



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

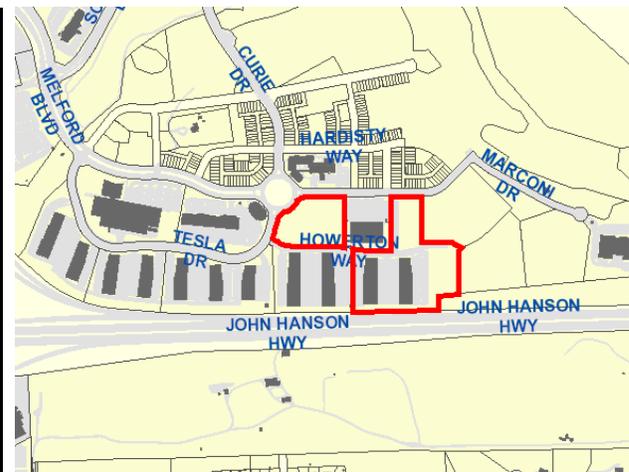
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Detailed Site Plan Melford Property Pod 6

DSP-07031-05

REQUEST	STAFF RECOMMENDATION
To replace two single-story office buildings with one single-story building on Lot 1 and one multi-story office building with one single-story building on Lot 7.	With the Conditions Recommended herein: <ul style="list-style-type: none"> •Approval of Detailed Site Plan DSP-07031-05 •Approval of Type II Tree Conservation Plan TCPII-036-99-19

Location: On the north side of US 50 (John Hanson Highway) and southeast of the intersection of Melford Boulevard and Tesla Drive.	
Gross Acreage:	38.88
Zone:	TAC-E
Zone Prior:	M-X-T
Reviewed per Zoning Ordinance:	Section 27-1704 (b)
Dwelling Units:	N/A
Gross Floor Area:	59,640 sq. ft.
Planning Area:	71B
Council District:	04
Municipality:	Bowie
Applicant/Address: Dewberry Engineers, Inc. 4601 Forbes Boulevard, Suite 300 Lanham, MD 20706	
Staff Reviewer: Tierre Butler Phone Number: 301-780-2458 Email: Tierre.Butler@ppd.mncppc.org	



Planning Board Date:	11/03/2022
Planning Board Action Limit:	11/09/2022
Staff Report Date:	10/18/2022
Date Accepted:	08/15/2022
Informational Mailing:	05/20/2022
Acceptance Mailing:	08/12/2022
Sign Posting Deadline:	10/04/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-07031-05
Type II Tree Conservation Plan TCPII-036-99-19
Melford Property Pod 6

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this report.

EVALUATION CRITERIA

The property is within the Town Activity Center-Edge (TAC-E) Zone. This application, however, is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, as permitted by Section 27-1704 (b) of the Zoning Ordinance, which allows for an approved project to continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved. The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance for the Mixed Use-Transportation Oriented (M-X-T) Zone;
- b. The requirements of Conceptual Site Plan CSP-06002 and its amendment;
- c. The requirements of Preliminary Plan of Subdivision 4-07055;
- d. The requirements of Detailed Site Plan DSP-07031 and its amendments;
- e. The requirements of the 2010 *Prince George's County Landscape Manual*;
- f. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- h. Referral comments.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** This detailed site plan (DSP) requests the revision to DSP-07031-04, to replace two single-story flex/office buildings (25,840 square feet each) and one multi-story office building (42,000 square feet) with two one-story flex/research and development (R&D) buildings (36,120 and 23,520 square feet). This would be an overall reduction of square footage for Pod 6 from 372,889 square feet to approximately 338,849 square feet.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	TAC-E (Prior M-X-T)	TAC-E (Prior M-X-T)
Use(s)	Office, Research and Development	Office, Research and Development
Total Gross Acreage	38.88	38.88
Total Gross Floor Area (GFA)		
Building A, Lot 1	-	36,120 sq. ft.
Building G, Lot 7	-	23,520 sq. ft.

Parking Spaces

Use	NUMBER OF SPACES REQUIRED	NUMBER OF SPACES PROVIDED
Building A, Lot1	73	131
ADA-accessible spaces	3	6
Building G, Lot 7	48	67
ADA-accessible spaces	3	4
Total	127	208

Loading Spaces

	Required	Provided
Building A, Lot 1	1	13
Building G, Lot 7	1	12
Total	1	25

3. **Location:** The subject site is located on the north side of US 50 (John Hanson Highway) and southeast of the intersection of Melford Boulevard and Tesla Drive, in Planning Area 71B and Council District 4. Lots 1 and 7 are located directly south of existing Melford Boulevard, north of existing Howerton Drive, and east of existing Tesla Drive, and are separated by existing Lot 3, which is the current site of a Prince George's County 911 call center. The

overall site is zoned Town Activity Center Edge (TAC-E) and was previously zoned Mixed Use-Transportation Oriented (M-X-T).

4. **Surrounding Uses:** The site is surrounded by other TAC-E-zoned properties. Located across US 50 and southeast of Pod 6 is property zoned Agricultural and Preservation (AG). The specific area of this DSP is located in Pod 6 in the southeast portion of the overall Melford development.
5. **Previous Approvals:** The subject property is located on Tax Map 47 in Grid F-4 and on Tax Map 48 in Grid A-4. The property consists of two lots known as Lot 1 and Lot 7, recorded in Prince George's County Land Records in Plat Book PM 232 page 22 and Plat Book ME 258 page 14, respectively. On January 25, 1982, the Prince George's County District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the overall Melford development (formerly known as the Maryland Science and Technology Center), with 10 conditions (Zoning Ordinance No. 2-1982). The Basic Plan rezoned the property from the Residential-Agricultural and Open Space Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Prince George's County Planning Board decision (Resolution No. 86-107) for the Maryland Science and Technology Center, with 27 conditions and 2 considerations. Between 1986 and 2005, several SDPs and preliminary plans of subdivision (PPS) were approved for the development.

The 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B (Bowie and Vicinity Master Plan and SMA) rezoned the property from the E-I-A Zone to the M X-T Zone. Conceptual Site Plan CSP-06002 was approved by the Planning Board on January 11, 2007 for a mixed-use development consisting of hotel, office, retail, restaurant, R&D, and residential (366 single-family detached and attached units and 500 multifamily units) uses. Subsequently, on May 11, 2009, the District Council approved CSP-06002 with 4 modifications and 29 conditions, rejecting the residential component of the proposed development. Over the years, numerous DSPs have been approved for the overall development, in support of the office, flex space, hotel, and institutional uses, although not all have been constructed.

On May 6, 2014, the District Council approved the Plan Prince George's 2035 Approved General Plan (Plan 2035), which created new center designations to replace those found in the 2002 Prince George's County Approved General Plan and classified the Bowie Town Center, including the subject site, as a Town Center. The subject site retained its status as an Employment Area in the plan.

CSP-06002-01 was approved by the Planning Board on December 4, 2014 (PGCPB Resolution No. 14-128) for the addition of 2,500 residential units, including 500 townhouses; 1,000 age-restricted multifamily dwelling units; 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 square feet of office space to the previous CSP. The CSP amendment was appealed and heard by the District Council on February 23, 2015. The District Council subsequently issued an Order of Approval on March 23, 2015, supporting the development, as approved by the Planning Board.

Multiple PPS applications (4-98076, 4-02093, 4-07055, and 4-16006) have been approved, which impact the Pod 6 property. The only PPS that is relevant to this DSP is 4-07055 because it includes the entire area of this DSP. PPS 4-07055 was approved on May 20, 2008 with 34 conditions and is embodied in PGCPB Resolution No. 08-86.

DSP-07031 was approved by the Planning Board on July 24, 2008, for development of 134,480 square feet of office in four buildings on proposed Lots 1 and 3 and 248,820 square feet of R&D in seven buildings on proposed Lots 2, 4, and 5, within the overall Melford development. The application was subsequently amended three times, as approved by the Planning Director, for various changes to building footprints and square footage of Buildings C, D, H, T, and K; the addition of temporary real estate leasing signage; and an amendment to increase building height by two feet. The last amendment was DSP-07031-04 for a 61,809-square-foot inpatient rehabilitation facility on proposed Lot 5 in Pod 6.

The site also has an approved City of Bowie Stormwater Management (SWM) Concept Plan, 01-0420-207NE15.

- 6. Design Features:** The application proposes to replace two single-story office buildings and one multi-story office building with two new buildings. Lot 1 will have a 19-foot-tall 36,120-square-foot R&D building (Building A) with 131 parking spaces, including six ADA-accessible spaces and thirteen 12-foot by 45-foot loading spaces. Lot 7 will have a 19-foot-tall 23,520-square-foot R&D building (Building G) and 67 surface parking spaces, including four ADA-accessible spaces and twelve 12-foot by 45-foot loading spaces.

