

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on March 5, 2009 regarding Detailed Site Plan DSP-08039 for Westphalia Row, Phase I, the Planning Board finds:

1. **Request:** The detailed site plan proposes to develop 153 single-family attached townhouses as part of a larger mixed-use development.

2. **Development Data Summary**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Single-family houses	Townhouses
Acreage	20.67	20.67
Dwelling Units	4	153
Residential Square Footage	5,544	312,120
Floor-Area Ratio	.006	0.35

3. **Location:** The subject property is located at the southwest corner of the intersection of Ritchie-Marlboro Road and Sansbury Road, in Planning Area 78, Council District 6. It is within the Developing Tier. This intersection is designated by the February 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* as one of ten gateways into Westphalia. It is proposed in the plan as the location of a mixed-use village center. Fernwood Drive passes through the site.
4. **Surrounding Uses:** To the northwest of the site is the exit ramp leading from I-495 to Ritchie Marlboro Road. To the south of the subject site is an existing single-family residence in the R-R Zone. Further south and west on Fernwood Drive is a mobile home park. Across Sansbury Road to the east are the Ritchie Baptist Church property and the PB&J property, which are also zoned M-X-T as part of the village center. These two properties are currently developed with a church and a single-family house.
5. **Design Features:** The proposed townhouses are located on the southern side of the site, on either side of Fernwood Drive. On the south side of Fernwood Drive, the applicant proposes 114 townhouses, of which 83 are loaded from rear alleys while 31 are front-loaded units along the southern edge of the site. On the north side of Fernwood Drive, the applicant proposes 39 townhouses, all of which are loaded from rear alleys. All of the proposed townhouses are on fee-simple lots.

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

On July 1, 2008, the District Council granted approval of Conceptual Site Plan CSP-07001 for the development of the property as a mixed-use development including 420-600 dwelling units and 50,000-100,000 square feet of commercial office and retail. On January 10, 2008, the Planning Board approved Preliminary Plan of Subdivision 4-07038. Finally, on November 6, 2008, the Planning Board approved Detailed Site Plan DSP-08024 for the relocation of Fernwood Drive to the location shown on the conceptual site plan.

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

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

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

The proposed development is in conformance with this requirement. In accordance with Section 27-542(a)(2), the proposed detailed site plan will implement the recommendation of the Approved Westphalia Sector Plan and Sectional Map Amendment by contributing to the creation of a compact, mixed-use community, as more fully described in Finding Nos. 1, 2 and 5, above. The plan is the first phase of a walkable, mixed-use development proposed on the site.

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

The uses and development character proposed on the site are in conformance with those envisioned on Exhibit 19 and are generally consistent with the design guidelines of the sector plan, as discussed more fully in Finding No. 9.

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

The proposed development will be outwardly oriented. Although the village green forms an internal focal point at the center of the community, the townhouses at the eastern edge of the site will front onto Sansbury Road.

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

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

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

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

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

The subject DSP proposes that the 153 townhouses will be constructed as the first phase of development on the site. The envisioned triplex, multifamily, and commercial developments on the remainder of the site will be constructed in later phases. The plan allows for effective integration of the later phases into the development, maintaining connections to the overall street network planned in the CSP.

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

The plan shows a comprehensive and convenient pedestrian network of sidewalks along all of the public and private streets. Sidewalks are not proposed along the alleys, which are

intended for vehicular movements. All of the proposed townhouses are accessible from the sidewalk network.

- (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); ...**

Within Phase I, there are three areas designed as gathering places for people. The first and largest is the village green on the north side of Fernwood Drive, an area of 2.43 acres. The space is well located to form a central focal point for the development. The northern and western edges of the village green will be faced with townhouse rows, while the southern edge runs along Fernwood Drive. A community recreation building is proposed on the eastern side of the village green. There are two smaller open gathering areas south of Fernwood Drive, forming central greens between rows of townhouses.

The open spaces are well landscaped and of an appropriate size for the scale of the development. The two spaces south of Fernwood Drive include several benches arranged in the center of each space. The larger village green does not propose any street furniture or similar amenities. Although the main lawn of the green should remain relatively open to provide relief from the densely-spaced surrounding development, the applicant should provide some benches and tables within the village green to make the space more inviting. The design of the building and surrounding area will be reviewed by the Planning Board with the next DSP for Westphalia ROW.

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

- (b) **For property placed in the M-X-T Zone through a Sectional Map Amendment or through a Zoning Map Amendment intended to implement land use recommendations for mixed-use development recommended by a Master Plan or Sector Plan that is approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation:**
- (1) **The design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change, and a referenced exhibit of record for the property shall provide guidance for the development regulations to be incorporated into the Conceptual Site Plan.**

In accordance with this regulation, the approved conceptual site plan incorporated standards for setbacks, lot size, height, and lot width. The proposed townhouses in the DSP are in conformance with the CSP development standards.

The M-X-T Zone allows a floor-to-area ratio (FAR) of 0.4, which can be increased to 1.4 when developing a mix of residential and commercial uses, and up to 8.0 with the provision of various incentive measures. The approved conceptual site plan shows a proposed FAR of approximately 1.4, including 50,000–100,000 square feet of commercial and 1,160,500 square feet of residential space. The subject DSP consists of only the first phase of residential development, and therefore the proposed FAR for the DSP is only 0.35, less than the base permitted level in the M-X-T Zone.

