

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 November 21, 2019, regarding Conceptual Site Plan CSP-19007 for Wood Property, the Planning Board finds:

1. **Request:** The subject application proposes a conceptual site plan (CSP) for a mixed-use development consisting of 90 one-family attached (townhouse) dwelling units, a 128-room hotel, and 15,000 square feet of commercial/retail uses.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T/M-I-O	M-X-T/M-I-O
Use(s)	Commercial/ Contractor's Yard	Townhouses; Hotel; Commercial/Retail
Acreage	18.092	18.092
Total Gross Floor Area (sq. ft.)		255,352
Commercial GFA	-	15,000
Hotel GFA	-	80,080
Residential GFA	-	160,272
Dwelling Units Total (Townhouses)	-	90

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

Base Density Allowed:	0.40 FAR
Residential Optional Method:	1.00 FAR
Total FAR Permitted:	1.40 FAR*
Total Commercial FAR	0.96 FAR**
Total FAR Proposed:	0.33 FAR

Notes: *Additional density is permitted, in accordance with Section 27-545(b)(4) of the Zoning Ordinance, Optional method of development, for providing 20 or more dwelling units.

***The Strategies of the Town Center Fringe area of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment sets a target for commercial and employment uses at a 0.30 FAR or greater.*

3. **Location:** The subject property is in the northeast corner of the Armstrong Lane and the Pennsylvania Avenue Service Road intersection, in Planning Area 78 and Council District 6. The project is in the Town Center Fringe area of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). This site is located within the Inner Horizontal Surface (Right Runway) Area D, and Noise Intensity Zone 60 dBA–74 dBA and 75+ dBA, of the Military Installation Overlay Zone.
4. **Surrounding Uses:** The site is bounded to the north by vacant land in the Light Industrial Zone; to the east by vacant land in the Mixed Use-Transportation Oriented (M-X-T) Zone, which has received development approvals under the name Cabin Branch Village (CSP-13001, Preliminary Plan of Subdivision PPS 4-13005, and Detailed Site Plan DSP-16010), but has not yet been platted or developed; to the south across Armstrong Lane, by the MD 4 and Presidential Parkway interchange; and to the west by the Pennsylvania Avenue Service Road with MD 4 beyond.
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. This application was dismissed however, 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 Westphalia Sector Plan and SMA.
6. **Design Features:** The applicant proposes a mixed-use development consisting of residential and commercial/retail uses to include 90 townhouse units, a 128-room hotel, and a 15,000-square-foot commercial building. The commercial and hotel uses are proposed along the frontage of the Pennsylvania Avenue Service Road. The townhouses, located behind the commercial buildings, are shown to be accessed via private roads and alleys. A main public road, Road C, will extend from the Pennsylvania Avenue Service Road, between the two commercial areas, and connect to the adjacent Cabin Branch Village subdivision to the east, where the road will intersect with the master plan right-of-way, MC-634.

The plan shows two additional internal connections between the two communities on private roads. The layout of the townhouses is a grid pattern, which is a continuation of the Cabin Branch Village pattern and is a mix of front and rear load garage units, ranging from 18 to 24 feet in width. The CSP shows a private road connection from the rear of the commercial site as an additional access to the residential area. This access will need to be explored further during the PPS review of the site. In addition, the connection of Road A to the adjacent Sybil Lane, within Cabin Branch Village, should be explored at the time of PPS. Although this connection does continue the grid, there is little advantage to the circulation within the community, and the elimination of this road section may result in less impacts to woodland and specimen trees.

For proposed public Road C, the Prince George's County Department of Public Works and Transportation and/or the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE) may request either a private maintenance easement, or request the street be privately owned with a public use easement. These options will be reviewed at the time of PPS and DSP, similar to the process with Cabin Branch Village.