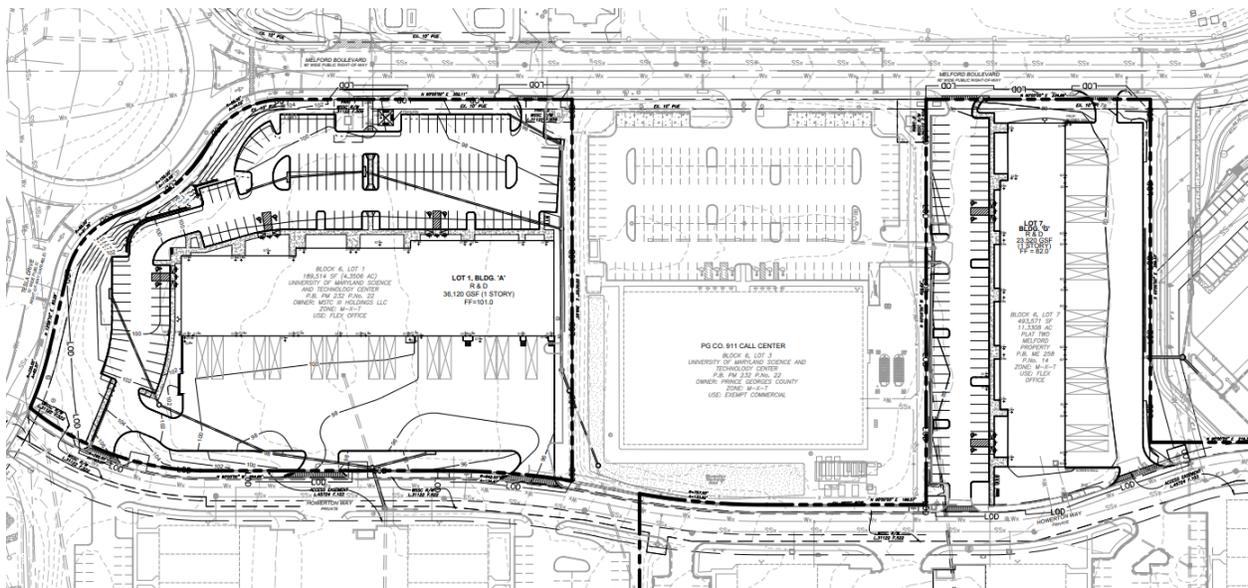


Figure 1: Site Plan

Architecture

The two proposed buildings will be constructed with masonry materials and have a rectangular form, with multiple entrances along the front elevations. The front and side elevations include a combination of accent and field brick, with full-height masonry piers and aluminum glass panel windows and doors. The rear elevation of each building is lined with loading doors placed approximately four feet above grade, raised entrances with stairs,

and double pane windows. The proposed buildings are similar to other flex R&D buildings that have been constructed in Pod 6. Each building will be approximately 19 feet tall.

Signage

There will be building-mounted signage that is consistent with what has previously been erected on existing buildings within Melford Pod 6.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-X-T Zone of the prior Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, as permitted uses in the M-X-T Zone.
 - b. The DSP conforms with Section 27-548, M-X-T Zone, of the Zoning Ordinance.
 - c. The DSP is in conformance with the additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as outlined in Section 27-546(d) of the Zoning Ordinance.
 - d. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance.

8. **Conceptual Site Plan CSP-06002 and its amendment:** CSP-06002 was approved by the District Council on May 11, 2009. On March 23, 2015, the District Council approved CSP-06002-01 to add 2,500 residential units, including 500 townhouses; 1,000 age-restricted multifamily dwelling units; 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 square feet of office space to the previous CSP development, entirely superseding the original CSP-06002 approval. The conditions of CSP-06002-01, relevant to the subject DSP, are as follows:
 1. **The proposed development shall be limited to a mix of uses where the trip cap associated with the uses within the boundary of CSP-06002-01 shall not exceed 4,441 AM and 4,424 PM peak hour trips. Any development with an impact beyond that identified hereinabove shall require a revision to the conceptual site plan with a new determination of the adequacy of transportation facilities.**

The applicant has submitted a trip generation memorandum for the proposed development. Staff finds that the conclusions and findings of the trip generation study are acceptable, and that the DSP is within the peak-hour trip cap approved.

 5. **Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbances to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The Type I tree conservation plan associated with the preliminary plan of**

subdivision will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.

No new impacts to regulated environmental features are proposed with the current application.

7. Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:

- a. The development plans shall show minimization of impervious surfaces to the maximum extent possible, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.**

The application proposes surface parking lots near the building that have been designed to limit the amount of impervious surfaces, to the extent practical. It is noted that the design of these areas has incorporated the use of pervious paving materials in a portion of the parking compound.

- b. The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.**

The current application does not include streams or 100-year floodplain buffers.

- c. Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**

All woodlands have been previously cleared from the development site.

- d. The open space system, including but not limited to environmentally-sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.**

No portion of the open space system is located on the currently proposed development site.

8. **All stream channels on the site shall be depicted on all plans in their entirety, with the regulated stream buffer shown as required.**

All streams and regulated stream buffers were correctly delineated on the revised natural resources inventory and the Type II tree conservation plan (TCPII), and are further reflected in this DSP.

9. **At the time of detailed site plan (DSP), the following design issues shall be addressed:**

- a. **The plans shall show the stormwater management ponds as amenities, with gentle natural slopes and extensive native planting.**

No new SWM ponds are proposed with this DSP. The SWM ponds currently exist and were approved with previous DSPs.

- b. **Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery Environmental Setting, in consultation with archaeology staff, the applicant shall provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.**

The Melford House and Cemetery Historic Site (71B-016) is not impacted by this application and is beyond the scope of this application.

- c. **The proposed lighting system shall use full cut-off lighting systems, with limited light spill over.**

The photometric plan indicates that light values on-site and at the boundaries of the site cause limited light spill over, in accordance with this requirement. In addition, it is noted that the applicant is proposing full cut-off light fixtures, which limit any potential light spill over.

- d. **Applicable DSPs that may affect the historic vista of the Melford and Cemetery Historic Site (71B-016) shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in Conceptual Site Plan CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.**

- e. **Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.**

Historic Site 71B-016 is not impacted by this development and is beyond the scope of this application.

11. **At the time of detailed site plan, the private on-site recreational facilities within the area of each DSP shall be reviewed. The following issues shall be addressed:**
 - a. **The applicant shall provide a final list of proposed private recreational facilities and their cost estimates. The list of facilities provided on page 15 of the conceptual site plan design guidelines shall initially be viewed as the types of facilities required. The appropriateness of the number and size of the facilities will be reviewed at DSP.**
 - b. **The minimum size of the proposed private recreational facilities and the timing of their construction shall be determined.**
 - c. **The developer and the developer's heirs, successors, and/or assignees shall satisfy the Prince George's County Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**

The subject DSP is for the R&D buildings and does not propose any recreational facilities. Therefore, this condition is not applicable and will be addressed with future DSPs that include residential uses.

13. **All plans shall delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016.**

The environmental setting and impact area for Historic Site 71B-016 are shown on the plans, and are not impacted with this application.

17. **The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with Guideline 3 of Prince George's County Council Resolution CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required where reasonably appropriate, unless modified by the City of Bowie for portions of sidewalk within the public right-of-way.**

The applicant has included a 5-foot-wide sidewalk, which surrounds the facility. The portion of Melford Boulevard that fronts the subject property has sidewalks in place, and connections from that sidewalk to the one around the building are provided adjacent to both access drives.

21. **No additional research and development flex space is permitted in the Mixed Use-Transportation Oriented (M-X-T) Zone at Melford.**

The subject DSP is an amendment to what was previously approved. The purpose of this application is to replace two single-story flex office buildings and one multi-story office building with two flex R&D buildings. This application is replacing

the previously approved R&D flex space, resulting in an overall reduction of approved square footage.

9. **Preliminary Plan of Subdivision 4-07055:** On May 29, 2008, the Planning Board approved PPS 4-07055, with 34 conditions (PGCPB Resolution No. 08-86). The relevant conditions are discussed, as follows:

2. **A type II tree conservation plan shall be approved in conjunction with detailed site plans.**

The applicant submitted Type II Tree Conservation Plan TCPII-036-99 with the subject DSP. The Environmental Planning Section has determined it to be acceptable, with a condition.

3. **Development of the site shall be in conformance with the Stormwater Management Concept Plan #01-0907-207NE15, issued by the City of Bowie and any subsequent revisions.**

The City of Bowie has jurisdiction over SWM concept and final technical approvals for this site. An approved SWM Concept Plan (01-0420-207NE15), which includes Pod 6, was submitted with this application. A letter dated September 27, 2022, from Bruce Beasman, the City Engineer, states that no additional changes to the SWM concept will be required for the new layout shown in this DSP. The SWM concept plan shows the use of a regional pond and two bioretention facilities.

4. **Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.**

The applicant has submitted a trip generation memorandum for the proposed development. It should be noted that Pod 5 was part of subsequent PPS 4-16006, with a new trip cap for the area including Pod 5 of Melford Village. Therefore, the remainder of PPS 4-07055 (Pods 6, 7, and P2) retain the trip cap of 874 AM and 1,272 PM trips. The trip generation study uses Prince George's County rates for R&D buildings and resulted in the generation of 37 AM peak-period trips and 35 PM peak-period trips for the proposed 36,120-square-foot building on Lot 1. Lot 7 already contains two R&D buildings, totaling 99,160 square feet. The proposed 23,520-square-foot building on Lot 7 would bring the total square footage for Lot 7 to 122,680, resulting in the generation of 126 AM peak-period trips and 120 PM peak-period trips for Lot 7. The memorandum indicates that the total new trips generated by the properties within the limits of the subject application, in addition to the remaining development assumed in Pod 6, Pod 7, and P2, will generate a total of 550 AM peak-period trips and 540 PM peak-period trips. Staff finds that the conclusions and findings of the trip generation study are acceptable, and that the DSP is within the peak-period trip cap approved in PPS 4-07055.

- 10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.**

In the statement of justification, the applicant stated that they previously provided low-impact development techniques on other areas of Pod 6, as part of prior approvals of development. These techniques are shown on the approved SWM plan for Pod 6. Staff has reviewed the justification and determined that the previously approved development techniques are acceptable.

- 11. Detailed site plans for the development shall include a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.**

This application is providing multiple green building techniques to include Leadership in Energy and Environmental Design Gold design standards, such as water-efficient landscaping, water use reduction fixtures, fundamental commissioning of the buildings' energy system, optimized energy performance, fundamental refrigerant management storage and collection of recyclables, waste management, environmental tobacco smoke control, outdoor air delivery monitoring, low-emitting materials, certified wood, and low mercury lighting. Staff has reviewed the justification and determined that the green building techniques are acceptable.