8. ***Prince George's County Landscape Manual:*** Phase I of the site is subject to Sections 4.1 and 4.7 of the *Prince George's County Landscape Manual*.
 - a. Section 4.1 requires plantings for residential properties. The 153 proposed townhouses require 1.5 shade trees and 1 ornamental or evergreen tree per unit, which may be provided either on the individual lots or on the common open space for the development. The applicant has shown adequate landscaping for this requirement, but the Landscape Plan needs to be updated with a landscape schedule demonstrating conformance to the section.
 - b. Section 4.7 requires buffering of incompatible uses. This section is not applicable to the internal uses in the M-X-T Zone, but along the southern property line the proposed townhouses are adjacent to an existing single-family house, requiring a type A bufferyard. The applicant has shown adequate landscaping for this requirement, but the landscape plan needs to be updated with a landscape schedule demonstrating conformance to the section.
9. ***2007 Approved Westphalia Sector Plan and Sectional Map Amendment***

Village Center Guidelines

The plan designates the subject property, along with other land to the east, as part of a mixed-use activity center, one of two such areas in Westphalia. The plan establishes a number of guidelines for these areas, focusing on the creation of high-quality, pedestrian-friendly development. The proposed design presented by the applicant is consistent with the design principles for mixed-use activity centers. The following design principles warrant discussion at this time:

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

Fernwood Drive is designed with parallel parking on either side, subject to the approval of Department of Public Works and Transportation (DPW&T). Similarly, the private streets (not the

private alleys) throughout the site are designed to have parallel parking on one or both sides.

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

The proposed townhouses are all three-story buildings, developed in a moderately-dense land use pattern.

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

The majority of surface parking proposed on the site is envisioned as parallel on-street parking. There are no large surface parking areas, although there are two small parking areas (two and five spaces respectively) along private alleys in the development pod south of Fernwood Drive.

Gateway Guidelines

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

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

- **Landmark elements such as entrance signage, artwork, monuments constructed on features such as stone or masonry, decorative columns, water features, or clock towers.**
- **Landscape design including both softscape and hardscape.**
- **Resting and recreation facilities, information kiosks, or other amenities as appropriate.**

The applicant has proposed a design treatment for the gateway, which is described and reviewed in detail below, in Finding No. 13.

10. **Conceptual Site Plan CSP-07001:** The conceptual site plan was approved by the District Council on July 1, 2008, with 20 conditions of approval. The following conditions of approval warrant discussion at this time.

8. **Detailed site plan submittal shall include examples and evidence of all necessary covenants or other legal instruments that will be used to insure that the recreational facilities on the site will be available in perpetuity to all residents of the Westphalia Row development. If a legally sufficient arrangement to share the recreational facilities cannot be demonstrated,**

then adequate recreational facilities shall be demonstrated for the individual portions of the development.

At the time of the CSP approval, the applicant envisioned providing a mix of outdoor recreational facilities (the village green, the smaller sitting areas south of Fernwood Drive, and a fitness trail around the stormwater management pond) and indoor recreational facilities (including exercise facilities and meeting space within the future multifamily building). The applicant intended that all of these facilities would be available to all of the residents of the site, whether the residents lived in the townhouses, the triplex units, or the multifamily building. The resolution for the CSP endorsed this approach provided that it could be demonstrated that the facilities were made accessible to all residents – otherwise each individual portion of the development would need to provide adequate recreational facilities for its own needs.

The applicant has opted to change the approach with this DSP, due to the difficulty of ensuring that facilities within the multifamily building will be accessible to other residents. Instead, the applicant has proposed to construct a community recreation building on the eastern side of the village green to house a fitness room and gathering spaces in order to provide the required indoor recreational amenities to complement the outdoor facilities. The plans also show a gazebo connected to the community building by an overhead trellis. As fitness equipment will be provided within the community building, the applicant is not proposing to construct fitness stations along the trail around the stormwater pond. Outdoor recreational facilities include 15 benches, two climbing structures and a swing set located in the open spaces south of Fernwood Drive.

As the applicant's recreational facilities intentions have changed since the approval of the CSP, they have not yet proposed architecture for the community building. The applicant has committed to the building outlines and square footage for the building shown on the site plan, and have retained an architect to design the building. The applicant proposes that the design of the building would be presented with the next detailed site plan filed for the site, which they intend to be for the triplex units in the northwest portion of the site. The applicant has also proffered to construct the community building prior to issuance of the 175th building permit for the site. As 153 townhouses are proposed, this schedule would allow for all of the proposed townhouses to be built, before the recreational building would be required.

- 9. The following development standards shall apply to and be reflected on the detailed site plan. At the time of detailed site plan review, the Planning Board may make minor modifications to the development standards without the need to amend the conceptual site plan if the Planning Board finds such modification is appropriate and consistent with the character and quality of the development envisioned by the conceptual site plan and the sector plan.**

- a. **Front-loaded Townhouses (fee simple)**
 - (1) **Minimum lot size: 1300 square feet**
 - (2) **Minimum front yard setback: 20 feet from back of sidewalk**
 - (3) **Minimum yard area: 400 square feet**
 - (4) **Maximum building height: 45 feet**
 - (5) **Minimum lot width: 20 feet**
- b. **Rear-loaded townhouses (fee simple)**
 - (1) **Minimum lot size: 1000 square feet for no less than 50% of the units and a minimum of 800 feet for the remainder**
 - (2) **Minimum front yard setback: 10 feet from back of sidewalk**
 - (3) **Maximum building height: 45 feet**
 - (4) **Minimum lot width: 20 feet for no less than 50% of the units and a minimum of 16 feet for the remainder**

The DSP shows these standards on the cover sheet, and the proposed layout conforms to the approved standards. It should be noted that all of the rear-loaded lots exceed 1,000 square feet and are at least 20 feet wide, while all of the front-loaded lots exceed 2,000 square feet and are at least 24 feet wide.