The site shows a tree preservation area along the northern boundary, which will buffer the site from the industrially zoned property to the north. Two community open space parcels are shown, both ideally located in a central area within the community. Open Space Parcels W and X of Cabin Branch Village were originally situated so that they could form the start of linear parks onto the subject site. The subject CSP however, does not show these linear parks continuing. The open space parcel configuration will be further evaluated with the PPS, and the design of the linear parks should be further evaluated at the time of DSP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject CSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in all mixed-use zones.
 - (1) The proposed townhouse, hotel, and commercial/retail uses are permitted in the M-X-T Zone. Per Footnote 7 of the Table of Uses, the maximum number and type of dwelling units should be determined at the time of CSP approval. Therefore, this property would be limited to 90 townhouse units, as proposed in this CSP.
 - (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 subject CSP proposes two types of uses, as required; including a residential component consisting of 90 townhouse units, a 128-room hotel, and a commercial/retail component with a maximum of 15,000 square feet of gross floor area. These proposed uses satisfy the mixed-use requirement of Section 27-547(d).

- b. Section 27-548, M-X-T Zone regulations, of the Zoning Ordinance 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) for this project is 0.33, which meets this requirement. Since the development proposes more than 20 residential dwelling units, the site qualifies for the optional method of development bonus incentives in Section 27-545(b), which permits the applicant to increase the proposed FAR to a maximum of 1.40.

(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 proposes to include the uses on the M-X-T-zoned property in multiple buildings on more than one lot, as permitted 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 application is for a CSP. Subsequent DSP approvals will provide regulations for development on this property.

(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 subject to the requirements of the 2010 *Prince George's County Landscape Manual* (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 and interior incompatible land uses at the 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 255,352 square feet on the 18.092-acre property is 0.33. This will be refined further at the time of DSP, relative to the final proposed gross floor area of the buildings, in conformance with this requirement.

- (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 not applicable to the subject case.

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

The overall development is accessed from a public street and the two nonresidential uses will have direct access from a public street; however, the residential portion of the development will be served by private streets and alleys. At the time of PPS, appropriate frontage and vehicular access for all lots and parcels must be properly addressed.

- (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 two hundred (1,200) 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 eight (8) townhouses per building group, except where 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. The minimum building width in any continuous, attached group shall be eighteen (18) 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 ($\frac{1}{2}$) 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. The minimum building width in any continuous, attached group shall be eighteen (18) 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 may 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 Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were

approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

The subject CSP proposes 90 townhouse units. Conformance with these specific townhouse requirements will be reviewed at the time of PPS and DSP, when detailed lot and building information is available.

- (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.**

The subject project does not involve the development of multifamily buildings. Therefore, 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). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.**

The subject CSP is in conformance with the design guidelines intended to implement the development concept recommended by the governing Westphalia Sector Plan and SMA, which was stated, as follows:

The M-X-T Zone is approved in accordance with the sector plan recommendation for mixed-use development in the Westphalia town center fringe area. Fringe areas along Pennsylvania Avenue (MD 4) should be designed as a destination for employment with a corporate

character with service and retail uses located within office and residential structures, and the potential for hotels in this area (page 88).

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. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Prince George's County Planning Board to approve a CSP in the M-X-T Zone, as follows:

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

One purpose of the M-X-T Zone is to promote orderly development of land in the vicinity of major intersections to enhance the economic status of Prince George's County. The proposed development, consisting of residential, hotel, and commercial/retail uses, will provide increased economic activity proximate to MD 4 and Suitland Parkway, as well as Suitland Parkway Extended and Presidential Parkway. It also allows for a potential reduction of the number and distance of automobile trips by constructing residential and nonresidential uses in close proximity to each other, and in close proximity to the residential and commercial uses in the proposed Cabin Branch Village, adjacent to this site. This CSP promotes the many purposes of the M-X-T Zone and contributes to the overall vision of the Westphalia Sector Plan and SMA.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;

This property was placed in the M-X-T Zone through the Westphalia Sector Plan and SMA, which was adopted in February 2007. As stated above, the proposed development is in conformance with the design guidelines intended to implement the development concept. This requirement will be further reviewed at the time of DSP when more site details are provided.

(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 toward MD 4 and the adjacent Cabin Branch Village site. How buildings relate to the street and other urban design considerations will be addressed at the time of PPS and DSP.