- 12. The DSP shall demonstrate the use of full cut-off optics for all commercial and industrial lighting fixtures and for the proposed street lighting.**

An illuminance plan has been submitted with this DSP, including details for the proposed lighting. Staff has reviewed the proposed lighting and determined that the fixtures are acceptable.

- 17. Development of this subdivision shall be in conformance with the approved Type I Tree Conservation Plan (TCPI/44/98-03). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan, TCPI/44/98-03, 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 Georges County, Planning Department.”

The Environmental Planning Section has reviewed this application and determined conformance with TCPI-44-98-03. General Note 7 on Record Plat 232-22 and General Note 2 on Record Plat 258- 14 provide the note, as required by this condition.

32. Any residential development of the subject property shall require a new preliminary plan of subdivision prior to the approval of detailed site plans.

The subject DSP does not propose any residential development.

34. “Share the Road” with a bike signs shall be provided along Melford Boulevard frontage at the time of Detailed Site Plan.

The latest DSP submission does not conform to the referenced PPS condition. Staff requires the applicant to update the plan sheets to provide a “share the road with a bike” signage assembly along the Lot 1 frontage of Melford Boulevard. The property directly east of Lot 7 was the focus of DSP-07031-04, which also required bikeway signage, per Condition 34 of 4-07055. The additional bikeway signage along the frontage of Lot 1 will further facilitate safe bicycle movement along Melford Boulevard, as envisioned by the PPS.

10. Detailed Site Plan DSP-07031 and its amendments: DSP-07031 was approved by the Planning Board on July 24, 2008 (PGCPB Resolution No. 08-117) for 133,680 square feet of office in four buildings, on proposed Lots 1 and 3; and 248,820 square feet of R&D in seven buildings, on Lots 2, 4, and 5 within the existing Melford development, subject to 17 conditions. The DSP was amended three times for minor changes and was approved by the Planning Director, with no conditions. The last amendment, DSP-07031-04, for a 61,809-square-foot inpatient rehabilitation facility on proposed Lot 5 in Pod 6 was approved by the Planning Board on November 5, 2020. There are no relevant conditions applicable to the review of the subject DSP.

11. 2010 Prince George’s County Landscape Manual: The application is subject to Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George’s County Landscape Manual*. The landscape plan provided with the subject DSP contains the required schedules, demonstrating conformance to these requirements.

12. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance: This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved TCPs. This pod had previously been graded under Type II Tree Conservation Plan TCPII-036-99. TCPII-036-99-19 was submitted with the DSP and a revised TCPII was submitted on September 29, 2022. The TCPII indicates that Pod 6 has been almost fully cleared over time, and when this DSP was originally reviewed, only 1.87 acres of woodlands were remaining. With the -08 revision of the TCPII, an additional 0.43 acre of woodland was cleared, leaving 1.44 acres of woodland preservation located within the existing wetland on the eastern portion of the site, which is proposed for preservation. The clearing and preservation on Pod 6 is consistent with the current DSP.

The worksheet on the TCPII is based on the original area of woodlands provided on-site with TCPII-036-99. According to the worksheet, the overall site is 428.15 acres within the M-X-T Zone. A total of 168.35 acres of existing woodlands are on the net tract. The site has a woodland conservation threshold of 43.26 acres, or 15 percent of the net tract, as tabulated. The woodland conservation worksheet proposes the removal of 113.95 acres of woodland in the net tract area and the removal of 0.23 acre in the floodplain, for a woodland conservation requirement of 71.97 acres. The TCPII shows this requirement will be met with 51.06 acres of woodland preservation, 7.71 acres of afforestation/reforestation, 9.74 acres of specimen/historic tree credit, 0.42 acre of fee-in-lieu, and 3.04 acres of off-site woodland conservation credits. The TCPII plan requires technical corrections to be in conformance with the WCO. These revisions are specified in the recommended conditions below.

13. **Prince George's County Tree Canopy Coverage Ordinance:** The DSP is subject to the requirements of the Tree Canopy Coverage Ordinance. Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage on projects that propose more than 5,000 square feet of disturbance. The subject DSP provides the required schedule demonstrating conformance to these requirements through new plantings on the subject property.
14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
 - a. **Subdivision Review**—In a memorandum dated October 3, 2022 (Gupta to Butler), the Subdivision Section noted that the DSP has been found to be in substantial conformance with the approved PPS, with conditions included herein.
 - b. **Transportation Planning**—In a memorandum dated October 10, 2022 (Ryan to Butler), the Transportation Planning Section determined that this plan is acceptable, with conditions that are included herein.
 - c. **Environmental Planning**—In a memorandum dated October 3, 2022 (Rea to Butler), the Environmental Planning Section provided a discussion of various environmental issues and recommended approval of TCPII-036-99-19, with a condition included herein.
 - d. **Historic Preservation**—In an email dated October 4, 2022 (Stabler to Butler), it was noted that the subject property does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources.
 - e. **Permit Review**—In a memorandum dated September 9, 2022 (Bartlett to Butler), it was noted that the plan was acceptable.
 - f. **Community Planning**—In a memorandum dated September 27, 2022 (Lester to Bishop), it was noted that, pursuant to Part 3, Division 9, Subdivision 3 of the prior Zoning Ordinance, master plan conformance is not required for this application.
 - g. **City of Bowie**—In a memorandum dated August 30, 2022 (Adams to Butler), it was noted that the City Council voted to recommend approval of the DSP.

15. As required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
16. Per Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is, as follows:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

Based on the level of design information submitted with this application, the regulated environmental features on the subject property have been preserved and/or restored, to the fullest extent possible. No impacts to regulated environmental features are proposed with this DSP.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-07031-05 and Type II Conservation Plan TCPII-036-99-19 for Melford Property, Pod 6, subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Revise the DSP to display a "share the road with a bike" signage assembly along the Lot 1 frontage of Melford Boulevard. The DSP shall also include the exact details and profiles of the signage assembly.
 - b. Revise the DSP to provide a crosswalk at the southwestern portion of Lot 1, where vehicles access the parking area adjacent to Howerton Way. This crosswalk shall connect the sidewalk located adjacent to the building on the eastern side of the drive aisle to the sidewalk on the western side of the drive aisle, which extends to Howerton Way.
 - c. Revise the DSP sheets and the truck turning plans to display the road dimensions and lane configuration of Howerton Way.
 - d. Revise the DSP to close the inter-parcel connection along the southwestern portion of Lot 1, thereby separating the truck court from the surface parking area.
 - e. Provide an additional truck turning plan that shows truck turning movements and access to Lot 7. The exact design and truck turning plan, with design vehicle classification, shall be evaluated and accepted by the Transportation Planning Section.

2. Prior to signature approval of the detailed site plan, the Type II tree conservation plan shall be revised to correct the sheet numbering.

MELFORD PROPERTY POD 6

Detailed Site Plan
Parent Case DSP-07031-04

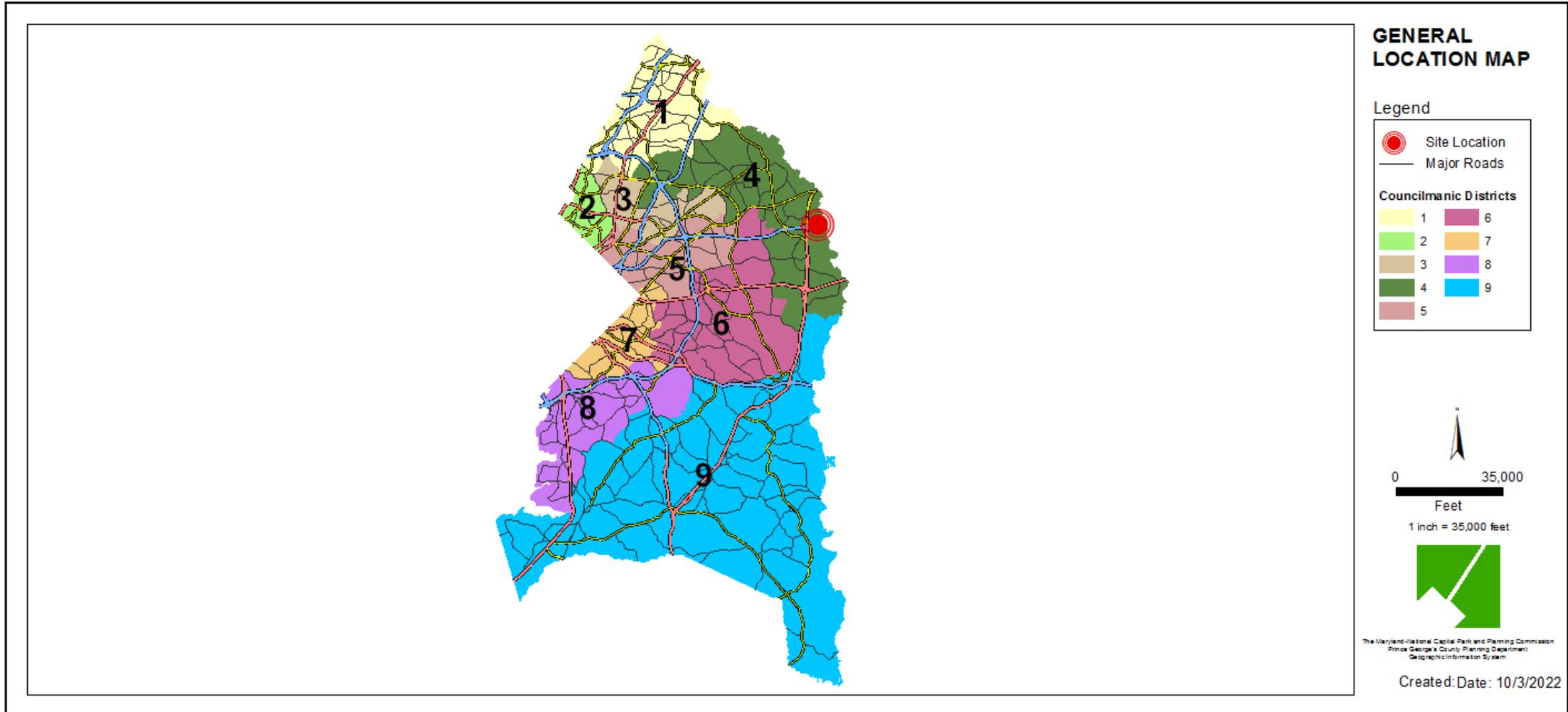
Staff Recommendation: APPROVAL with conditions