10. **At the time of detailed site plan review, parking shall be calculated separately for: (1) the multifamily and commercial buildings, (2) for the three-family dwelling units, (3) for the rear-loaded townhouses north of Fernwood Drive, and (4) for the townhouses south of Fernwood Drive. Parking spaces in driveways and carports must allow at least 19 feet of parking space for cars, which must not obstruct pedestrian or vehicular travel routes. In addition to the total number of off-street parking spaces required for each type of unit by Section 27-568, each portion of the development shall also provide an additional 10 percent of this number for visitor parking, which may include parallel parking spaces on private roads.**

This DSP provides separate parking calculations for the townhouses north of Fernwood Drive, the townhouses south of Fernwood Drive, and for the community recreation building on the village green. Each townhouse includes a two-car garage, each front-loaded townhouse has space on the driveway for two cars to park, and parallel parking spaces are proposed along one or both sides of all of the public and private streets. A small number of perpendicular parking spaces are located off of the private alleys south of Fernwood Drive. The parking provided exceeds the requirements of the zoning ordinance and the CSP.

11. **At time of detailed site plan review for the subject property, the site will be evaluated for conformance to the gateway design guidelines of the**

Westphalia Sector Plan. Review should include items such as gateway entrance features at Fernwood Drive and Sansbury Road, architectural design, materials, colors, landscape palette, and streetscape features and amenities. The applicant shall provide an easement for the location of a gateway feature at Ritchie Marlboro Road and Sansbury Road.

The intersection of Ritchie Marlboro Road and Sansbury Road is designated as one of the ten gateways into the Westphalia Sector. The applicant has proposed a design for the gateway treatment, including a ceremonial gatehouse building to be located at the northeast corner of the site. The applicant has proposed that this building would be a square brick structure, eight feet on a side and 16 feet in height, with a peaked standing-seam metal roof, topped by a small pennant. Each side of the building would feature an arched false doorway, also constructed with brick. The applicant presented this design to staff and to members of the Westphalia Gateway Subcommittee. The Subcommittee felt that the design included themes that could be used as common elements for the ten gateways, including the name "Westphalia" in script and the use of brick and standing seam roofs. However, additional design is warranted before the proposed structure is approved for use at the Sansbury Road gateway or utilized as a model for other gateways. Staff has expressed concern that the false doorways would present a forbidding appearance. Instead of creating an open structure that could serve as a shelter or small gathering place, the proposed design would create a solid structure that could not be used for anything other than a marker. Furthermore, the applicant has indicated that it may be appropriate to incorporate the gateway feature into the design of the multifamily building that will be located in the northeast corner of the site, rather than building a freestanding structure.

In view of these concerns, and since the proposed gateway structure would not be constructed until the northeast portion of the Westphalia Row site is developed, the Planning Board has not approved a design for the gateway treatment in the northeast corner of the site. The applicant should continue to work with the Westphalia Gateway Subcommittee and the Planning Department in order to refine the design concept. A final design for the gateway should be approved with the detailed site plan for northeast portion of the site. However, as part of the overall site concept, the applicant has proposed a smaller version of the gateway structure (six feet on a side, and twelve feet in height) to mark the entrance into the interior of the site at the intersection of Fernwood Drive and Sansbury Road. The subject DSP shows this structure to be located at the intersection on the south side of Fernwood Drive, while a similar structure would be constructed on the north side of Fernwood Drive when that portion of the site was developed. The proposed structure would be set back at least 15 feet from the sidewalk at its closest point along Sansbury Road, and approximately 18 feet from the closest townhouse. As part of the design treatment, a fence is proposed along the fronts of the lots along Fernwood Drive and Sansbury Road, terminated by brick piers (five and half feet in height) designed to emulate the appearance of the gateway structure.

In general, the proposed entrance treatment at Fernwood Drive and the proposed fence along Fernwood Drive and Sansbury Road are appropriate. The Planning Board remains concerned about the appearance of false doorways around the proposed gateway structure. Although the smaller structure at Fernwood Drive is too small to be a useful open-air shelter, the proposed solid brick walls might still present a forbidding appearance. The false arched “doorways” should be faced with a light colored finish rather than brick, pursuant to Condition 1(h) of this approval. The light color would provide a visual contrast with the brick, and the space would provide a good opportunity for public art.

- 12. The applicant, his successors, and/or assignees shall provide adequate private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to approval of the Detailed Site Plan by the Planning Board.**

The applicant has proposed private recreational facilities as discussed above. Detailed architecture and floor plans for the community recreation building on the village green would be presented with the next detailed site plan submission, presumably the DSP for the triplex portion of the site. The applicant proposes that the recreation building would be constructed prior to the 175th residential building permit on the site, while the small outdoor recreation areas south of Fernwood Drive would be constructed concurrently with the surrounding townhouses facing onto the open areas.

11. Urban Design Review

- a. **Phasing:** At the time of the Conceptual Site Plan review, the Urban Design Section recommended that a phasing threshold should be established for construction of the commercial building on the site in order to ensure that the site became a truly mixed-use development, and proposed that the commercial building should be constructed prior to the 300th residential building permit on the property. The applicant argued that this requirement would be too constrictive at the time of CSP, and might not be workable. The Planning Board ultimately agreed to review a phasing schedule for the residential and commercial phases of the development at the time of detailed site plan review.

With the subject DSP, the Planning Board has imposed Condition No. 8, as follows:

“Applicant, or its assignees, will build the structured parking for the retail/office building along with the construction of the multifamily building. Prior to the issuance of the 230th building permit for the townhome and triplex units, the applicant, or its assignees, shall present a report to the Planning Board, or its designee, demonstrating that the applicant, or its assigns, has employed diligent

efforts towards marketing of the retail and office parcel. Thereafter, the applicant, or its assignees, shall report again to the Planning Board, or its designee, on an annual basis until the retail/office building is constructed.”