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

The development has been evaluated utilizing the Westphalia Sector Plan and SMA, Town Center Fringe design standards. The plan demonstrates compatibility with the proposed Cabin Branch Village community to the east by continuing the development pattern of that community, and seamless connectivity between the two.

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

This proposal continues the development pattern established with the adjacent Cabin Branch Village community, by providing a complementary mix of uses, arrangement of buildings, and other improvements and amenities. The mix of uses, arrangement of buildings, and other improvements and amenities will relate to the surrounding uses and produce a cohesive development capable of sustaining an independent environment of continuing quality and stability.

(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 indicated that this project will not be phased.

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

This requirement will be further evaluated in detail at the time of DSP. The illustrative CSP shows sidewalks along all public and private roads, forming a pedestrian network throughout the site.

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

The above finding is not applicable because the subject application is a CSP. Further attention should be paid to the design of pedestrian and public spaces at the time of DSP.

- (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 (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), 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 submitted a traffic impact study (TIS) dated June 2019. The findings and recommendations outlined below are based upon a review of these materials and analyses, consistent with the 2012 “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		
Intersections	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 and Westphalia Road – Old Marlboro Pike	D/1418	E/1486
MD 4 and Suitland Parkway	F/2294	F/1984
Suitland Parkway Extended and Presidential Parkway	9.8 seconds	9.8 seconds
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

The traffic study identified 18 background developments whose impact would affect some or all the study intersections. In addition, a growth of one percent over six years was also applied to the traffic volumes along MD 4. As part of the analysis for background conditions, two changes to the road network are being considered;

- A new two-point diamond interchange replacing the at-grade intersection at MD 4 and Suitland Parkway. This interchange is currently fully funded and under construction.
- A new two-point diamond interchange replacing the at-grade intersection at MD 4 and Westphalia Road. This intersection is currently planned but not under construction.

Both interchanges will result in the creation of a new grade-separated intersection, and two new at-grade intersections. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

BACKGROUND CONDITIONS		
Intersections	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 SB Off Ramp & Old Marlboro Pike	A/638	A/676
MD 4 NB Off Ramp & Westphalia Road	A/651	A/424
MD 4 SB Off Ramp & Suitland Parkway	B/1120	A/542
MD 4 NB Off Ramp & Suitland Parkway	C/1227	A/790
Suitland Parkway Extended and Presidential Parkway	C/1241	C/1297
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

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 application represents the following trip generation:

		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Townhouse (Guidelines)	86	12	48	60	45	24	69
Shopping Center (ITE-820)	15,000 sq. ft.	99	60	159	64	69	133
Hotel (ITE)	128 rooms	35	25	60	39	38	77
Total new trips		146	133	279	148	131	279

The table above indicates that the proposed development will be adding 279 (146 in; 133 out) AM peak-hour trips and 279 (148 in; 131 out) PM peak-hour trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersections	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 4 SB Off Ramp & Old Marlboro Pike	A/638	A/676
MD 4 NB Off Ramp & Westphalia Road	A/651	A/424
MD 4 SB Off Ramp & Suitland Parkway	B/1143	A/581
MD 4 NB Off Ramp & Suitland Parkway	C/1246	A/802
Suitland Parkway Extended and Presidential Parkway	C/1288	D/1381
MD 4 Service Road & Site Access 1	8.9 seconds	8.9 seconds
MD 4 Service Road & Site Access 2	9.8 seconds	9.9 seconds
MC-634 & Armstrong Lane	8.8 seconds	9.6 seconds

Based on the results shown above, the traffic study concludes the following:

- All of the critical intersections will operate adequately under total traffic conditions. The MD 4 and Westphalia Road-Old Marlboro Pike intersection, which is being replaced by a two-point diamond interchange, will operate acceptably in that future configuration.
- The TIS recommends approval with a condition requiring a pro-rata contribution into the CR-66-2010 legislation for the MD 4/Westphalia Road intersection.

Having reviewed the traffic study, the Planning Board concurs with the findings and conclusions. A trip cap consistent with the development proposed at that time will be recommended with the PPS.

