



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

PGCPB No. 15-85

File No. CSP-13001

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on July 30, 2015 regarding Conceptual Site Plan CSP-13001 for Cabin Branch Village, Parcels 137, 147, 148, 149, 17, 199 and 201 the Planning Board finds:

1. **Request:** The subject approval is for a mixed-use development, including 206 single-family attached units and two commercial retail pad sites.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T/R-R	M-X-T/R-R
Use(s)	Vacant/ Single-family detached	Single-family attached/ Commercial retail
Acreage	23.58/1	23.58/1
Total Dwelling Units	5 (detached)	206 (attached)
Commercial Retail Square Footage	0	8,676
Acreage per Zone		
M-X-T	23.58	23.58
R-R	1	1
Total	24.58	24.58
Lots	7	7*
Parcels	0	0*
Outparcels	0	0*

Note: *The applicant plans to request 206 lots, 25 parcels, and two outparcels in the next stage of development approval (preliminary plan of subdivision).

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

Base FAR Allowed	0.40 FAR
Residential	1.00 FAR
Total FAR Permitted	1.40 FAR
Total FAR Proposed	0.19 FAR

3. **Location:** The subject property is located in the northwestern quadrant of the intersection of Armstrong Lane and Ryon Road, in Planning Area 78 and Council District 6. The project is located within the boundaries of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA).
4. **Surrounding Uses:** The site is bounded to the north by vacant land in the Light Industrial (I-1) and Residential Medium Development (R-M) Zones; to the west by land uses in the Mixed Use-Transportation Oriented (M-X-T) Zone; to the south across Armstrong Lane by vacant land in the M-X-T Zone; and to the east across Ryon Road by single-family detached residential units in the Rural Residential (R-R) Zone.
5. **Previous Approvals:** The property was the subject of Zoning Map Amendment A-9976, proposing to rezone the property to the M-X-T Zone. The subject approval, however, was dismissed with the passage of Prince George's County Council Resolution CR 66-2010, as the property was rezoned to the M-X-T Zone in February 2007 by the adoption of the *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). Additionally, the property is subject to Council Resolution CR-66-2006 and the recently enacted County Bill CB-8-2015. The property is also the subject of Stormwater Management Concept Plan 15564-2013-00 approved on July 31, 2014, and the approval is valid for three years, or until July 31, 2017.
6. **Design Features:** The conceptual site plan (CSP) herein approved is for a mixed-use residential and commercial retail development to include approximately 206 single-family attached units and two commercial pad sites to accommodate two commercial buildings measuring approximately 4,676 and 4,000 square feet, respectively. The layout, as shown on page 5 of the plan set entitled "Conceptual Site Plan," shows a well-balanced development with the open space contained in a series of parcels. Green open spaces and recreational facilities are provided for in the design. Otherwise, single-family attached units are located on both sides of streets in the development. The site, roughly trapezoidal in shape, with a second trapezoidal portion in its northwestern corner, is proposed to be developed with generally a grid street pattern, with a number of dead-end streets at the property's periphery.

The commercial portion of the development, indicated as Parcels A and B, fronting on Armstrong Lane, provides parking surrounding the two buildings. The zoning line separating the R-R and M-X-T-zoned portions of the site is indicated on the CSP dividing the two commercial buildings. A portion of the commercial land use is shown on the R-R-zoned land where it is permitted pursuant to Council Bill CB-8-2015.

There is adequate parking provided for visitors to the residential units included in the development, and an adequate number of parking spaces provided for the commercial use to be included in the project, however, details regarding the calculation of parking will be provided at the time of DSP. Generally, the parking is designed as required at the sides or rears of buildings and/or in a location and manner landscaped so that it is minimally visible.

The CSP herein approved shows preliminary or conceptual lot lines and building footprints, as it is illustrative of how the project will proceed through its preliminary plan and DSP stages of approval. The determination of the parameters of lots, parcels, and outparcels shall be established as part of the preliminary plan for the project.

7. **Zoning Ordinance:** The subject approval has been reviewed for compliance with the following Zoning Ordinance requirements:

a. The subject approval is in conformance with the requirements of Section 27-547, which governs uses in mixed-use zones.

(1) The single-family attached residential units and commercial retail uses approved herein are both permitted uses in the M-X-T Zone. The commercial retail use approved herein for the R-R-zoned portion of the property is also permitted pursuant to Council Bill CB-8-2015.

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

(d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**

- (1) **Retail businesses;**
- (2) **Office, research, or industrial uses;**
- (3) **Dwellings, hotel, or motel.**

The herein approved CSP includes approximately 8,676 square feet of commercial office space and 206 residential units, which meets the requirements of Section 27-547(d). The commercial retail use for the R-R-zoned portion of the site, authorized by CB-8-2015, assists the project in meeting this requirement.

b. Section 27-548, M-X-T Zone regulations, establishes additional standards for the development in this zone. The CSP's conformance with the applicable provisions is discussed as follows:

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development—0.40 FAR**
- (2) With the use of the optional method of development—8.0 FAR**

The maximum floor area ratio (FAR) base density for this project is 0.53, which meets this requirement, as the optional method of development is utilized.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

The applicant is herein approved to include the uses on the M-X-T-zoned property in more than one building and on more than one lot, as required by the M-X-T regulations.

(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.

This requirement is not applicable since this approval is for a CSP.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The development is not subject to the requirements of the Landscape Manual per Section 27-544(b)(1) of the Zoning Ordinance. Since has no landscape standards are approved in this CSP, the requirements of the Landscape Manual shall be used as a reference for review at time of DSP.

(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

The FAR for the proposed 8,676 square feet of commercial use on a one-acre portion of the site is 0.19, which is well within these requirements.

- (f) Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

There are no private structures within the air space above, or in the ground below public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject approval. However, it should be noted that all of the roads, except MC-634, are approved herein as private roads.

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

This requirement will be reviewed for conformance at the later time of preliminary plan approval.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be**

considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.

Conformance to these requirements will be evaluated at the later time of approval of the preliminary plan of subdivision and the DSP for the project.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

As the subject project does not involve the development of multifamily buildings, this requirement is not applicable to this CSP.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after**

October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on 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 any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

The governing document in this instance is Exhibit 40 of CR-66-2006, the Westphalia Sector Plan and SMA. The subject CSP is in alignment with its guidance and vision. Enhanced architecture that can help set the bar for quality architecture in the Westphalia Sector will be evaluated for the project at the later time of approval of a DSP for the project.