Provision of structured parking for the commercial component along with the multifamily building would help to make eventual development of the commercial building itself more feasible, as structured parking represents a significant capital investment. The applicant’s proposal does not in itself provide assurance that the commercial building would be constructed in a timely fashion. In order to ensure that there will be a further incentive to construct the commercial building, when the parking is constructed it should be reserved for the use of the future commercial instead of being available for the multifamily or other residential components. The proposal to provide regular reports to the Planning Board of the diligent efforts to market the commercial space has precedent in other projects in the County. In view of the current difficulty in financing real estate development and with the minimal assurance that the early provision of structured parking for the commercial building would promote the development of the commercial component to the site, the applicant’s proposed phasing is an acceptable approach.

- b. **Utilities:** The closely-spaced arrangement of townhouses presents a challenge for utility provision as the standard ten-foot-wide utility easement, free and clear of all obstructions, has not been provided along all the private rights-of-way. The applicant has coordinated the design of utility easements with the utility companies and has prepared an exhibit showing the agreed alternative utility arrangement. The agreed utility easements shall be shown on the detailed site plan, in accordance with Condition No. 1(e).
- c. **Noise impacts:** Although other parts of the Westphalia Sector are significantly impacted by the noise from air operations based at Andrews Air Force Base, in this northern portion of the sector, the main regulated noise concern is generated by traffic on the Capital Beltway and Ritchie Marlboro Road. As required, the applicant has submitted noise studies for the site prepared by Wyle Laboratories. One noise study (dated October 27, 2008) identifies improvements to be made to proposed structures in order to ensure that the indoor noise levels will not exceed 45 decibels. These improvements would include special construction measures for doors, windows, and walls of the townhouses in Lots 27–39 north of Fernwood Drive. The applicant must demonstrate that these measures have been implemented for those lots prior to issuance of building permits, in accordance with Condition No. 9, below.

The second noise study (dated January 21, 2008) evaluated the outdoor noise levels for conformance with the County standard that noise levels in outdoor activity areas should not exceed 65 decibels. The study indicated that a noise wall would be required along the northwest edge of the site, adjacent to the proposed stormwater management pond. The DSP shows this wall, but the applicant has not yet determined the appearance of the wall. The applicant shall present a detail of the wall for the review of the Environmental

Planning Section and the Urban Design Section for adequate noise reduction and appearance as a detailed site plan revision prior to the issuance of building permits for the townhouses north of Fernwood Drive, as called for by Condition No. 9 of this DSP approval.

- d. **Architecture:** The applicant proposes two models of townhouses for the site. Both models include a two-car garage. The first model, called the Williamson, is a front-loaded unit with a base finished floor area of 2,046 square feet. The second model, called the Davidson, is a rear-loaded unit with a base finished floor area of 1,732 square feet. Both models feature well-articulated front, side, and rear elevations and utilize a mix of brick and siding.

The front elevations of both types of unit are well-articulated and feature a regular distribution of windows with decorative shutters and lintels. The front roofs feature large reverse gables or decorative dormer windows. At least 60 percent of the units in each stick shall include a full brick front, as Condition No. 4(d) requires.

The side elevations of the Williamson model feature standard brick on the first story, with siding or optional brick above. The side elevation of the Davidson features standard brick only at the very base of the first story, with siding or optional brick above. The area of standard brick on the Davidson should be increased to the top of the first story to match the Williamson. Furthermore, higher-visibility endwalls have been identified in those areas throughout the development which do not face directly towards another endwall and which are therefore more exposed to view from passersby and from residents of the development. These endwalls should receive a full brick treatment, in accordance with Condition No. 3.

Because the rear-loaded townhouses are closely-spaced and have small setbacks from the rear alleys, the alleys are dominated by the view of the rears of the townhouses. The standard rear elevation for the rear-loaded townhouses utilizes siding for the entire wall finish. This elevation shall be upgraded by adding standard brick up to the level of the first floor, in accordance with Condition No. 4(a). Because of the arrangement of the windows on these elevations, it would not be practical to add shutters or lintels as on the other elevations. In order to improve the appearance of the rear windows, they should include wider instead of the standard trim.

The garage doors for the two-car garages are 16 feet wide, and as is typical for two-car garages they create a significant visual impression on the ground-level façade. The garage door on the rear-loaded Davidson model is a standard unadorned garage door. For the front-loaded Williamson model, the applicant has proposed a more decorative treatment including a row of small windows at the top of the door and smaller panels beneath. Although the Davidson garages will face onto alleys while the Williamson garages face onto private streets, the visual impact of the Davidson garages on the alleys is higher

because the rear-loaded units are not set back as far from the pavement as the front-loaded units. The garage doors on the Davidson model shall utilize the same standard as those on the Williamson in order to provide consistently attractive design throughout the development, pursuant to Condition No. 4(b) of this approval.

The rear elevations of the Davidson feature sliding glass doors on the second floor, above the garage doors. These doors allow for optional decks to be added to the units, supported by posts above the rear stub driveways. Any optional decks added to the units shall be constructed using an attractive non-wood material, and shall not extend beyond the rear lot lines, and shall otherwise conform to the requirements of Condition No. 4(e) below.

12. **Transportation Review:** There are two transportation-related conditions of the preliminary plan relating to the required transportation improvements (Condition 9) and the trip cap for the development (Condition 10).

Regarding Condition 9, since this is the first phase of construction for the property, and only 153 town house units are being proposed, the total number of peak-hour trips being generated will be 107 AM and 122 PM. Consequently, the trip cap associated with Condition 9 will not be exceeded. All of the road improvements associated with Condition 10 are still relevant and will be required prior to building permits issuance. Regarding on-site circulation, there are no issues with the proposed site design.

13. **Community Planning Review:** This application is consistent with the 2002 General Plan Development Pattern Policies for the Developing Tier.

This application generally conforms to the land use recommendations of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (SMA) for residential land use as part of a mixed-use activity center with a main-street character at Sansbury and Ritchie Marlboro Roads, as further discussed in Finding No. 9 above. In order to ensure plan recommendations for the activity center are implemented, a number of design issues are addressed during this detailed site plan review, including building design, materials, and streetscape for proposed development along Sansbury Road.