One of the conclusions cited in the applicant's traffic study was the fact that with monetary contributions towards the construction of the planned interchange at the MD 4/Westphalia Road intersection, the development would meet the requirements for transportation adequacy, pursuant to Subtitle 24 of the County Code.

On October 26, 2010, the County Council approved CR-66-2010, establishing the Westphalia Public Facilities Financing and Implementation Program (PFFIP) district for the financing and construction of the MD 4/Westphalia Road interchange. Pursuant to CR-66-2010 (Sections 6, 7 and 8), the Planning Board has prepared a cost allocation table that allocates the estimated \$79,990,000 cost

of the interchange to all properties within the PFFIP district. CR-66-2010 also established \$79,990,000 as the maximum cost on which the allocation can be based. The allocation for each development is based on the proportion of average daily trips contributed by each development passing through the intersection, to the total average daily trips contributed by all the developments in the district passing through the same intersection. The ratio between the two sets of average daily trips becomes the basis on which each development's share of the overall cost is computed. This contribution will be determined at the time of the PPS.

- (10) **On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

The above finding is not applicable because the subject application is a CSP. This requirement will be evaluated at the time of 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 measures 18.092 acres and does not meet the above acreage requirement. Furthermore, it is not being developed as a mixed-use planned community. Therefore, this requirement is not relevant to the subject project.

- d. The CSP is in conformance with the applicable CSP site design guidelines contained in Section 27-274 of the Zoning Ordinance. The subject development provides a compact urban layout, consistent with the requirements of the Westphalia Sector Plan and SMA, Town Center Fringe. To convey the individuality of each townhouse unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. Conformance with this design guideline will be addressed at the time of DSP.
- 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. Therefore, the parking calculations should be removed from

the CSP, as conditioned herein. Adequate visitor parking for all residential units will need to be addressed at the time of DSP.

8. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (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, TCP1-011-2019 was submitted with the CSP application.

Based on the TCP1 submitted with this application, the site contains 4.05 acres of existing woodland and has a woodland conservation threshold of 15 percent, or 2.71 acres. The woodland conservation worksheet shows the removal of 2.49 acres of woodlands for a requirement of 4.39 acres. According to the TCP1 worksheet, the requirement is proposed to be met with 1.56 acres of woodland preservation on-site, and 2.83 acres of off-site woodland conservation credits. The forest stand delineation has identified 19 specimen trees on-site, with 11 proposed for removal.

Technical corrections are required to the TCP1, which are included in the conditions of this approval.

9. Other site-related regulations: Additional regulations are applicable to site plan review that usually require detailed information, which can only be provided at the time of DSP. The discussion provided below is for information only:

- a. **2010 Prince George's County Landscape Manual**—This development in the M-X-T Zone will be subject to the requirements of the Landscape Manual at the time of DSP. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.2, Requirements from Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets, of the Landscape Manual.
- b. **Prince George's County Tree Canopy Coverage Ordinance**—Subtitle 25, Division 3, Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The subject site is 18.092 acres in size and the required TCC is 1.81 acres. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of approval of a DSP.

10. Further Planning Board Findings and Comments from Other Entities: The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

