropriate signage for the Class III bikeway along Sansbury Road. The contribution shall be made prior to the issuance of the first building permit.
20. The applicant shall provide standard sidewalks along both sides of Private Roads A, B, C, D, and E.

21. The applicant shall provide standard sidewalks along both sides of relocated Fernwood Drive, unless modified by DPW&T.
22. Appropriate pedestrian amenities and pedestrian safety features will be evaluated at the time of DSP.
23. The proposed development shall be limited to a mix of uses where the net new trips shall not exceed 398 AM and 471 PM peak-hour trips. The mix of uses allowable is subject to the following:
  - a. The mix of uses used to calculate the site's trip generation must include no less than 10,000 square feet of retail space and 30,000 square feet of office space.
  - b. The mix of dwelling units shall fall within the ranges proposed on the conceptual site plan.
24. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency
  - a. Sansbury Road/D'Arcy Road intersection (unsignalized)

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

Provide the addition of a third eastbound and westbound through lane on Ritchie-Marlboro Road.
  - c. Ritchie Marlboro Road/White House Road intersection

Provide the following improvements:

    - Northbound approach: 2 left turn lanes and a shared left-through-right lane
25. At the time of detailed site plan review, the applicant shall proffer a phasing schedule to M-NCPPC staff that sets forth the anticipated building schedule of the residential and commercial phases of the property. The phasing schedule must be approved by the Planning Board.

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, January 10, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of January 2008.

Oscar S. Rodriguez  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

OSR:FJG:CL:bjs