This application is for a peripheral portion of the property located at a designated Gateway to the Westphalia community, (i.e., Ritchie Marlboro Road at Sansbury Road). The design of residential uses in this application relative to future gateway design features on the balance of the property should be considered.

No master plan park facilities are proposed for this site. A contribution of \$3,500 per new dwelling unit (in 2006 dollars) is recommended in the sector plan to construct the public Central Park facility proposed for the sector plan area. This applicant is required to provide private, on-site recreation facilities, but is nonetheless encouraged to comply with the Westphalia sector plan recommendation and participate in the county and community effort to build a unique community

with high quality recreation facilities for the benefit of all future Westphalia residents.

Sector Plan Guidelines—This application is located in a designated mixed-use activity center at the northern gateway to the sector plan along a local street (Sansbury Road) and an arterial highway (Ritchie Marlboro Road), close to the interchange for the I-95 freeway. The design principles or guidelines for mixed-use activity centers are described under Policy 4 of the Development Pattern Element of the approved 2007 Westphalia Sector Plan and SMA (See CR-2-2007 (DR-2), Attachment A, p.9). The intent of the guidelines for mixed-use activity centers is to promote development of distinct residential and neighborhood commercial activity centers designed around a main-street theme and anchored by shared amenities. Main-street character and accompanying pedestrian orientations can most effectively be achieved along Sansbury Road, not Ritchie Marlboro Road, which is intended as a six- to eight-lane divided highway along the frontage of this property. This application is for a residential component that is located along Sansbury Road on the southern portion of the property at the northern entrance to the main-street area.

Detailed Site Plan DSP-08039—The detailed site plan shows 153 dwelling units and homeowners' association facilities, which generally correspond to the land use types and quantities anticipated by the sector plan for this area and as reviewed and approved in previous applications. This Phase I application does not include commercial or office space which are to be provided in subsequent phases of the development. The residential land use and homeowner's association property are laid out in a lot pattern that is conducive to achieving the sector plan concept for walkable, pedestrian friendly areas. The proposed building designs, materials, entrance features and landscaping should be evaluated for compliance with the guidelines established by the sector plan under Policy 4 of the Development Pattern Element.

Gateways—This application a part of the property that is located within a designated "gateway." (Map 3a: Proposed Land Use, Approved by CR-2-2007 (DR-2). Policy 6 of the sector plan development pattern element establishes it as one of ten gateways at "key intersections entering the Westphalia community." (CR-2-2007 (DR-2) Attachment A, p.12) Gateways require compliance with design principles aimed at distinguishing them as attractive entrances into Westphalia, including such elements as "entrance signage, artwork, monuments...landscape design including both softscape and hardscape..." etc. "Resting and recreation facilities, information kiosks, or other amenities as appropriate" are also recommended. (CR-2-2007 (DR-2) Attachment A, p.12) The design of buildings, landscaping, signs and any special features along the Ritchie Marlboro Road frontage as well as Sansbury Road are critical to the image of Westphalia that will be portrayed at this northern entryway.

The development pattern for the Phase I residential development proposed by this application along Sansbury Road is consistent with the main street development concepts approved in the previous applications and sector plan policies. Again, building designs, materials, entrance features and landscaping should be evaluated for compliance with the guidelines established by the sector plan and be in context of contributing to a gateway theme.

Detailed design elements for subsequent phases of the project located along Sansbury Road closer to the intersection with Ritchie Marlboro Road should be addressed when site plans are submitted for that area, but should reinforce the main-street design themes established in this application.

A Westphalia sector plan technical work group of stakeholders is meeting to establish consensus regarding design concepts or themes for gateway areas that will help identify and brand Westphalia as a unique community in the county. When available, it is anticipated that the unifying themes or concepts for gateway features or elements will help guide preparation of development applications and the review process. This applicant is a participant in the stakeholders work group.

Central Park Funding—The sector plan states that a contribution of \$3,500 per new dwelling unit (in 2006 dollars) is needed to construct the public Central Park facility recommended for the sector plan area. Approval of Conceptual Site Plan CSP-07001 (PGCPB Resolution No. 08-06, Condition 12), requires provision of private, on-site recreation facilities to serve project residents and to address mandatory dedication requirements of the Zoning Ordinance. Findings for approval of the previous applications “encourage the applicant to comply with the Westphalia sector plan recommendation and participate in the county and community effort to build a unique community with high quality recreation facilities for the benefit of all future Westphalia residents,” but do not require it.

14. **Environmental Planning:** This 21.14-acre site in the M-X-T Zone is located on the eastern side of the Capital Beltway (I-495/95) and on the southwestern corner of the Ritchie Marlboro Road and Sansbury Road intersection. A review of the available information indicates that streams, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. The site is adjacent to the Capital Beltway, which is a source of traffic-generated noise. The soils found to occur on this site according to the *Prince George's County Soil Survey* are in the Adelphia, Collington, Ochlockonee, Rumford, Sandy, Sassafra, and Westphalia soil series. According to available information, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on this property or on adjacent properties. There are no designated scenic and historic roads in the vicinity of this property which is located in the Southwest Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the General Plan. The subject property does not within the designated network of the *Approved Countywide Green Infrastructure Plan*

Review of Previously Approved Conditions

The following text addresses previously approved environmental conditions related to the subject applications. The text in **BOLD** is the actual text from the previous cases or plans.

PGCPB Resolution No. 08-06, Conceptual Site Plan CSP-07001

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

These issues were addressed at the time of certification of the CSP.

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

No woodland conservation is proposed on dedicated parkland.