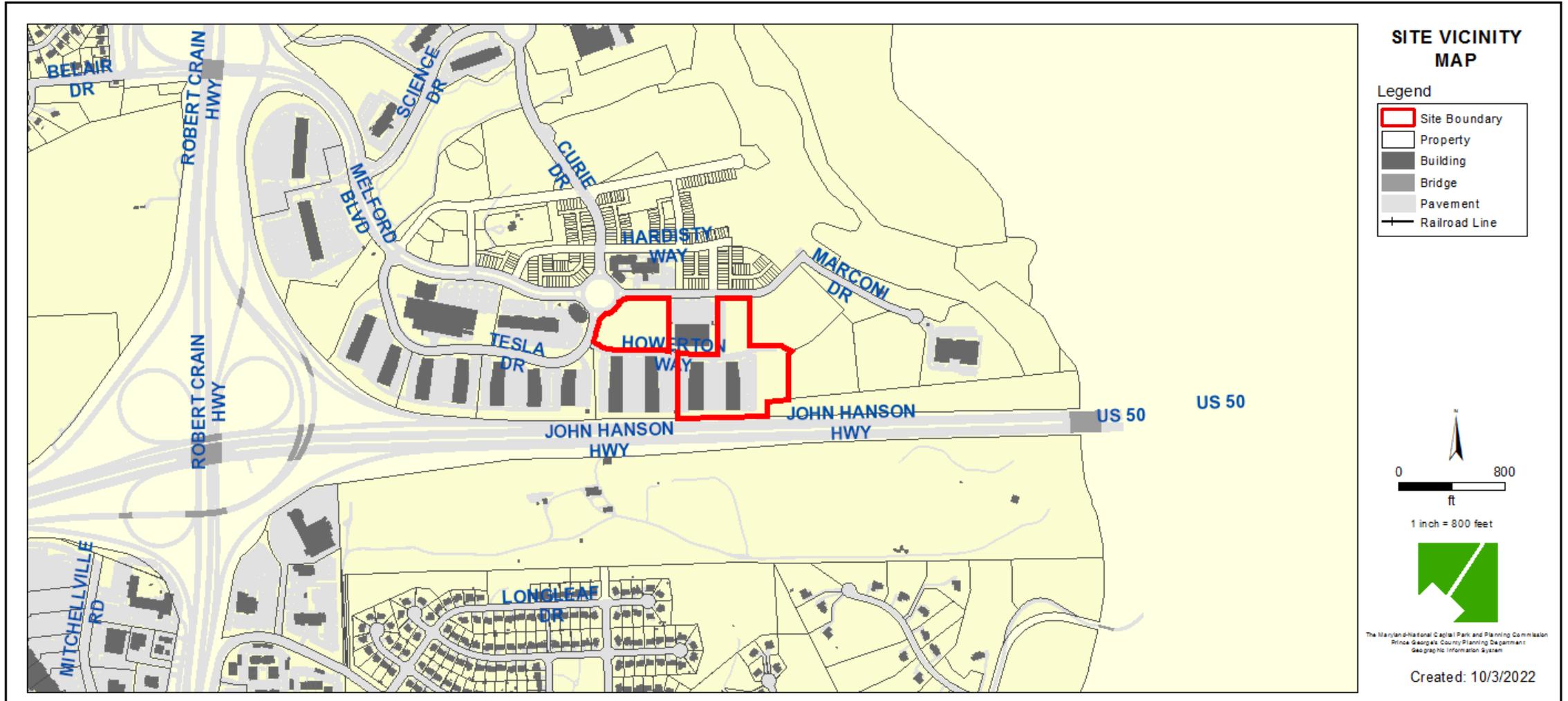
GENERAL LOCATION MAP

Council District: 04

Planning Area: 71B



SITE VICINITY MAP



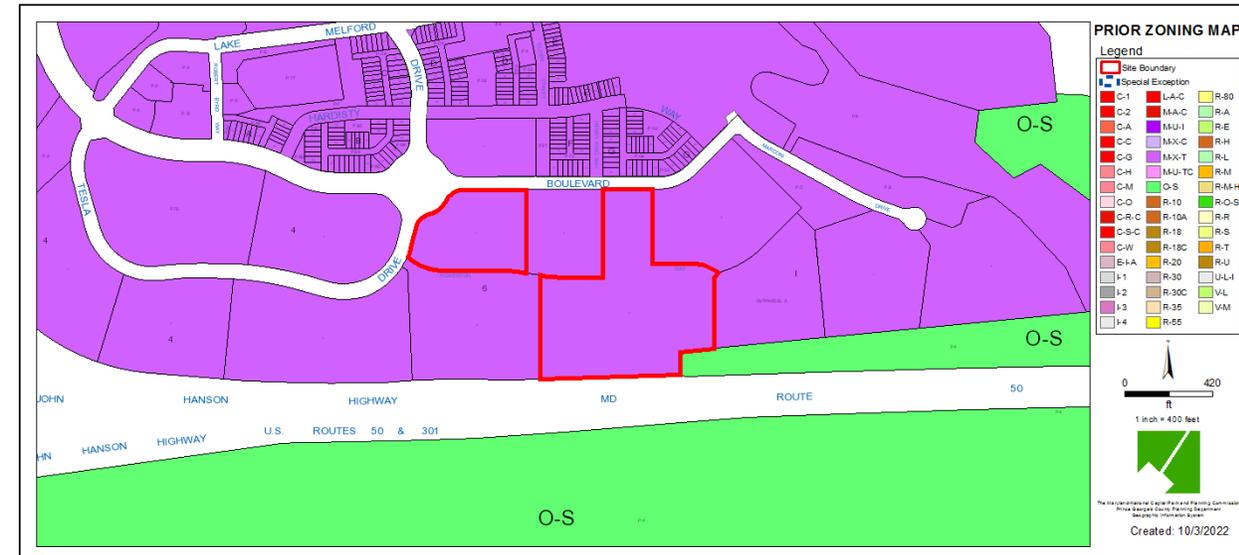
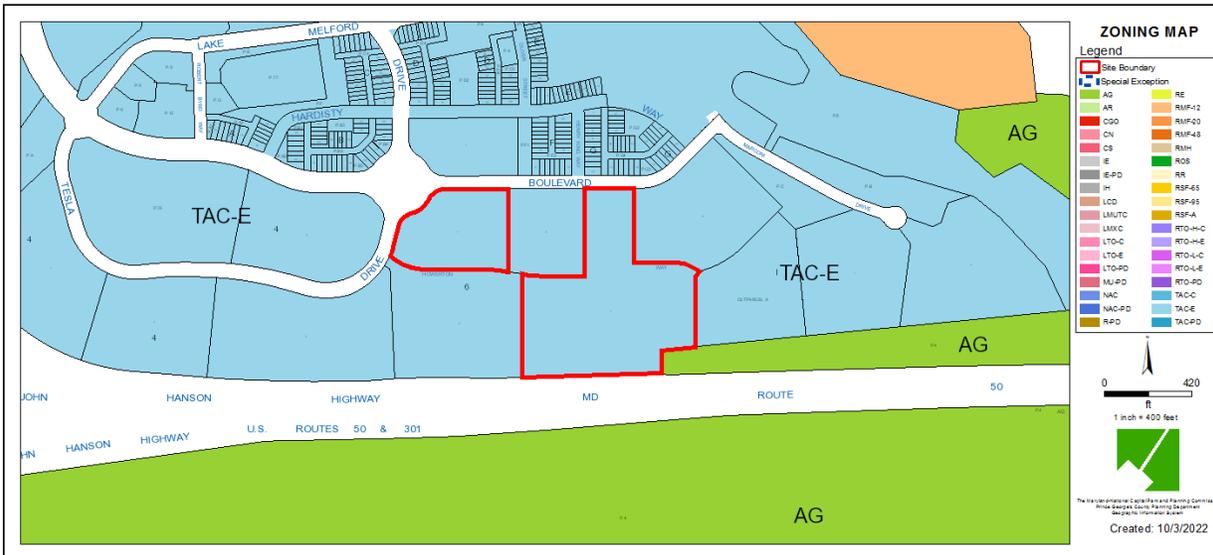
ZONING MAP (CURRENT & PRIOR)

Property Zone: Town Activity Center Edge (TAC-E)

Prior Zone: Mixed- Use Transportation Oriented (M-X-T)