- c. In accordance with Section 27-546(d) of the Zoning Ordinance, the Planning Board hereby makes the following required findings for this project located in the M-XT Zone:

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

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

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

The subject project promotes the orderly development and redevelopment of land proximate to the intersections of Pennsylvania Avenue (MD 4) and Westphalia Road/Old Marlboro Pike, MD 4 and Suitland Parkway, and Suitland Parkway Extended and Presidential Parkway (MC-634), in accordance with the vision of the larger Westphalia Sector Plan. Cabin Branch Village will provide employment opportunities in its limited commercial sector, and will include desirable living opportunities.

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

The project implements the vision of the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) by providing mixed-use and residential medium-density development. The project also implements the sector plan, which calls for residential development with a mix of other uses in this area.

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

The project is quite dense, including approximately 206 residential dwelling units and 8,676 square feet of commercial development on a 24.58-acre property. Therefore, the Planning Board hereby finds that the project conserves the value of land and buildings as described above.

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

The subject plan conforms to the required findings for a CSP in the M-X-T Zone from the standpoint of transportation.

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

Commercial use is proposed in the development and assists the development in fulfilling this purpose.

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

The subject development is residential complemented by neighborhood-serving commercial use, fulfilling this purpose.

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

The CSP design includes some landscaping and open space, and the inclusion of a condition of this approval requiring enhanced architecture assists in fulfilling this purpose of the M-X-T Zone.

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

The project is herein approved to be developed at medium-density in accordance with the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* this requirement. A condition of this approval requires use of green building techniques in the construction of the units and neighborhoods, to the extent practical to promote optimum land use and great savings in energy.

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

The subject approval includes more front-loaded units than the Westphalia Sector Plan originally envisioned. The applicant stated to the Planning Board that he had researched the market for rear-loaded townhouse units, and these units were not preferred by consumers. Therefore, a greater number of front-loaded units than were originally envisioned in the sector plan are allowed by this approval as per this stated purpose. The issue regarding the proportion of rear-loaded to front-loaded townhouses will again be addressed when a preliminary plan is reviewed and approved for the project.

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

The architecture for the project will be approved at the time of approval of a DSP for the project. Conditions of this approval require that high standards shall be utilized to evaluate the architecture at the time of DSP, in furtherance of this stated purpose of the M-X-T Zone.

- (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;**

Exhibit 40 provides guidance for the development of this project. The project is in conformance with the guidance offered therein.

- (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;**

Several road connections to the adjacent developments and the potential for limited commercial use along the southern boundary of this project help meet this requirement.

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

The development has been evaluated against the guidance of the Westphalia Sector Plan. Therefore, the project is in accordance with this stated purpose.

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

The desired mix of uses has been included for the subject project. The arrangement and design of the buildings will be decided at the later time of DSP. This condition has been made a condition of this approval.

- (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 project approved herein is to be completed in a single stage. Therefore, this requirement is not relevant to the subject approval.

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

From the standpoint of non-motorized transportation, it has been determined that the plan is acceptable in accordance with this requirement.

- (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**

A condition of this approval requires that this requirement be met when a DSP is approved for the subject project.

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

The plan conforms to the required findings from the standpoint of transportation planning. See Finding 11(d) for the complete analysis. This issue may be revisited at the time of approval of a preliminary plan for the subject project.

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

This requirement is to be evaluated at the time of approval of a DSP for this project.

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

The subject property it is not being developed as a Mixed-Use Planned Community. Therefore, this requirement is not relevant to the subject approval.

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

- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site.

Surface parking is provided for both the commercial and residential land uses in the Cabin Branch Village project and conforms to this design guideline.

- (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive.

This requirement will be met at the time of approval of a DSP for the project.

- (3) In accordance with Section 27-274(a)(6)(i), Site and streetscape amenities, coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture will be required.

A comprehensive review of streetscape amenities will occur at the time of DSP.

- (4) A comprehensive public space system should be provided to enhance the commercial and multifamily areas in accordance with Section 27-274(a)(9), Public spaces. These public spaces should incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An attractive mix of design features including focal points, seating areas, specialty landscaping, and specialty paving materials should be demonstrated at the time of DSP.

Conformance to these requirements will be evaluated at the time of approval of a DSP for the project and has been brought forward as a condition of this approval.

- e. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP approval. Detailed information regarding the methodology and procedures to be used in determining the parking requirement is outlined in Section 27-574(b). The CSP is not required to include detailed parking information. At the time of DSP review, adequate parking will be required for the proposal.

- 8. **2010 Prince George's County Landscape Manual:** Per Section 27-544(b)(1) of the Zoning Ordinance, landscaping, screening, and buffering for the property zoned M-X-T by the sector plan is exempt from the provisions of the Landscape Manual. However, since no landscaping standards have been approved herein for the CSP, the Landscape Manual will be used as a non-binding reference for review at the time of DSP. The following discussion of the relevant provisions of the Landscape Manual is provided for informational purposes.

- a. **Section 4.1, Residential Requirements**—Requires a certain number of plants be provided for residential dwellings depending on their size and type.

- b. **Section 4.2, Requirements for Landscape Strips along Streets**—Requires a landscape strip be provided for all nonresidential uses and parking lots abutting all public and private streets, which may occur within the development depending on the final site design.
 - c. **Section 4.3, Parking Lot Requirements**—Specifies that parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide visual relief from the view of large expanses of pavement.
 - d. **Section 4.4, Screening Requirements**—Requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets.
 - e. **Section 4.6, Buffering Development from Streets**—Requires buffering within any yard of residential developments from streets.
 - f. **Section 4.7, Buffering Incompatible Uses**—This section requires that vegetated buffers be included along shared property lines where the abutting uses are deemed incompatible by the Landscape Manual.
 - g. **Section 4.9, Sustainable Landscaping Requirements**—Requires that a percentage of the plant materials be native plants, along with other sustainable practices.
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property measures more than 40,000 square feet and contains more than 10,000 square feet of existing woodland. The Planning Board hereby finds that the submitted tree conservation plan for the project may be approved subject to conditions. Therefore, it may be said that the subject project conforms to the applicable provisions of the WCO.
10. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area of TCC. Properties that are zoned R-R require a minimum of 15 percent of the gross tract area of TCC. As 23.58 acres are zoned M-X-T and one acre of the site is zoned R-R, the required coverage is 2.358 acres for the M-X-T-zoned portion of the site and 0.15 acre for the R-R-zoned portion of the site, for a total of 2.508 acres of required tree canopy. Conformance to the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of approval of a DSP for the project.
11. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The Planning Board adopts the following findings:

- a. **Historic Preservation**—The project will involve the demolition of five existing single-family detached residences and several outbuildings that were constructed between 1940 and 1987. The Planning Board reviewed photographs and tax records for the existing structures and, based on their age and condition, found that no further investigation or documentation of the structures was warranted from a historic preservation perspective. There are no County historic sites, historic resources, or documented properties within or in the vicinity of the proposed project. Therefore, the subject project shall not impact any County historic sites or historic resources and no further investigation of the structures within the developing property was warranted.
- b. **Archeological Review**—A Phase I archeological survey was conducted on the subject property in September 2014. A total of 280 shovel test pits (STPs) were excavated across the site. Only five of the STPs contained historic cultural material and two contained prehistoric artifacts. All but one of the positive STPs were located near the former location of a barn in the center of the property visible in the 1938 and 1960s aerial photographs. An additional eight radial STPs were excavated at 5-meter intervals around the positive STPs containing prehistoric artifacts. Only one of the radial STPs contained historic material. The historic artifacts recovered date from the early to mid-twentieth century. One archeological site was delineated, 18PR1069—the Ryon Farm Barn Site.