4. **Prior to certificate approval of the CSP, the Phase I noise study shall be revised as follows:**
 - a. **Revise the study to evaluate the ten-year projected ADT levels.**
 - b. **Eliminate the use of “future” noise levels—the ten-year projected noise levels are the only ones to be provided. Label this line the “unmitigated 65 dBA Ldn” on the CSP and TCPI. Do not base the**

ten-year projected levels on the existence of proposed buildings.

- c. Base the study on the proposed design layout instead of an earlier layout.**
- d. Provide all maps to scale so that they can be compared to the other plans. Show the centerline of all roadways from which measurements are being taken.**
- e. Provide match lines for all separate sheets that form the overall map.**
- f. Provide an analysis of the gap between the buildings in relation to Parcel 'E.'**

This condition was satisfied at the time of certification of the CSP.

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

This condition was satisfied at the time of certification of the CSP.

PGCPB No. 08-07, File No. 4-07038

- 1. Prior to the signature of the preliminary plan, the Type I tree conservation plan shall be revised to:**
 - a. Revise the net tract area and any other incorrect calculations to be in conformance with the NRI.**
 - b. Mark the specimen trees to be removed and add all required information to the specimen tree table.**
 - c. Revise the worksheet to reflect the correct acreages.**
 - d. Have the revised plans signed and dated by the qualified professional who prepared them.**

This condition was satisfied at the time of preliminary plan signature approval.

- 2. The following note shall be placed on the final plat of subdivision:**

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/033/07), or as modified by the Type II tree conservation

plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

This condition will be addressed at time of final plat.

3. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the primary management area except for the one area of impact approved and be reviewed by the Environmental Planning Section prior to certification. The following note shall be placed on the plat:**

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from The Maryland-National Capital Park and Planning Commission Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

This condition will be addressed at time of final plat.

4. **Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

This condition will be addressed at time of permit.

5. **Prior to signature approval of the preliminary plan, both the preliminary plan and the TCPI shall be revised to show the correct 65 dBA Ldn noise contours associated with the Capital Beltway (I-95) and Ritchie-Marlboro Road.**

This condition was satisfied at the time of preliminary plan signature approval.

6. **Prior to the acceptance of the detailed site plan, the package shall be evaluated to ensure that it contains a Phase II noise study. The noise study shall address how noise has been mitigated to 65 dBA Ldn or less for the outdoor activity areas and 45 dBA Ldn or less for the interiors of buildings within the 65 dBA Ldn noise contour. The DSP and the TCPII shall show the**

location of the mitigated 65 dBA Ldn noise contour.

A Phase II noise study, dated October 27, 2008, containing numerous recommendations addressing building materials to be used to mitigate interior noise levels was submitted with this application. Traffic-generated noise issues are discussed in detail below.

- 7. Prior to the approval of any residential building permits for buildings located within the 65 dBA Ldn noise contour, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building plans stating that building shells of structures have been designed to reduce interior noise levels to 45 dBA Ldn or less.**

This condition is to be addressed at time of permit review; however, new language is being used to provide clarity on the requirements in this condition. Condition 7 of this DSP approval is adopted to reflect current standards.

- 8. Prior to signature approval of the preliminary plan, the TCPI shall be revised to show the easements required per Stormwater Management Concept Approval Plan 36373-2006-00.**

This condition was satisfied at the time of preliminary plan signature approval.

- 11. At the time of the detailed site plan approval, a Type II tree conservation plan shall be approved.**

A TCPII was submitted with this application and is discussed in detail in the Environmental Review Section below.

- 12. Development of this site shall be in conformance with Stormwater Management Concept Plan 36373-2006-00 and any subsequent revisions.**

The detailed site plan and TCPII show the stormwater management facilities required by Stormwater Management Concept Plan 36373-2006-00.

Environmental Review

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

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

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

The site contains significant environmental features that are required to be protected under Section 24-130 of the Subdivision Regulations. The design should avoid any impacts to streams, wetlands, or their associated buffers unless the impacts are essential for the development as a whole. The Subdivision Regulations require that the primary management area (PMA) be “preserved in a natural state to the fullest extent possible.”

A Letter of Justification and associated exhibits were submitted with the preliminary plan for one proposed impact for the creation of an outfall for the stormwater management pond on Parcel D. The Planning Board approved this impact because it was necessary for development of the site.

The Planning Board approved Conditions 3 and 4 as noted in PCGPB Resolution No.08-07. These conditions ensure that impacts to sensitive environmental features will be minimized, permits will be required for the proposed impact and the remaining sensitive environmental areas will be retained in conservation easements.

No further action regarding sensitive environmental features is required.

- b. This property is subject to the provisions of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the property has a previously approved Type I Tree Conservation Plan, TCPI/033/07 and Type II Tree Conservation Plan, TCPII/055/08. A revised Type II Tree Conservation Plan, TCPII/055/08-01 has been submitted with this application.

This 22.44-acre property contains a total of 8.73 acres of woodland outside the floodplain according to the NRI. The woodland conservation threshold has been incorrectly calculated and should be revised to be 3.28 acres.

As currently shown, the areas of clearing result in a total requirement of 7.64 acres. The plan proposes to meet the requirement by providing 0.19 acres of woodland preservation, 0.65 acres afforestation/reforestation, and 6.45 acres of off-site mitigation. The gross tract acreage is correct on the plans (22.44 acres) but the net tract is incorrect and must be revised to 21.86 acres.

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

The TCPII requires some additional technical revisions. The plan shows a “proposed tree line.” This tree line obscures the plan and shall be removed. A symbol for “specimen tree to be removed” shall be included on both the TCPII plan and in the legend. The expanded stream buffers shown on the NRI are not shown on the TCPII.

Condition 2 of this DSP approval has been approved in order to address these required changes to the TCPII.

- c. This property is located on the eastern side of the Capital Beltway (I-95), classified as a freeway, and on the south side of Ritchie-Marlboro Road, a classified arterial. Both are considered transportation-related noise generators.