CURRENT ZONING MAP

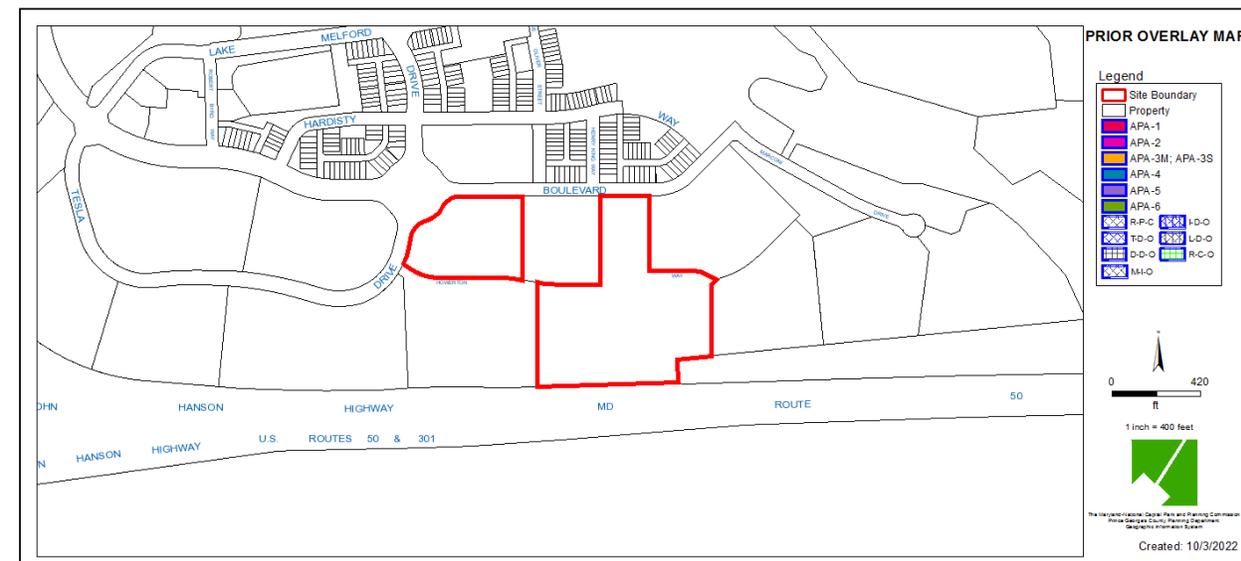
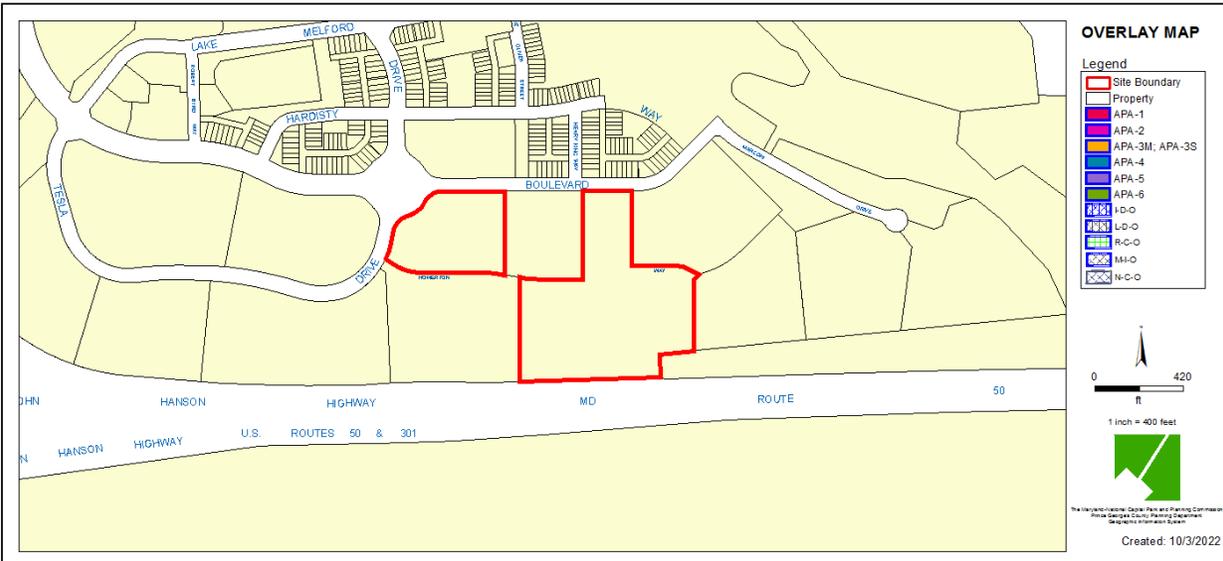
PRIOR ZONING MAP



OVERLAY MAP (CURRENT & PRIOR)