There are five residences located on the subject property, four of them abandoned. All of the standing structures were recorded on a Maryland Inventory of Historic Properties form that was submitted to the Maryland Historical Trust. None of the structures meets the criteria for inclusion in the Prince George's County Inventory of Historic Resources or the National Register of Historic Places.

Archeological Site 18PR1069 possesses little potential to provide additional information regarding the lifeways of the historic or prehistoric inhabitants of Prince George's County. Therefore, no further work is required on the Cabin Branch Ryon Road property. In addition, none of the standing structures was found to meet National Register or local criteria, and no further work is required.

All necessary archeological and architectural studies had been completed on the subject property and the project herein approved shall not impact any historic sites or resources or significant archeological sites.

- c. **Community Planning**—

Determinations: This approval is consistent with the Plan Prince George's 2035 future land use categorization of mixed use.

General Plan, Master Plan, and Sectional Map Amendment: This application is located in an area mapped mixed use and residential medium on the Generalized Future Land Use Map of Plan Prince George's 2035.

The mixed-use mapping designation is described in the general plan as areas of various residential, commercial, employment, and institutional uses. Residential uses may include a range of unit types. Mixed-use areas may vary with respect to their dominant land uses, i.e. commercial uses may dominate in one mixed-use area, whereas residential uses may dominate in another. The residential medium mapping designation is described in the general plan as residential areas up to 3.5 to 8 dwelling units per acre, and as primarily single-family dwellings (detached and attached).

Master/Sector Plan: The project approved herein is located in an area mapped medium-density residential in the Westphalia Sector Plan and SMA. The sector plan calls for the development of approximately 3,500 acres of new low- to medium-density residential areas in a manner that conserves and is integrated with approximately 1,300 acres of existing residential development in accordance with the overall development pattern concept.

Transportation: Current vehicular access to the site is from Armstrong Lane and Ryon Road. The sector plan calls for MC-634, a major collector, to traverse the site in a north/south orientation. Armstrong Lane is to be upgraded and realigned to an industrial road (I-603) that would connect Westphalia Road and future MC-634 along Pennsylvania Avenue (MD 4).

Parks and Trails: A bikeway corridor is planned along future industrial road I-603. A planned park trail and shared-use path is planned along future major collector MC-634.

Aviation/ILUC: The property is located within what is referred to as the Joint Base Andrews (JBA) Interim Land Use Control (ILUC) impact area.

However, the ILUC expired on June 30, 2015, therefore, conformance to this requirement has not been conditioned in this approval.

Planning Issues

- (1) Per Section 27-544(b)(1) of the Zoning Ordinance, Exhibit 40 of CR-66-2006 is a referenced exhibit of record for the property and provides guidance for the development regulations to be incorporated into the CSP. The plan rendering provided on page 2 of Exhibit 40 shows more green space and includes rear-loaded two-over-two residential units, which are not currently included in the subject approval.
- (2) Where it is unfeasible to provide rear-loaded townhouses, the architecture should be reviewed for compliance with the residential policies contained on pages 30-32 of the sector plan at time of detailed site plan approval. While front-loaded townhouses are not prohibited in the sector plan, the sector plan contains significant language about ensuring that garage doors do not dominate the front

façades. For front-loaded units, the Planning Board recommends that exterior staircases that push the units further away from the front setback not be included in the design.

- (3) In the June 11, 2015 resubmittal of a revised CSP dated approved herein, the applicant removed six lots from the western side of the project to provide an on-site tot-lot and pre-teen lot. Providing an on-site recreational area west of proposed Presidential Parkway (MC-634), in order to balance the opportunities for the future residents on either side of the collector roadway that severs the project into two nearly equal land bays.
- (4) Consistent with the Green Space policies contained on page 51 of the sector plan, the applicant will be required to pay the \$3,500 per unit park fee (in 2006 dollars) to fund central park improvements.
- (5) In the revised CSP dated June 11, 2015 and approved herein, the applicant has added areas of guest parking.
- (6) The approval includes both commercial and residential land uses therefore, did not utilize Section 27-547(e) of the Zoning Ordinance which would have allowed the provision of one category of M-X-T use listed in Section 27-547(d).

With the adoption of the County Council Bill CB-8-2015, the commercial land use contemplated herein to be located on the R-R Zoned land, would be permitted.

d. **Transportation Planning—**

Traffic Study Analyses

The applicant submitted a traffic study dated April, 2014. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the Planning Board, consistent with the "Transportation Review Guidelines, Part 1" (Guidelines). The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions:

EXISTING CONDITIONS		
Intersection	AM LOS/CLV	PM LOS/CLV
MD 4 & Westphalia Road-Old Marlboro Pike	E/1569	F/1651
MD 4 & Suitland Parkway	F/1917	F/1817

The traffic study identified ten background developments whose impact would affect some or all of the study intersections.

Additionally, a growth of one percent over six years was also applied to the regional traffic volumes. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

BACKGROUND CONDITIONS (with interchanges)		
Intersection	AM LOS/CLV	PM LOS/CLV
MD 4 and Westphalia Road	--	--
MD 4 SB Off Ramp & Old Marlboro Pike	A/799	A/794
MD 4 NB Off Ramp & Westphalia Road	A/627	A/560
MD 4 and Suitland Parkway	--	--
MD 4 SB Off Ramp & Suitland Parkway	C/1100	A/866
MD 4 NB Off Ramp & Suitland Parkway	C/1191	E/1564
Presidential Parkway (MC-634) & Suitland Parkway extended	D/1431	F/2477

Using the trip rates from the Guidelines, as well as the Trip Generation Manual, 9th Edition (Institute of Transportation Engineers), the study has indicated that the subject project represents the following trip generation:

		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Townhouse (Guidelines)	206 Units	30	118	148	111	59	170
Retail (ITE-820)	8,676 sq. ft.	22	13	35	56	60	116
	60% pass-by	-13	-8	-21	-34	-36	-70
	Total new trips	39	123	162	133	83	216

The table above indicates that the proposed development will be adding 162 (39 in; 123 out) AM peak-hour trips and 216 (133 in; 83 out) PM peak-hour trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS (with interchanges)		
Intersection	AM LOS/CLV	PM LOS/CLV
MD 4 and Westphalia Road	--	--
MD 4 SB Off Ramp & Old Marlboro Pike	A/799	A/795
MD 4 NB Off Ramp & Westphalia Road	A/627	A/561
MD 4 and Suitland Parkway	--	--
MD 4 SB Off Ramp & Suitland Parkway	C/1167	A/908
MD 4 NB Off Ramp & Suitland Parkway	A/851	A/606
Presidential Parkway (MC-634) & Suitland Parkway extended	A/825	D/1401

Based on the results shown above, the traffic study concludes that all of the study intersections will operate at satisfactory levels of service.