- a. **Historic Preservation**—The Planning Board adopted, herein by reference, a memorandum dated September 25, 2019 (Stabler to Burke), which states that no historic sites, resources or districts will be impacted by the proposed project. Due to modern disturbance on the subject property, a Phase I archeology survey is not recommended.
- b. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated October 16, 2019 (McCray to Burke), which states that pursuant to Part 3, Division 9, Subdivision 2, of the Zoning Ordinance, master plan conformance is not required for this application. However, pursuant to Section 27-546(d)(2), the proposed development is in conformance with the design guidelines intended to implement the development concept recommended by the Westphalia Sector Plan and SMA.
- c. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated October 21, 2019 (Burton to Burke), which states that pursuant to Section 27-546 of the Zoning Ordinance, the plan conforms to the required findings for approval of the CSP. Adequacy, however, will be fully tested and determined at the time of PPS through the application of Section 24-124 of the Subdivision Regulations, and a traffic study may be submitted with a slightly different mix of uses than was tested at the time of CSP. The trip cap for the site will be based on the PPS.
- d. **Subdivision Review**—The Planning Board adopted, herein by reference, a memorandum dated October 21, 2019 (Diaz-Campbell to Burke), which states that due to the adjacent freeway, MD 4, and proximity to Andrews Air Force Base, a Phase 1 noise analysis will be required prior to acceptance of a PPS. No outdoor recreation areas will be permitted within the area of 65+ dBA Ldn, as mitigated, and interior noise levels must be reduced to 45 dBA Ldn or less. Other technical corrections are required in the conditions of this approval.
- e. **Trails**—The Planning Board adopted, herein by reference, a memorandum dated October 21, 2019 (Shaffer to Burke), which included comments and is summarized as follows:

Sidewalks will be required along both sides of all internal roads. The internal sidewalk network will be evaluated in more detail at the time of PPS and DSP. The site is adjacent to the Cabin Branch Village development (DSP-16010). Approved DSP-16010 shows 5-foot-wide sidewalks along both sides of the two internal roads connecting into the subject site. DSP-16010 also includes crosswalk treatments at appropriate internal intersections. Consistent treatments should be provided on the subject site and will be evaluated at the time of DSP. Lastly, DSP-16010 includes a 6-foot-wide sidewalk separated from the curb by a 5-foot landscape strip along Armstrong Lane. The same treatment is recommended along the site's frontage of Armstrong Lane.

Due to the site's location within the Westphalia Center, the case will be subject to Section 24-124.01 and the "Transportation Review Guidelines – Part 2" at the time of PPS. The scoping agreement, bicycle and pedestrian impact statement exhibit, and cost estimates for the proffered off-site improvements will be required at the time of acceptance of the PPS.

Conditions relative to these required pedestrian improvements will be addressed at the time of PPS.

- f. **Environmental Planning**—The Planning Board adopted, herein by reference, a memorandum dated October 22, 2019 (Schneider to Burke), which provided the following summarized comments:

Natural Resources Inventory Plan/Existing Features

A Natural Resources Inventory, NRI-051-2016, was approved on April 21, 2016, and provided with this application. The site contains steep slopes, one stream, and its associated buffer, which comprise the primary management area (PMA). No floodplain is located on-site. There are specimen trees scattered throughout the property. The TCP1 and CSP show all the required information correctly in conformance with the NRI.

Specimen Trees

Section 25-122(b)(1)(G) of the WCO requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Environmental Technical Manual."

The site contains 19 specimen trees with the ratings of good (ST-1, 2, 4, 5, 6, 7, 9, 11, 12, and 16), fair (ST-8, 10, 13, 14, 17, 18, and 19), and poor (ST-3 and 15). A Subtitle 25 variance application and a statement of justification (SOJ) dated August 2, 2019, in support of a variance were received for review on September 19, 2019. The SOJ requested the removal of 13 specimen trees, which was revised on plans received October 4, 2019 to show the removal of only 11 specimen trees. On November 12, 2019, the variance request was withdrawn by the applicant. If a revised layout is proposed with the PPS and specimen trees are shown to be removed, a variance will be required at the time of PPS application. More detail will need to be provided showing the necessary infrastructure to develop the site, such as the ultimate rights-of-way, building locations, and location of stormwater management (SWM) facilities.

Prior to signature approval of the CSP, the TCP1 shall be revised to provide a note below the specimen tree table to state that no variance was approved with the CSP for specimen tree removal.

At time of PPS, the applicant shall provide a condition analysis for specimen trees ST-2, ST-3, ST-4, ST-5, and ST-6 located along the northeast corner of the site. Efforts shall be made to preserve these trees and their critical root zones. This information shall be included in a variance request and SOJ to be submitted with the PPS.

Preservation of Regulated Environmental Features/Primary Management Area

The site contains regulated environmental features including a stream, the associated buffer, and steep slopes, all of which comprise the PMA. According to the TCP1, no impacts to the on-site PMA are proposed.