CURRENT OVERLAY MAP

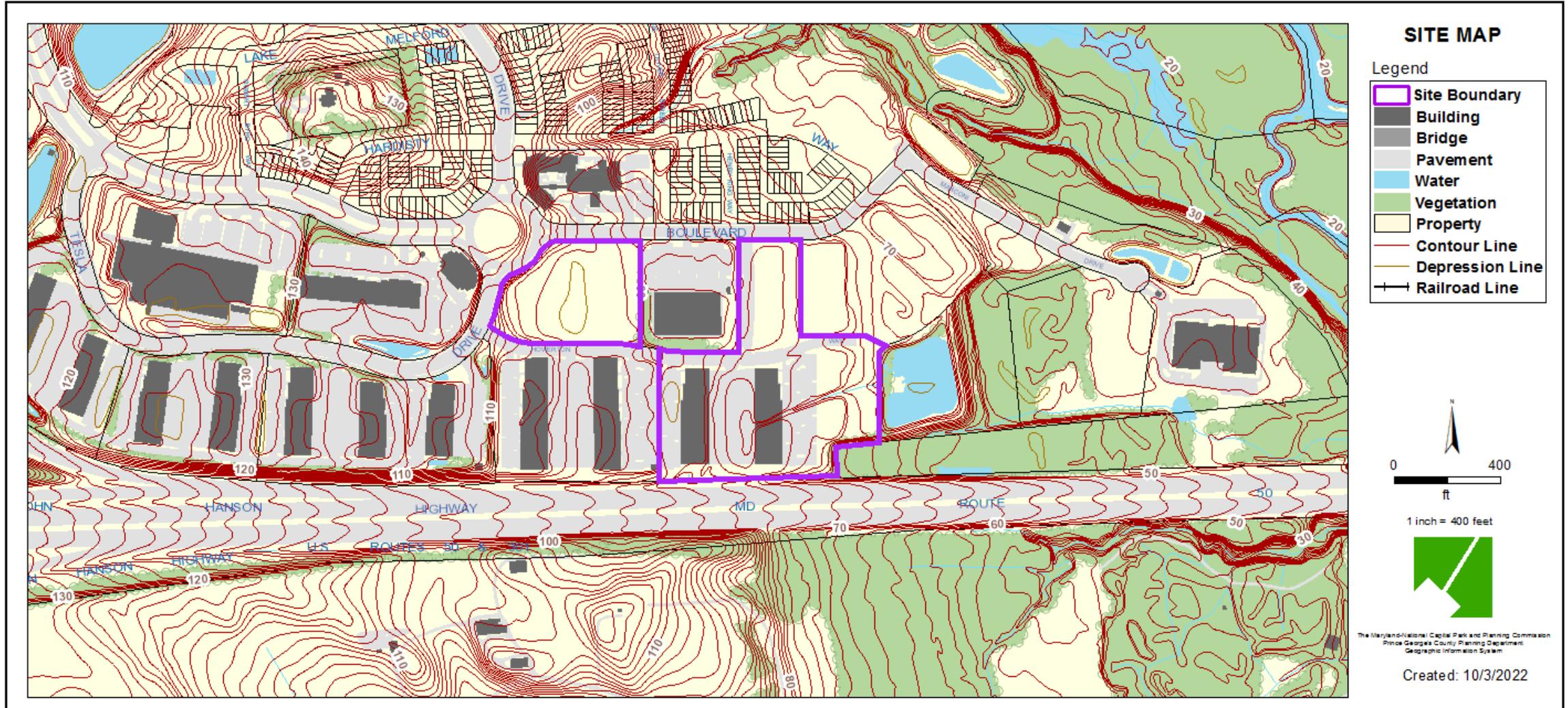
PRIOR OVERLAY MAP



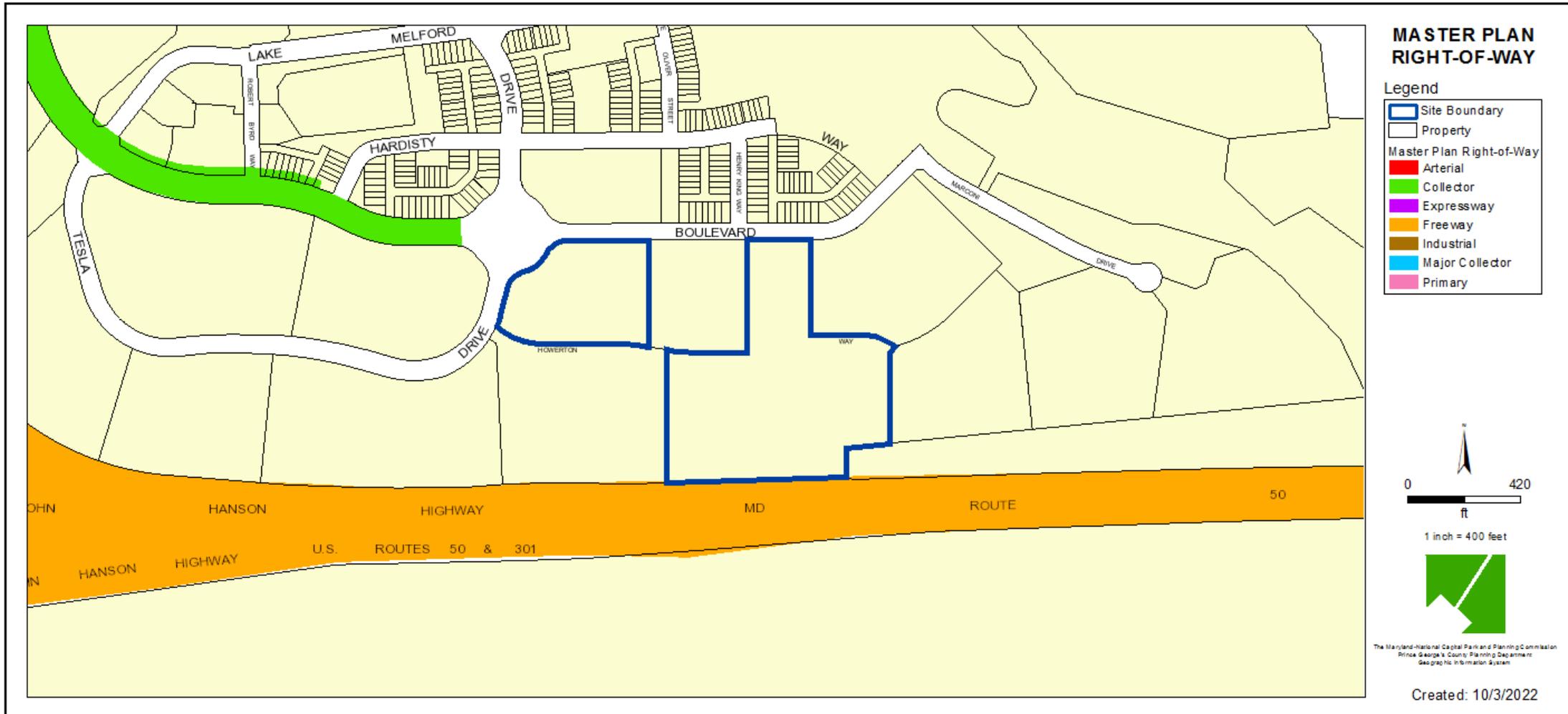
AERIAL MAP



SITE MAP



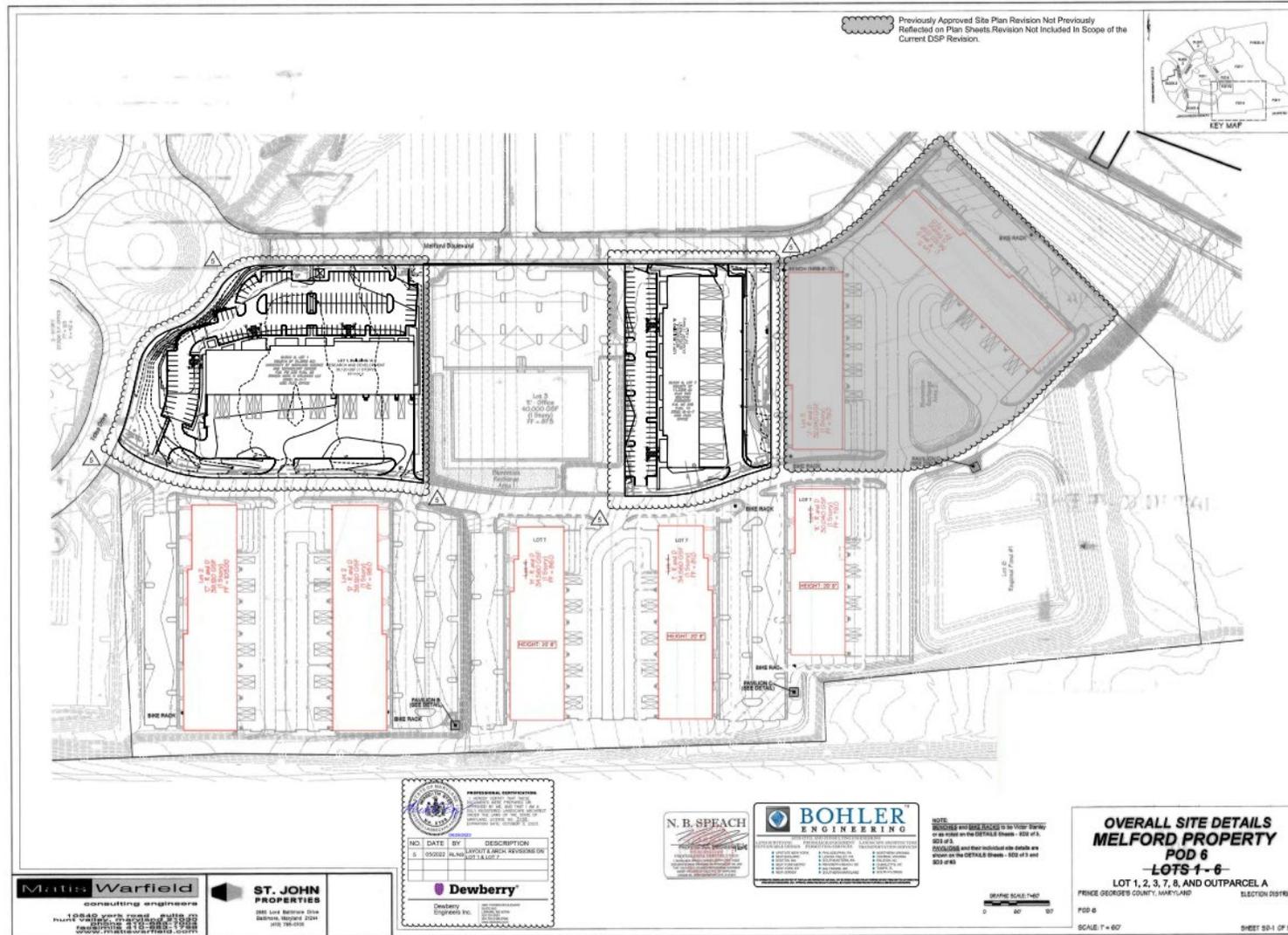
MASTER PLAN RIGHT-OF-WAY MAP



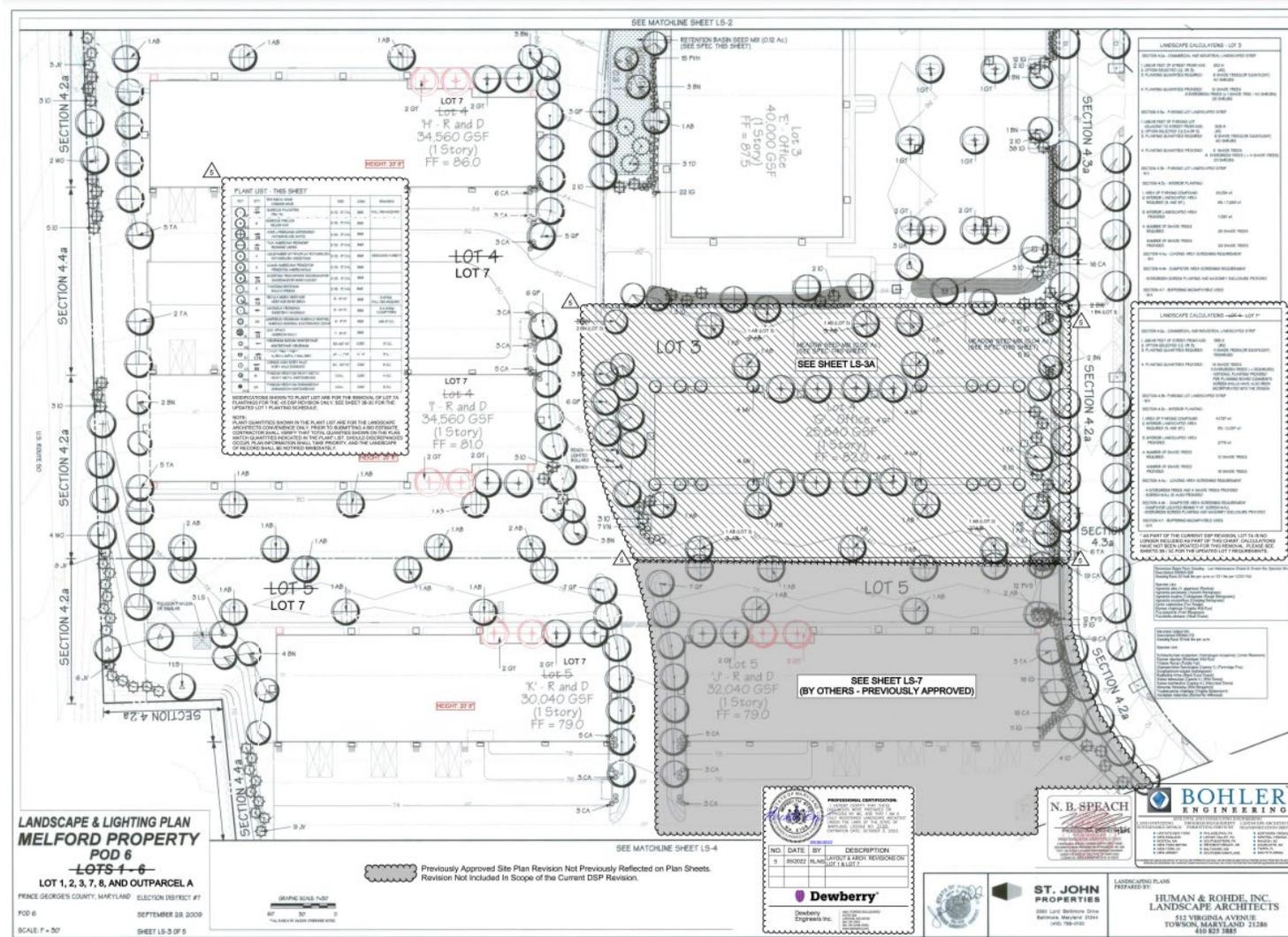
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