Transportation Review

Having reviewed the traffic study, the Planning Board has some concerns regarding its accuracy and, consequently, the subsequent findings and conclusions. In addition to the Planning Board, the traffic study was reviewed by the Maryland State Highway Administration (SHA), as well as other County agencies (DPW&T/DPIE). In their review of the study, both state and County agencies identified flaws and errors within the said study. While some of those errors seem insignificant, there are many that are significant enough to alter the findings and conclusions. Some of the salient issues presented in a January 14, 2015 letter to the Planning Board from SHA (Foster to Burton) are summarized as follows:

- Verification of lane usage at the Westphalia Road/MD 4 intersection
- Verification of lane usage at the Suitland Parkway/MD 4 intersection
- Verification of trip generation totals
- Concerns regarding the interim improvements at the Westphalia Road/MD 4 intersection

The following represents a summary of the issues raised by DPW&T in a January 9, 2015 memorandum to the Planning Board.

- The need for a link analysis along Central Park Drive (Suitland Parkway extended) between MD 4 and MC-634
- The need for an operational analysis of the three signals along Central Park Drive between MD 4 and MC-634
- The need for a reconciliation of the traffic volumes from Joint Base Andrews to the proposed interchange at Suitland Parkway and MD 4
- Verification of lane usage at the Suitland Parkway/MD 4 intersection

Given the concerns raised by the reviewing agencies and the Planning Board, the applicant's traffic consultant has provided the Planning Board with a February 3, 2015 memorandum in which all of the above-mentioned concerns were addressed.

Based on information provided in the February 3, 2015 memorandum, the following tables represent the results of the analyses based on the updated traffic assignment and lane usage:

Revised with SHA lane usage - BACKGROUND CONDITIONS (with interchanges)		
Intersection	AM LOS/CLV	PM LOS/CLV
MD 4 and Westphalia Road	--	--
MD 4 SB Off Ramp & Old Marlboro Pike	A/799	A/794
MD 4 NB Off Ramp & Westphalia Road	A/627	A/560
MD 4 and Suitland Parkway	--	--
MD 4 SB Off Ramp & Suitland Parkway	B/1100	A/866
MD 4 NB Off Ramp & Suitland Parkway	C/1191	E/1564
Presidential Parkway (MC-634) & Suitland Parkway extended	D/1431	F/2477

Revised with SHA lane usage - TOTAL CONDITIONS (with interchanges)		
Intersection	AM LOS/CLV	PM LOS/CLV
MD 4 and Westphalia Road	--	--
MD 4 SB Off Ramp & Old Marlboro Pike	A/799	A/795
MD 4 NB Off Ramp & Westphalia Road	A/627	A/561
MD 4 and Suitland Parkway	--	--
MD 4 SB Off Ramp & Suitland Parkway	B/1116	B/1123
MD 4 NB Off Ramp & Suitland Parkway	C/1250	E/1594
Presidential Parkway (MC-634) & Suitland Parkway extended	E/1479	F/2476

The results show that one of the intersections of the proposed interchange will still operate inadequately. It also shows that the proposed intersection of Presidential Parkway (MC-634) and Suitland Parkway extended will operate inadequately.

By applying a modified lane usage from what was recommended by SHA, the traffic consultant provided the following results:

Revised with modified SHA lane usage - TOTAL CONDITIONS (with interchanges)		
Intersection	AM LOS/CLV	PM LOS/CLV
MD 4 and Westphalia Road	--	--
MD 4 SB Off Ramp & Old Marlboro Pike	A/799	A/795
MD 4 NB Off Ramp & Westphalia Road	A/627	A/561
MD 4 and Suitland Parkway	--	--
MD 4 SB Off Ramp & Suitland Parkway	B/1116	B/1123
MD 4 NB Off Ramp & Suitland Parkway	A/851	A/690
Presidential Parkway (MC-634) & Suitland Parkway extended	A/848	D/1427

The results showed that, with the modified lane usage as recommended by the traffic consultant, all of the critical intersections will operate adequately.

The proposed interchange at Suitland Parkway and MD 4 is in the final stages of the final design process. As part of that interchange design project, SHA is also including the intersection of Suitland Parkway extended and MC-634. The previous graphics depicting lane usage that were provided by SHA may not necessarily reflect the final versions as the design of the project grows closer to finality. After this CSP approval, the subject property will undergo a preliminary plan of subdivision approval process. As part of that process, a test of transportation adequacy requiring a new traffic study will be done. The Planning Board is hopeful that, by the time that phase of the development review process is realized, SHA's design effort would have reached its conclusion, including a final recommendation regarding lane usage.

Master Plan, site review

The property is located in an area where the development policies are governed by the Westphalia Sector Plan and SMA, as well as the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). One of the recommendations from the master plans was the construction of a major collector road (MC-634), whose terminal points are beyond the limits of this property. The alignment of MC-634 is accurately depicted on the site plan within the recommended 100 feet of right-of-way. The plan shows one full median break of MC-634 within the confines of the property. This median break is necessary to allow for the construction of a proposed east/west street. This street provides a direct connection to the adjacent properties immediately to the east and west of the subject property. DPW&T and the Planning Board recommend the provision of left-turn lanes along MC-634 where it intersects with this proposed east/west street. All other aspects of the site regarding access and layout are deemed to be acceptable.