A Phase II noise study, dated October 27, 2008, was submitted with this application. The TCPII shows the ten-year projected noise contour, without assuming that any of the proposed building exists. The records details recommendations addressing building materials to be used to mitigate interior noise levels for the proposed residential structures within the 65 dBA Ldn noise contour.

Condition 7 of this DSP approval is adopted to implement these recommendations.

- d. The soils found to occur on this property are in the Adelphia, Collington, Ochlockonee, Rumford, Sandy land, Sassafras, and Westphalia soil series.

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

- e. Copies of the Stormwater Management Concept Approval Letter and plan were submitted. The letter states that stormwater will be controlled through the use of bioretention, infiltration, and extended detention and that stormdrain easements are required. The TCPII shows the required facilities as noted above.

No further action regarding stormwater management is required.

- 15. **Department of Public Works and Transportation (DPW&T) Referral:** In a memorandum dated December 22, 2008, the Department of Public Works and Transportation (DPW&T) offered the following comments:

- a. The property is located southwest of the intersection of Ritchie Marlboro Road and Sansbury Road, which is bisected by the relocated Fernwood Drive, from its intersection with Bauman Road to Sansbury Road. Sansbury Road is to be improved to an urban major collector roadway with a 100-foot right-of-way. Additionally, the relocated Fernwood Drive is to be constructed in accordance with DPW&T's urban primary residential standards with a 60-foot right-of-way.
- b. A DPW&T street construction permit is required for the proposed private internal roadways. The private roadways are to be constructed in accordance with DPW&T's Specifications and Standards. The maintenance of private streets is not the responsibility of DPW&T.
- c. Resolution of all roadway requirements for the Maryland-National Capital Park and Planning Commission (M-NCPPC) Preliminary Plan File No. 4-07038 needs to be fulfilled prior to the issuance of street construction permits for this site.
- d. An access study shall be conducted by the applicant and reviewed to determine the adequacy of access points to the relocated Fernwood Drive. Coordination with Ritchie Baptist Church property across Sansbury Road is required for the purpose of aligning the proposed Fernwood Drive with any future access to church property.
- e. Adequate transition from two lanes to a single lane, to the existing Sansbury Road, starting at the southeastern corner of this property is required.
- f. Conformance with DPW&T street tree and street lighting specifications and standards is required with lighting fixtures to match those in existence in the area. Adjustments to street lighting, where necessary to accommodate the improvements constructed under this scenario, are required. In accordance with Section 23-141 of the County Road Ordinance, roadside trees will be required within the limits of the permit area.
- g. Sidewalks are required along all roadways within the property limits, in accordance with Section 23-105 and 23-135 of the County Road Ordinance. Any new sidewalk installation is to match existing sidewalks in the area. Additionally, all sidewalks must be kept open for pedestrians at all times.
- h. All stormwater management facilities / drainage systems, including recreation features, visual amenities and facilities are to be constructed in accordance with DPW&T specifications and standards. Approval of all facilities is required, prior to permit issuance.
- i. All improvements within the public rights-of-way, as dedicated for public use to the County, are to be in accordance with the County Road Ordinance, DPW&T's specifications and standards, and the Americans with Disabilities Act (ADA).

- j. Compliance with DPW&T's Utility Policy is required. Proper temporary and final patching and the related mill and overlay in accordance with the established "DPW&T's Policy and Specification for Utility Installation and Maintenance Permits" are required.
- k. Existing utilities may require relocation and / or adjustments. Coordination with the various utility companies is required.
- l. Full-width, two-inch mill and overlay for all existing County roadway frontages is required.
- m. Determination of roadway identification (public or private) within the site is necessary prior to the detailed site plan approval.
- n. The proposed site development has an approved Stormwater Management Concept Plan number 36373-2006-02 dated October 15, 2007.
- o. Tree conservation and / or tree mitigation may be required. Coordination with M-NCPPC and the Natural Resources Division is required.
- p. A soil investigation report, which includes subsurface exploration and geotechnical engineering evaluation for public streets, is required.

It should be noted that DPW&T usually enforces its conditions through its own permitting process. DPW&T's road standard for Sansbury Road as an urban major collector road does not usually allow space for on-street parallel parking as shown on the plan. Allowing on-street parking along Sansbury would help to create a main street environment, but is subject to the approval of DPW&T. The DSP indicates that Fernwood Drive, Ritchie Marlboro Road, and Sansbury Road are public streets, while the internal streets for the townhouses will be private streets.

16. **Trails Review:** The adopted and approved Westphalia sector plan designates Ritchie Marlboro Road as a master plan trail corridor and Sansbury Road as a master plan bikeway. It should also be noted that the right-of-way (ROW) of the former Chesapeake Beach Railroad runs through Phase II of Westphalia ROW which is north of the subject application.

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

An eight-foot-wide side path (or wide sidewalk) should be provided along the subject site's entire frontage of Sansbury Road in order to provide access from the subject property to the master plan trail. The internal sidewalk network appears to be adequate, with sidewalks being provided along both sides of all main roadways (excluding alleys). Walkways are also provided between

townhouse sticks, within HOA open space, and to internal recreation facilities.

Approved CSP-07001 (PGCPB Resolution No. 08-06) included the following conditions of approval regarding bicycle and pedestrian facilities:

18. **The applicant shall provide an eight-foot-wide side path or wide sidewalk along Sansbury Road, unless modified by DPW&T.**
19. **The final record plat shall include a note that the applicant, the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of appropriate signage for the Class III bikeway along Sansbury Road. The contribution shall be made prior to the issuance of the first building permit.**
20. **The applicant shall provide standard sidewalks along both sides of Private Roads A, B, C, D, and E.**
21. **The applicant shall provide standard sidewalks along both sides of relocated Fernwood Drive, unless modified by DPW&T.**
22. **Appropriate pedestrian amenities and pedestrian safety features will be evaluated at the time of DSP.**

These conditions were reiterated through the approved Preliminary Plan of Subdivision 4-07038 (PGCPB Resolution No. 08-07) in Condition 18.