Soils

The predominant soils found to occur according to the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey are the Marr-Dodon complexes and Udorthents soils. Marlboro clay and Christiana complexes are not found on or near this property.

Stormwater Management

A SWM Concept Approval Letter (37486-2017-00) and associated plan were submitted with the application for this site. The approval was issued on March 25, 2019. The concept plan shows the entire development and proposes to construct micro-bioretenention facilities, bioswales, and drywells. A SWM fee of \$21,750.00 for on-site attenuation/quality control measures is required.

- g. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board adopted, herein by reference, a memorandum dated November 15, 2019 (Zyla to Burke), which provided the following summarized comments:

The Westphalia Sector Plan and SMA introduced the concept of a Central Park, a single major recreational complex serving the entire Westphalia Area. The planned Westphalia Central Park is 276 acres of open space. This Central Park will be accessible to the residents of this community through a system of roads and hiker/biker trails along existing Presidential Parkway and Central Park Drive, and will serve as a unifying community destination and an amenity for the entire Westphalia Sector Plan area. The Woods Property project is located less than a mile from Westphalia Central Park. The sector plan anticipated that implementation of much of the major recreational infrastructure for the residents within the plan boundaries will be realized through the contribution of funds to the Westphalia Park Club for development of the park. By participating in the Westphalia Park Club, the developers of Wood Property will support construction of the park.

At the time of PPS, the applicant should provide private on-site recreational facilities to serve the residents within in the proposed community and make a monetary contribution to the Westphalia Park Club.

- h. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide comments on the subject application.
 - i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated October 24, 2019 (Giles to Burke), DPIE provided comments on the subject application, incorporated herein by reference, including that the CSP is consistent with the approved SWM Concept Plan 37486-2017, dated March 25, 2019.
 - j. **Prince George's County Police Department**—The Police Department did not provide comments on the subject application.
 - k. **Prince George's County Health Department**—The Health Department did not provide comments on the subject application.
 - l. **Maryland State Highway Administration (SHA)**—SHA did not provide comments on the subject application.
11. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP, as approved with the conditions below, represents a 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.
12. As required by Section 27-276(b)(4) for approval of a CSP, based on the level of design information currently available, the limits of disturbance shown on the TCP1 and the impact exhibits, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible. However, these impacts should be reduced to the extent practicable and re-evaluated in greater detail at the time of PPS.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 1 Tree Conservation Plan TCP1-011-2019, and further APPROVED Conceptual Site Plan CSP-19007 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made or information provided:
 - a. Provide a separate floor area ratio tabulation for the commercial/retail uses.
 - b. Correct the existing water category/sewer category to W-4/S-4 and the proposed water category/sewer category to W-3/S-3.
 - c. Give Sybil Lane the designation Road F to match its designation within the Cabin Branch Village development.

- d. Revise the CSP sheet to remove all detailed information and present a conceptual plan only.
 - e. Remove parking tabulations from the site plan.
 - f. Revise the Type 1 tree conservation plan (TCP1) as follows:
 - (1) Add “TCP1-011-2019” to the approval block and to Line 6 of the worksheet.
 - (2) Add “CSP-19007” to the Development Review Division number column in the approval block.
 - (3) Revise the specimen tree labels to a bold font to provide a clearer view of the tree number.
 - (4) Add a limit of disturbance symbol on the plan view and on the legend.
 - (5) Remove the proposed tree line symbol from the plan.
 - (6) Revise the specimen tree table to show all trees to be saved.
 - (7) Add a note below the specimen tree table stating, “No variance to remove specimen trees has been approved as part of CSP-19007.”
 - (8) Have the revised plan signed and dated by the qualified professional preparing the plan.
2. At the time of acceptance of the preliminary plan of subdivision, demonstrate a continuation of the linear parks consistent with those approved in the adjacent Cabin Branch development.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, Washington, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent voting in favor of the motion at its regular meeting held on Thursday, November 21, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of December 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:TB:nz