Transportation Findings

- (1) The project approved herein is a CSP for a mixed-use development consisting of 206 townhouse units and 8,676 square feet of retail. Based on the trip rates from the "Guidelines," as well as the Trip Generation Manual, 9th Edition, this development will be adding 162 (39 in; 123 out) AM peak-hour trips and 216 (133 in; 83 out) PM peak-hour trips.
- (2) The traffic generated by the CSP approved herein will impact the following intersections:
 - Westphalia Road and MD 4
 - Suitland Parkway and MD 4
 - Suitland Parkway extended and Presidential Parkway (MC-634)

- (3) The approval is supported by a traffic study dated April 2014 (revised February 2015) provided by the applicant and referred to SHA and DPW&T/DPIE. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the Planning Board, consistent with the "Guidelines."
- (4) The subject property is located within Transportation Service Area (TSA) 2, as defined by Plan Prince George's 2035. As such, the subject property is evaluated according to the following standards:
 - a. **Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better;**
 - b. **Unsignalized intersections: *The Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that an 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.**
- (5) The following intersections identified in (2) above, when analyzed with the total future traffic as developed using the "Guidelines," were found to be operating at or better than the policy service level defined in (4) above:

Revised with modified SHA lane usage - TOTAL CONDITIONS (with interchanges)		
Intersection	AM LOS/CLV	PM LOS/CLV
MD 4 and Westphalia Road	--	--
MD 4 SB Off Ramp & Old Marlboro Pike	A/799	A/795
MD 4 NB Off Ramp & Westphalia Road	A/627	A/561
MD 4 and Suitland Parkway	--	--
MD 4 SB Off Ramp & Suitland Parkway	B/1116	B/1123
MD 4 NB Off Ramp & Suitland Parkway	A/851	A/690
Presidential Parkway (MC-634) & Suitland Parkway extended	A/848	D/1427

- (6) Both of the intersections along Suitland Parkway in (2) above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation

Program (CTP). Under the provisions of CR-66-2010, the applicant is required to provide a commensurate share of the cost to construct an interchange at the intersection of MD 4 and Westphalia Road. This share will be determined at the time of the preliminary plan phase of this development.

Transportation Conclusions

Based on the preceding findings, the Planning Board hereby determines that the plan conforms to the required findings for approval of the CSP from the standpoint of transportation as the application is approved with the following condition:

- (1) Total development within the subject property shall be limited to uses which generate no more than 162 (39 in; 123 out) AM peak-hour trips and 216 (133 in; 83 out) PM peak-hour trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a revision to the CSP with a new determination of the adequacy of transportation facilities.
- e. **Subdivision Review**—The subject 24.58-acre property is located in land area that is the subject of the Westphalia Sector Plan and SMA, just east of the regional center or designated fringe area, but specifically mentioned in the sector plan. It is shown on Tax Map 90 in Grid C-3 and is comprised of seven legal acreage parcels that have not yet been subdivided. The development (townhouses and commercial) will require approval of a major preliminary plan in accordance with the requirements of Subtitle 24 of the County Code. The Planning Board also stated that, while Parcels 137, 147–149, 172, and 199 are zoned M-X-T, Parcel 201 is zoned R-R where townhouses were not permitted until County Council Bill CB-8-2015 was adopted on June 2, 2015, allowing commercial uses in the R-R Zone under certain circumstances, to which the subject project conforms.

The Planning Board also noted that the subject property is bisected in a north to south direction by master-planned major collector MC-634 (Presidential Parkway extended), a 100-foot-wide four-lane major collector connecting to Armstrong Lane (I-603), and a planned 70-foot-wide right-of-way, to extend to existing Presidential Parkway to the south. The CSP approved herein bisects the property in an east/west direction with a private road connection from Ryon Road, a 50-foot-wide dedicated right-of-way, through Parcel 136. Adjoining Parcel 136 is the town center fringe area as shown on Map 4 on page 9 of the Westphalia Sector Plan and SMA. To ensure adequate connections between the adjoining parcels and the existing neighborhoods, the determination of right-of-way widths and the locations of public and private roads will be made when a preliminary plan is approved for the site. The CSP approved herein indicates that the townhouse lots are to be accessed by 50-foot-wide private streets connecting to MC-634 and Ryon Road. Right-of-way dedication will be recommended for MC-634 in the approval of a preliminary plan for the site.

The layout of lots and parcels depicted on the site plan is conceptual. Further, the lotting pattern, road layout, and recreational amenities, as well as adequacy of fire and rescue, police, transportation, mandatory dedication of parkland, and bicycle and pedestrian off-site requirements will be further reviewed and ultimately approved by the Planning Board as part of the preliminary plan process. Additional right-of-way dedication may be required when a preliminary plan is reviewed for the site.

The Planning Board's conclusions regarding Subdivisions related issues are as follows:

- (1) A preliminary plan is required.
- (2) By condition of this approval, clarify the lot, parcel, and outparcel information in Development Data Note 3. The lots, parcels, and outparcels will be reviewed with the preliminary plan.
- (3) By condition of this approval, remove Site Inventory Information Note 5. Mandatory park dedication will be reviewed with the preliminary plan pursuant to the requirements of Section 24-134 of the Subdivision Regulations.
- (4) As the project is located in the Pennsylvania Avenue Corridor, a bicycle and pedestrian impact statement will be required for review during the preliminary plan approval process. The applicant should coordinate with the Planning Board to agree on the scope of that impact statement prior to submitting the preliminary plan.
- (5) The properties are located within water Category 3 and sewer Category 4. An administrative amendment to the 2008 *Water and Sewer Plan* to change the sewer category from 4 to 3 will have to be successfully pursued prior to final approval of the final plat for the project. Utility Note 5 on the plans shall be by condition of this approval corrected to reflect the correct sewer category.

f. **Trails**—The plan has been reviewed for conformance to the requirements of the MPOT and the Westphalia Sector Plan and SMA (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.

- There is one master plan trails issue identified in both the MPOT and the area master plan, as stated on page 36 of the MPOT:

MC-634 Side Path: The Westphalia Sector Plan recommends extending the existing side path along Presidential Parkway and along the entire length of MC-634 and A-66. This facility will provide access to the town center, Little Washington, and several park facilities. On-road bicycle facilities may also be appropriate.

- The guidance of the Complete Streets Section of the MPOT must be adhered to including the following policies:

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

- Pedestrian circulation is best evaluated during more detailed phases of review, such as at the time of approval of a preliminary plan or detailed site plan for the project. However, the following broad recommendations can be made at this time:
 - The master plan trail should be provided along MC-634.
 - Section A on the circulation plan should be revised to substitute an eight-foot-wide sidepath or wide sidewalk for the standard sidewalk along one side of the road.
 - The standard sidewalk should be retained on the opposite side of MC-634.
 - Standard sidewalks should be provided along both sides of all internal roads, excluding private alleys, per the Complete Streets Section of the MPOT.
 - Additional pedestrian safety measures and neighborhood trail connections will be considered at the time of approval of a preliminary plan or detailed site plan for the project.
 - The proposed cross sections include standard sidewalks along both sides of all roads with the exception of Section E, which appears to be the private alley typical section. Section A will be used exclusively for MC-634, and is currently shown with five-foot-wide sidewalks and designated bike lanes on both sides. This cross section is acceptable provided that it is modified to include the master plan trail along one side.