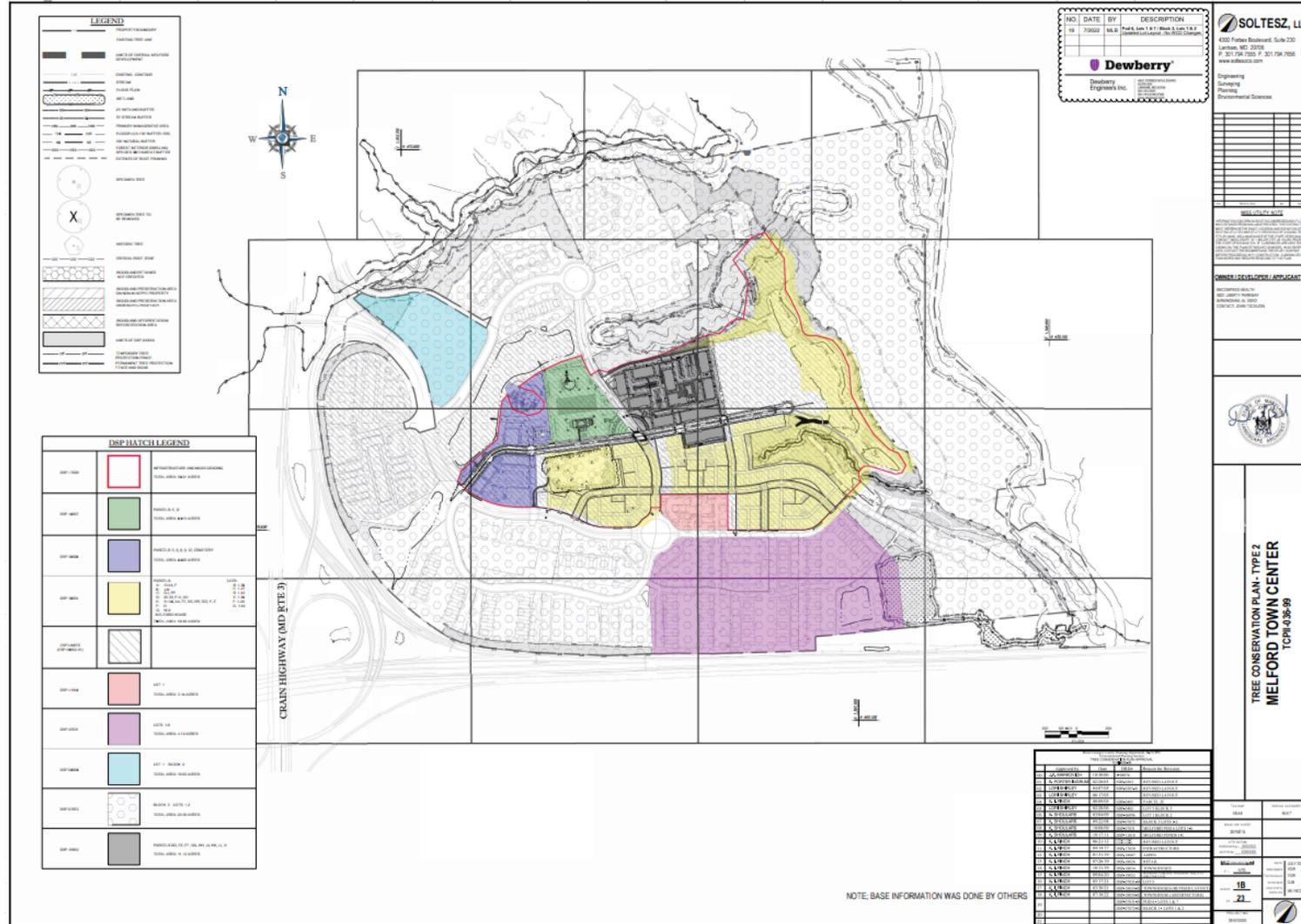
DETAILED SITE PLAN – OVERALL SITE DETAILS



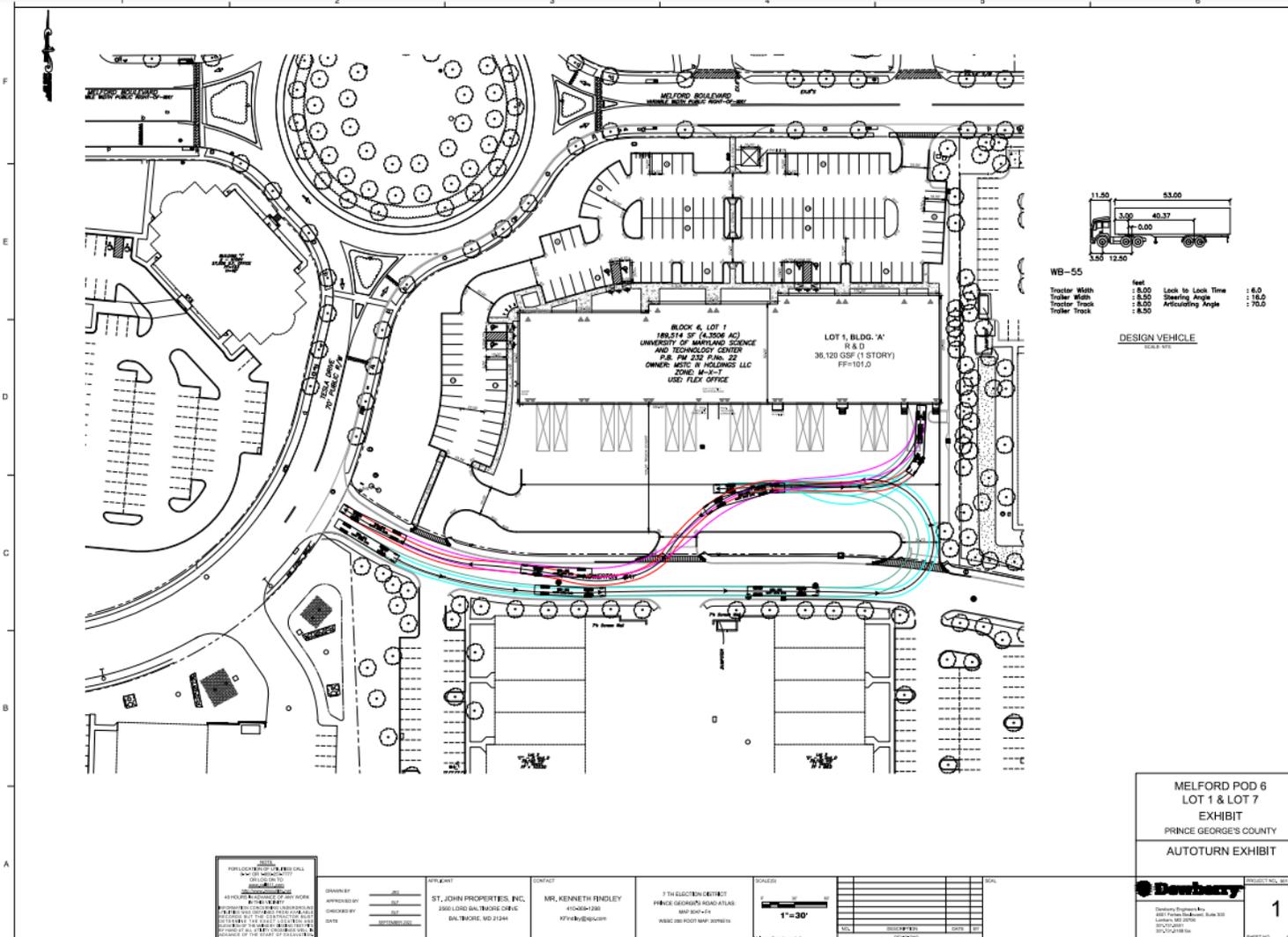
LANDSCAPE PLAN



TYPE II TREE CONSERVATION PLAN



TRUCK TURN EXHIBIT – 1



EXTERIOR ELEVATION DETAILS

ELEVATION NOTES

- 1 FIELD BRICK COLOR TO BE BLENDED
- 2 BRICK METAL COLOR TO BE BLENDED
- 3 1/2" DIA. METAL COLUMN COLOR GREY
- 4 BRASS ALUMINUM STOMPPOST
- 5 BRASS SLATING
- 6 BRASS ALUMINUM TIGHT SOLDER PANEL

PROJECT INFORMATION

PROJECT NAME: Maryland Science and Technology Center Pod 6	ISSUE DATE:
PROJECT NO: 2021-001	SCALE:
PROJECT ADDRESS: Prince Georges Co., Maryland	

DATE BY DESCRIPTION

1	11/03/2022	REVISED
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Dewberry
 Design Engineers Inc.