The submitted DSP meets the intent of the previously approved applications CSP-07001 and 4-07038 and is in conformance with the adopted and approved Westphalia sector plan. Conditions of approval from the CSP and Preliminary Plan remain in effect. Striped crosswalks should be provided several locations along Fernwood Drive.

17. **Washington Suburban Sanitary Commission (WSSC) Referral:** On December 17, 2008, the Washington Suburban Sanitary Commission (WSSC) noted that Project No. DA4749Z08 is an approved project within the limits of this proposed site.
18. **Health Department:** The Health Department evaluated the proposal during the review of the preliminary plan, and at that time noted the following:
 - a. A raze permit must be obtained through the Department of Environmental Resources (DER) prior to the removal of any existing structures. Any hazardous materials located in any structures on site must be removed and properly stored or discarded prior to the structures being razed.

- b. Any abandoned wells found within the confines of the above referenced property must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department. One abandoned shallow well was observed in front of the existing two-story brick house with deck.
- c. Any abandoned septic tanks found within the confines of the property must be backfilled after a licensed scavenger has pumped them out.

These comments were not included in the preliminary plan resolution and are therefore included with this DSP.

- 19. **Subdivision Review:** The DSP is in substantial conformance with the approved preliminary plan. Issues related to lot sizes, utility easements, and parking spaces which have been addressed by the applicant.
- 20. **Permit Review:** A number of issues have been addressed by revised plans or by recommended conditions below.
- 21. As required by Section 27-285 (b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/055/08-01) and further APPROVED Detailed Site Plan DSP-08039 for the above-described land, subject to the following conditions:

- 1. Prior to certification, the applicant shall revise the DSP as follows:
 - a. Show the proposed fence detail for the fence along Fernwood Drive and Sansbury Road.
 - b. Add detail of playground surfacing material for the outdoor play areas.
 - c. Label the proposed noise wall on the plan.
 - d. Provide landscape schedules demonstrating that the required 4.1 and 4.7 plantings and bufferyard are provided.
 - e. Show the utility easements agreed to by the utility companies on the site plan.

- f. Add three-to-four-foot-tall estate style fencing around the two play areas.
 - g. Add a note to the plan stating that any decks added to the rears of the rear-loaded townhouses shall be constructed of a durable and attractive non-wood product and shall not extend beyond the rear-lot line.
 - h. Modify the detail of the proposed entrance monuments to show a light-colored material within the arched areas to contrast with the brick color.
- 2. Prior to the signature of the detailed site plan, the Type II Tree Conservation Plan shall be revised to:
 - a. Remove the proposed tree line from the plan.
 - b. Shown the expanded stream buffers on the plan and in the legend
 - c. Include a symbol for “specimen tree to be removed” on the plan and in the legend.
 - d. Provide a detail sheet including the techniques used for tree protection, sign locations and details, etc., for woodland conservation on-site.
 - e. Revise the worksheet to reflect the correct acreages.
 - f. Have the revised plans signed and dated by the qualified professional who prepared them.
- 3. Prior to certification, the applicant shall designate Lots 1, 13, 14, 25, 26, 29, 30, and 39 to the north of Fernwood Drive and Lots 1, 17, 18, 29, 30, 35, 36, 39, 70, 71, 76, 77, 84, 85, 92, 93, 100, 101, 104, 105, 110, 111, and 114 to the south of Fernwood Drive as higher-visibility lots. The sides of townhouses on these lots shall be fully faced with brick.
- 4. Prior to certification, the architecture shall be revised to conform to the following:
 - a. The standard side and rear elevations of the Davidson model shall utilize brick facing up to the top of the first floor.
 - b. The garage doors on the Davidson shall be upgraded to the “carriage door” design as proposed on the Williamson model.
 - c. The rear windows and sliding door of the Davidson model shall utilize 3 ½ -inch wide trim.
 - d. At least 60 percent of the units in each attached stick of units shall have a full brick front. A brick tracking chart with the lots grouped into the attached sticks shall be added to the

plans to monitor conformance to this requirement.

- e. Provide for a standard rear deck to the Davidson model that the homeowner can purchase at their option, the design and materials of which shall be determined prior to certification by the Urban Design Section.
5. Provide striped crosswalks across Roads A, B, C and D where they intersect with Fernwood Drive, unless modified by DPW&T.
6. Provide a striped crosswalk across Fernwood Drive at Sansbury Road, unless modified by DPW&T.
7. Prior to the approval of any residential building permits for buildings located within the 65 dBA Ldn noise contour, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building plans stating that building shells of structures have been designed to reduce interior noise levels to 45 dBA Ldn or less.
8. The Applicant, or its assignees, will build the structured parking for the retail/office building along with the construction of the multifamily building. Prior to the issuance of the 230th building permit for the townhome and triplex units, the applicant, or its assignees, shall present a report to the Planning Board demonstrating that the applicant or its assignees, has employed diligent efforts towards marketing of the retail and office parcel. Thereafter, the applicant, or its assignees, shall report again to the Planning Board, on an annual basis until the retail/office building is constructed.
9. Prior to the issuance of building permits for the townhouses north of Fernwood Drive, the applicant shall submit and obtain approval of a revision to the site plan by the Planning Board or its designee. The revised site plan shall show the location and appearance of the noise wall. The noise mitigation shall be reviewed for the adequacy of noise reduction and for appearance by the Environmental Planning Section and the Urban Design Section. If grading in the northwest portion of the site has altered the required noise mitigation, an updated Phase II noise study shall be submitted to demonstrate the required height and location of any required noise wall or other mitigation.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark,

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Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, March 5, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of March 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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