Due to the site's location in both the Westphalia Sector and the Pennsylvania Avenue (MD 4) Corridor, it will be subject to the requirements of Council Bill CB-2-2012 and the "Transportation Review Guidelines, Part 2 2013" when a preliminary plan is reviewed for the site. Further, a scoping agreement for the Bicycle and Pedestrian Impact Statement

(BPIS) shall be required prior to acceptance of an application for preliminary plan approval for the site. The BPIS would be reviewed with the preliminary plan and that off-site bicycle and pedestrian improvements may be required at that time pursuant to Section 23-124-01 of the County Code.

The Planning Board concluded that from the standpoint of non-motorized transportation, the plan is acceptable, fulfills the intent of applicable master and functional plans, and meets the findings required for a CSP as the application is being approved with the following conditions:

- (1) Modify Street Section A to accommodate the master plan trail by replacing the five-foot-wide sidewalk along the eastern side of the road with an eight-foot-wide sidepath (or wide sidewalk), unless modified by DPW&T.
- (2) A more detailed analysis of the internal pedestrian network will be made at the time of approval of a preliminary plan and DSP for the project. Pedestrian safety features and additional neighborhood connections may be recommended at that time.

g. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated February 12, 2015, DPR stated that they reviewed the subject CSP, considering the recommendations of Plan Prince George's 2035, the Westphalia Sector Plan and SMA, the Land Preservation and Recreational Program for Prince George's County, current zoning and subdivision regulations, and the existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation facilities. Then, they suggested that the Planning Board could make the following findings regarding public parks and recreation facilities regarding the subject project:

- (1) The subject property consists of 24.58 acres of land located north of Armstrong Lane, zoned mostly M-X-T, with a small portion of R-R. The sector plan envisioned this property as mixed residential uses. The subject property is adjacent to Smith Home Farm to the east and is located in close proximity to the master-planned Westphalia Central Park. The applicant's proposal included 206 townhouses and 8,676 square feet of commercial space. Using current occupancy statistics for attached single-family dwelling units, one would anticipate that the proposed development would result in a population of approximately 551.
- (2) The Westphalia Sector Plan and SMA rezoned this property from R-R to M-X-T anticipating that development of this property under the M-X-T Zone requirements would implement the vision, goals, and policies of the sector plan. Development of this property under the M-X-T requirements, it was hoped, would create a community with a high-density urban and pedestrian-oriented character.

- (3) The applicant's CSP shows a major collector road (MC-634) bisecting the property. The applicant shows green space on the east side of MC-634. This open space is partially encumbered by a stormwater management pond. However, the remaining portion could be used for private recreational facilities, such as a playground or gazebo, to create a gathering place for residents, provided sufficient safety measures are taken.
- (4) The Westphalia Sector Plan and SMA introduced the concept of a central park, a single major recreational complex serving the entire Westphalia area. The Westphalia Central Park will be located less than a mile from this project. The park will be readily accessible to the residents of this community through a system of roads and hiker/biker trails along MC-634 and Central Park Drive. This large urban park will serve as a unifying community destination and an amenity for the entire Westphalia Sector Plan area.
- (5) The sector plan recommends developing the central park with recreational amenities, such as a recreational lake, active and passive recreational facilities, lawn areas and bandstands suitable for public events, a trail system, group picnic areas, and tennis facilities. The developer of the Smith Home Farm project is in the process of developing a schematic design plan for the park. The developer of Smith Home Farm is also providing in-kind services for construction of the Phase I recreational facilities in the park.
- (6) The Westphalia Central Park will be comprised of approximately 257 acres of open space. The 257-acre park will be comprised of approximately 145 acres dedicated by the developer of the Smith Home Farm project and 112 acres of additional parkland recently acquired by The Maryland-National Capital Park and Planning Commission (M-NCPPC) from the Suit Farm. The developer of the Smith Home Farm project is in the process of developing a schematic design plan for the 145-acre portion of the park to be dedicated by Smith Home Farm. This plan includes an array of active and passive recreational facilities within the park such as: a lake, open play areas, an amphitheater for large public events, a tennis center, an adventure playground, splash pad, multi-purpose open fields and courts, a dog park, group picnic areas, formal gardens, and an extensive pedestrian, bicycle, and equestrian trail network providing recreational opportunities for all residents in the Westphalia Sector Plan area, as well as establishing pedestrian and bicycle connectivity to the town centers and surrounding residential development. The park is located less than one mile from the Cabin Branch Village project area.
- (7) DPR has evaluated the CSP-13001 application for future conformance with the Subdivision Regulations to determine the possible impact of mandatory dedication on the subject CSP. The statutory requirement of Section 24-134 of the Subdivision Regulations is that the applicant provide mandatory dedication of 2.5 acres of land suitable for active and passive recreation based on the density and

acreage of this parcel. The applicant indicated in their justification statement that they plan to provide a monetary contribution to the central park in lieu of recreational facilities on the site.

- (8) The Westphalia Sector Plan goals, policies, and strategies related to park and recreational facilities are as follows:
- To create public and private parks, open space, and recreational facilities sufficient to meet the needs of current and future residents of the Westphalia Sector Plan area.
 - To create a park system consisting of 1,850 acres of public and private parks and green space.
 - To ensure development of a parks system that includes central greens that help unite the Westphalia community and its surrounding neighborhoods.
 - To create Westphalia Central Park and Cabin Branch Greenway as “community focus areas,” with regional draw to serve as an icon for the overall Westphalia Sector.
 - To ensure that major development projects are well integrated in the implementation of the sector plan parks system recommendations.
 - To ensure that the proper financing, construction and maintenance of the proposed park system.
 - To develop and finalize a comprehensive public facilities plan that includes detailed recommendations for financing mechanisms, phasing, construction and the maintenance of the proposed park facilities.
 - To ensure that parks, streets, and public squares are all designed to accommodate community parades, festivals and other events.
 - To establish a park fee of \$3,500 (in 2006 dollars) for each new dwelling unit built in the Westphalia Sector Plan area to fund construction of the public parks facilities recommended in the sector plan.
 - To form a multi-agency public/private work group to implement the vision for the Westphalia Central Park on an expedited basis.
- (9) The Westphalia Sector Plan and SMA anticipated that the major recreational needs of the residents of the sector plan area will be addressed by the contribution of funds for the development of the Westphalia Central Park,

the single most significant recreational complex intended to serve the entire Westphalia area.

- (10) The Cabin Branch Village project is located in close proximity to the Westphalia Community Center Park situated on Westphalia Road. This park includes a softball field, tennis court, half basketball court, playground, and fitness cluster. DPR is in the process of constructing a 16,223-square-foot community center and additional recreational facilities in the park. The residents of Cabin Branch Village will be able to avail themselves of the recreational facilities in the park.
- (11) The Westphalia Park Club is comprised of the developers of Smith Home Farm, Cambridge at Westphalia, Westphalia Town Center, and the Moore Property who are committed to the implementation of the Westphalia Sector Plan's park system recommendations. More particularly, the individual developments have contributed in the following ways:
 - Smith Home Farm: Dedication of 148 acres of parkland. Monetary contribution in the amount of \$3,500 per dwelling unit in 2006 dollars. Private recreational facilities on-site.
 - Westphalia Town Center: Monetary contribution in the amount of \$3,500 per dwelling unit in 2006 dollars. Private recreational facilities on-site.
 - Cambridge Place at Westphalia: Monetary contribution of \$3,500 per dwelling unit in 2006 dollars. Private recreational facilities on-site.
- (12) The central park site is suitable for providing major recreational facilities as envisioned by the sector plan. The monetary contribution for the construction of the recreational facilities in the park will provide the resources to create a unique focal area in the planned community, with surrounding developments overlooking the parkland and the roads and trails connecting to the park.

In conclusion, DPR stated that the applicant should provide private recreational facilities on-site to serve the residents who will live in this proposed townhouse community, as well as make a monetary contribution in the amount of \$3,500 per dwelling unit in 2006 dollars into a "park club" for the design and construction of the major recreational facility of the central park as per the recommendations of the Westphalia Sector Plan and SMA.

Conditions of this approval implement the above recommendations of DPR for the Cabin Branch Village development.

- h. **Environmental Planning**—The Planning Board signed a Natural Resources Inventory, NRI-065-13, for this project area on April, 29, 2014.

The project is subject to the environmental regulations of Subtitle 27 of the County Code that came into effect on September 1, 2010 because there are no previously approved applications, and is subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) that became effective September 1, 2010 because there are no previous tree conservation plan approvals.

The Planning Board described the subject 23.6-acre Cabin Branch Village site as follows:

- Located just north of Presidential Parkway and west of Ryon Road.
- Not the location of wetlands, streams, or floodplain.
- Predominant soils found to occur according to the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Web Soil Survey, are five types of Marr-Dodon Complex and Udorthent soils series.
- Marlboro clay does not occur on or in the vicinity of this site.
- According to the Sensitive Species Project Review Area (SSSPRA) map received from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property.
- The on-site stormwater drains to the north and south to off-site stream systems that flow in an easterly direction to form Cabin Branch, which drains to the Western Branch then to the Patuxent River.
- According to PGAtlas.com, this site is not within the designated network of the Green Infrastructure Plan.
- The site has frontage on Armstrong Lane and Ryon Road which are not classified as master plan roadways.

A proposed master-planned major collector roadway goes through the center of this project.

- No designated scenic or historic roadways are adjacent to the project site. The Planning Board then stated that *Plan Prince George's 2035 Approved General Plan* was adopted by the District Council after the current application was submitted, placing the site within the Established Communities area of the Growth Policy Map and Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by the plan. They also stated that the 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection, and preservation of

drinking water and storm and wastewater systems within the County on a countywide level. These policies, they explained, are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, County ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by DPIE, the Prince George's County Health Department, the Prince George's County Department of Environmental Resources, the Prince George's Soil Conservation District, M-NCPPC, and the Washington Suburban Sanitary Commission (WSSC) will be deemed to be consistent with this master plan.

The Planning Board noted that the Westphalia Sector Plan and SMA does not indicate any environmental issues specific to this site and that the Green Infrastructure Plan indicates that none of the property is within or near its designated network.

- An approved Natural Resources Inventory, NRI-065-13, in conformance with the environmental regulations that became effective September 1, 2010, was considered in this approval. The site contains no regulated environmental features (wetlands, streams, floodplains, or their associated buffers).
- This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-008-14) was considered together with the CSP application herein approved. The Planning Board is also herein approving with conditions TCP1-008-14.
- The subject approval uses fee-in-lieu to meet the entire requirement. Although no regulated environmental features, such as streams and wetlands, are located on the site, the project proposes to clear the entire property, resulting in a significant loss of woodlands. In keeping with the state's goal of "no-net-loss," a minimum of 50 percent of the requirement should be provided off-site as woodland conservation. The Planning Board by condition of this approval hereby requires that the worksheet be revised to show at least half of the woodland conservation requirement to be met within off-site conservation.

The Type 1 tree conservation plan (TCP1) by condition of this approval shall be revised to include the required general notes, the TCP1 approval block, and the qualified professional block. The originally submitted plan was shown at 1 inch equals 100 feet; information such as topography (existing/proposed), property lines, and various proposed structures were difficult to determine at this scale. There was more than the required 100-foot off-site overlap along the property boundary and by condition of this approval, the Planning Board hereby requires that the application add more information to the legend.

The site has frontage on Armstrong Lane and Ryon Road which are not classified as master-planned roadways. A proposed master-planned major collector roadway is shown going through the center of this project. No designated scenic or historic roadways are adjacent to the project site.

An approved Stormwater Management Concept Plan and Letter (15564-2013-00) was considered in the subject approval. The stormwater management features approved herein include bioswales, dry wells, micro-bioretenment, and landscape infiltration. The site will be required pay a stormwater management fee of \$59,926.40 in lieu of providing on-site attenuation/quality control measures.

Conditions of this approval implement the above environmentally-related concerns.

- i. **Prince George's County Fire/EMS Department**—In a memorandum dated December 11, 2014, the Fire/EMS Department offered comment on private road design, accessibility, and the location and performance of fire hydrants.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a revised memorandum dated April 2, 2015, DPIE offered comment regarding right-of-way dedication and road improvements along the subject site's Armstrong Lane and Ryon Road frontages, and offered construction guidance regarding the internal subdivision streets.

DPIE also offered comment regarding the master-planned major collector roadway (MC-634) that bisects the site. Regarding stormwater management, DPIE stated that the proposed changes to the layout of the subdivision meet the intent of the approved Stormwater Management Concept Plan No. 15564-2013, dated July 31, 2014.
- k. **Prince George's County Police Department**—In a memorandum dated February 9, 2015, the Police Department stated that, after visiting the site and reviewing the plans, they found no crime prevention through environmental design (CPTED) issues connected with the subject project.
- l. **Prince George's County Health Department**—In a memorandum dated February 27, 2015,

the Health Department stated that they completed a health impact assessment review of the CSP submission for Cabin Branch Village and made the following comments and recommendations:

- There are no markets or grocery stores with a half-mile radius of this location. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable

consumption and a reduced prevalence of overweight and obesity. The developer of the proposed project would be encouraged to seek out retail/commercial entities that could provide access to healthy food choices to help reduce the prevalence of obesity in the community.

- The public health value of access to active recreational facilities has been well documented. Indicate the location of all active recreational facilities for residents of all ages within a quarter mile of the proposed residences. The Health Department would be interested in receiving more information regarding the referenced “central park,” which is suggested to meet this recommendation.
- There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.
- Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community and connections for safe pedestrian access to the site via the existing pedestrian network. Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how development of the site will provide for safe pedestrian access to amenities in the adjacent communities.
- The Cabin Branch Village project is located adjacent to Pennsylvania Avenue (MD 4). Published scientific reports have found that road traffic, considered a chronic environmental stressor, could impair cognitive development in children, such as reading comprehension, speech intelligibility, memory, motivation, attention, problem-solving, and performance on standardized tests. There is an emerging body of scientific evidence indicating that fine particulate air pollution from traffic is associated with childhood asthma.

Conditions of this approval have been included below to implement the Health Department’s recommendations where the Planning Board has the authority to place such conditions on the subject project.

- m. **Maryland State Highway Administration (SHA)**—At the time of this writing, SHA has not offered comment on the subject project.
- n. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail received February 27, 2015, WSSC offered comment regarding the need for a hydraulic planning analysis, the need to follow the System Extension Permit (SEP) process, a change of service category, water and sewer service to the site, an off-site easement that would be

required for a sewer extension, the need to coordinate with other buried utilities, the need for forest conservation easements not to overlap any WSSC existing or proposed easements, and other standard and design concerns. WSSC's requirements will be met through their separate permitting process.

- o. **Verizon**—In an e-mail dated January 26, 2015, Verizon stated that they would like a ten-foot-wide public utility easement, free and clear of any surface obstructions, adjacent and parallel to, and contiguous with, the right-of-way of all roadways to be dedicated for public use. However, this issue will be determined at the time of Preliminary Plan of Subdivision.
 - p. **Potomac Electric Power Company (PEPCO)**—In an e-mail dated December 15, 2014, a representative of PEPCO stated that some of the public utility easements might have to be 15 feet wide, depending on load and other details, for the PEPCO mainline conduit.
- 12. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
- 13. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a CSP:
 - (4) **The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.**

As there are no regulated environmental features on-site, this otherwise required finding does not apply to the review of this CSP.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type 1 Tree Conservation Plan (TCPI/008/14, and further APPROVED Conceptual Site Plan CSP-13001 for the above-described land, subject to the following conditions:

1. Prior to certificate of approval of the CSP, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Add the required TCP1 approval block and add "TCP1-008-14" to the required location.
 - b. Add the required TCP1 general notes (1–10) plus the additional three notes if appropriate.
 - c. Add the required qualified professional signature block.
 - d. Revise the plan scale to the larger scale of 1 inch equals 50 feet.

- e. Revise the plan to show only 100 feet beyond the existing property lines and also only 100 feet beyond the proposed master-planned major collector roadway.
 - f. Revise the TCP to show the most current worksheet that has the fee-in-lieu rate at \$0.90 a square foot.
 - g. Revise the woodland conservation worksheet to show that at least 50 percent of the site's woodland conservation requirement is met at an off-site conservation bank.
 - h. Have the revised plan signed and dated by the qualified professional who prepares the plan.
2. Total development within the subject property shall be limited to uses which generate no more than 162 (39 in; 123 out) AM peak-hour trips and 216 (133 in; 83 out) PM peak-hour trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.
3. Prior to submission of a preliminary plan of subdivision application for subject property, the applicant shall meet with the Transportation Planning trails coordinator to determine the scope of a Bicycle and Pedestrian Impact Statement (BPIS) required due to the project's location both in the Pennsylvania Avenue (MD 4) Corridor and in the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*.
4. Prior to approval of a preliminary plan of subdivision for the subject project:
 - a. Active recreational facilities shall be included for residents of all ages either within a quarter mile or on the subject property.
5. Prior to approval of the first final plat for the project, the applicant shall obtain an administrative amendment to the 2008 *Water and Sewer Plan* to change the sewer category from 4 to 3.
6. Prior to approval of each detailed site plan (DSP) for the project:
 - a. The private recreational facilities to be included in the land area covered by the DSP shall be reviewed for conformance with the standards outlined in the *Park and Recreation Facilities Guidelines*, including adequacy and proper siting by the Urban Design Section.
 - b. The architecture shall be reviewed for the project that meets the following requirements:
 - (1) The architecture shall follow the general guidance of the illustrative contained on page 2 of Exhibit 40 of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. This would include:

- (a) A predominant use of brick.
 - (b) Well-designed façades with regular and objectively attractive patterns of fenestration.
 - (c) Use of architectural detail such as shutters, keystone arches or decorative lintels, and over and pronounced sills at the base of the windows.
 - (d) A varied roofline, utilizing dormers.
 - (e) The applicant shall provide a list of green building techniques to be used in this project.
 - c. Sufficient and suitably located guest parking shall be provided for the development.
 - d. Plans for the project shall conform to Section 27-548(h) with respect to the development of the townhouses that are part of this development or appropriate relief shall be obtained.
 - e. In the areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention shall be paid to human scale, high-quality urban design, and other amenities, such as types and textures of materials, landscaping and screening, street furniture, and natural and artificial lighting.
 - f. Plans shall identify an area for a community garden.
 - g. A detailed analysis of the internal pedestrian network shall be provided and pedestrian safety features and additional neighborhood connections shall be analyzed.
7. Prior to issuance of a building permit for each residential structure to be included in the development:
- a. The applicant shall make a monetary contribution to a "park club" in the amount of \$3,500 per dwelling unit in 2006 dollars as recommended by the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*. The Maryland-National Capital Park and Planning Commission (M-NCPPC) shall adjust the amount of the contribution using the Consumer Price Index (CPI) for inflation at the time of payment. The monetary contributions shall be used for construction, operations, and maintenance of the recreational facilities in the central park and/or the other parks that will serve the Westphalia Sector Plan area.

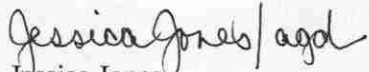
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Hewlett voting in favor of the motion, with Commissioner Shoaff temporarily absent and Commissioner Washington absent at its regular meeting held on Thursday, July 30, 2015, in Upper Marlboro, Maryland.

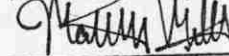
Adopted by the Prince George's County Planning Board this 10th day of September 2015.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:RG:ydw

APPROVED AS TO LEGAL SUFFICIENCY.



M-NCPPC Legal Department

Date 8/18/15