A03

R & D BUILDING ELEVATIONS COLOR ZONE 4

MARYLAND SCIENCE AND TECHNOLOGY CENTER POD 6
 ST. JOHN PROPERTIES

EXTERIOR ELEVATION DETAILS

ELEVATION NOTES

- 1 FIELD BRICK, COLOR TO BE OLEAGRY BLENK
- 2 ACCENT BRICK, COLOR TO BE OLEAGRY BLENK
- 3 1/2" DIA. METAL COLUMN, COLOR GRAY
- 4 BRUSHED ALUMINUM EXTRUSION
- 5 BLUE SLATING
- 6 BRUSHED ALUMINUM TENSILE BRASS PANEL

INTELLIGENT DESIGN

BRASHE
 BRASHE DESIGN 5560 Sherwin
 Suite 300 Columbia, MD 211
 410.995.0015 fax 410.995.0

MARYLAND SCIENCE AND TECHNOLOGY CENTER POD 6
 ST. JOHN PROPERTIES

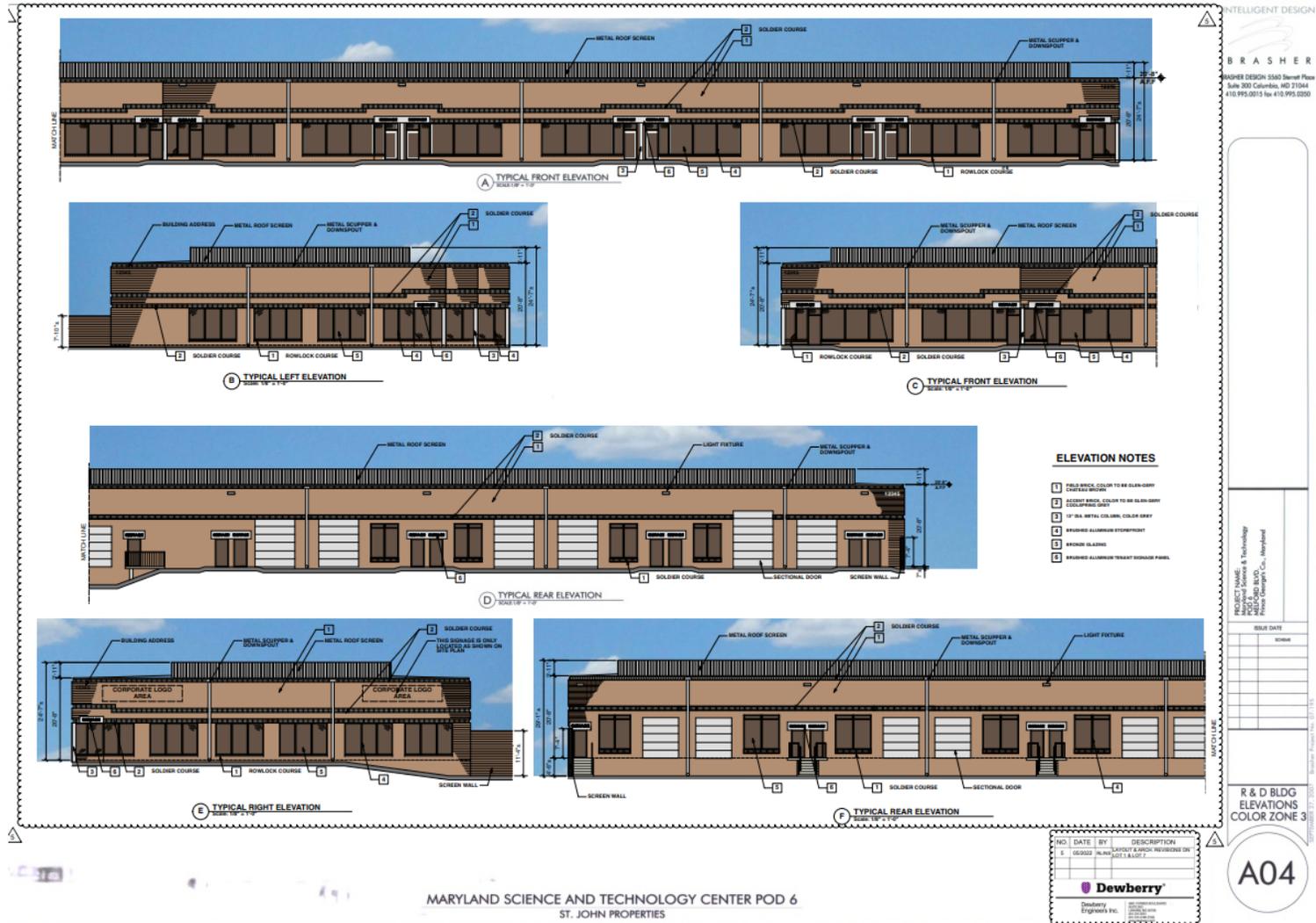
PROJECT NAME: R & D BUILDING ELEVATIONS COLOR ZONE 4
PROJECT LOCATION: Prince George's County, Maryland

NO.	DATE	BY	DESCRIPTION
1			ISSUED FOR LAYOUT & PERMITS ON 11/03/2022

Dewberry
 Engineers Inc.

A03 A

EXTERIOR ELEVATION DETAILS



STAFF RECOMMENDATION

APPROVAL with conditions

- Detailed Site Plan Conditions
- TCP2 Condition

Minor Issues:

- Technical Issues

Applicant Required Mailings:

- Informational Mailing 5/20/2022
- Acceptance Mailing 8/12/2022

LAW OFFICES

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Arthur J. Horne, Jr.*
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Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

August 3, 2022

VIA ELECTRONIC MAIL

Ms. Anne Fothergil, Supervisor
Urban Design Section
Development Review Division
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

RE: REQUEST FOR AMENDMENT
Detailed Site Plan (DSP-07031-05) – Melford POD 6

Dear Ms. Fothergill:

On behalf of St. John Properties, Inc., we are respectfully requesting your support for approval of a revision to Detailed Site Plan 07031-04 (the "DSP") which was adopted by the Planning Board on November 5, 2020 (PGCPB No. 2020-157). The purpose of this request is to replace two single story flex/office buildings (25,840 sq ft each) and one multi-story office building (42,000 square feet) with two flex/R&D buildings (36,120 and 23,520 square feet respectively). The resulting development represents an overall reduction of approved/built square footage for Pod 6 from 372,889 square feet to approximately 338,849 square feet.

For purposes of background, it should be noted that the subject property is located on the north side of US 50 and southeast of the intersection of Melford Boulevard and Tesla Drive. The property represents a portion of the overall mixed-use project known as Melford. The subject site has approximately 1,280 linear feet of frontage on US 50/US 301 and is served by the internal street system within the Melford development. The site is roughly rectangular in shape and consists of 38 acres of land. The site was previously graded and contains little to no woodland. The approved detailed site plan for Pod 6 includes research and development space (i.e. flex space), office, rehabilitation facility, and stormwater management on the site, on six separate lots. Lot 3, is an existing Prince George's County public office use (911 Call Center).

ELECTION TO UTILIZE PRIOR M-X-T ZONING PROCEDURES (Section 27-1704 (b))

On April 1, 2022, the approved Countywide Sectional Map Amendment ("CMA") and the updated Prince George's County Zoning Ordinance ("New Zoning Ordinance") became effective and rezoned the entire Melford project to the newly created TAC-E Zone (Town Activity Center-Edge). Notwithstanding, the Applicant elects to amend DSP-07031 utilizing the

Ms. Anne Fothergill

DSP-07031-05

August 3, 2022

Page 2

applicable provisions of the prior zoning ordinance pursuant to Section 27-1704(b) which states in pertinent part:

Section 27-1704. Projects Which Received Development or Permit Approval Prior to the Effective Date of this Ordinance

(b) Until and unless the period of time under which the development approval or permit remains valid expires, the project may proceed to the next steps in the approval process (including any subdivision steps that may be necessary) and continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved.

DSP-07031-04 was approved by the Planning Board on November 5, 2020 and is valid until November 5, 2023. Further, the underlying CSP-06002-01 is valid until April 1, 2042. Since these underlying approvals are currently valid, the Applicant can proceed with applications utilizing the provisions of the Zoning Ordinance that existed prior to April 1, 2022, (per Section 27-1704(b) of the New Zoning Ordinance). DSP-07031-05 is being filed in accordance with the appropriate provisions of the Prince George's County Zoning Ordinance and the M-X-T Zone that existed prior to April 1, 2022. As such, the applicant respectfully requests that the Pre-Application Conference be waived in this instance.

A. Description of the Proposed Revisions:

The subject detailed site plan amendment requests development changes to two (2) lots located in Pod 6 of the existing Melford development in Bowie, MD. The two lots which are the subject of this DSP are Lot 1 and Lot 7. Both lots are located directly south of the existing Melford Boulevard, north of existing Howerton Drive and east of existing Tesla Drive. Lot 1 and Lot 7 are separated by existing Lot 3, which is the current site of a Prince George's County 911 Call Center.

Multiple site changes to the approved detailed site plan are being requested due to recent development approval changes in Pod 6 and other relevant market trends. Lot 1 was previously approved with a 42,000 GSF (3 story) Office Building and a 25,840 GSF (1 story) Office Building which is being replaced with a 36,120 GSF (1-story) flex building. The area comprising Lot 7 was previously approved with a 25,840 GSF (1 story) office building which is being replaced with a 23,520 GSF (1 story) flex building. The parking facilities for both Lot 1 and 7 have been adjusted to accommodate the new proposed buildings. The westernmost entrance to Lot 1 along Melford Boulevard has been curbed off to allow space for a 16'x16' pavilion. Minor grading, storm drain, water, sewer, lighting and landscaping adjustments have been made to accommodate the new layout. The proposed layout for Lot 1 and Lot 7 is below:



The architectural elevations for the 2 newly proposed buildings reflect a height of approximately 19 feet. Each proposed flex building will be constructed largely of masonry materials and utilizes a simple rectangular shape that includes multiple entrances regularly placed along the front elevations. The rear elevation of each building is lined with loading doors placed approximately four feet above grade, raised entrances with stairs and double pane windows. The proposed buildings are similar to other flex/R&D buildings that have been constructed in Pod 6.

The proposed DSP revisions also includes necessary changes to the parking layout and vehicular circulation patterns to accommodate the two proposed buildings. Similarly, the request also includes revisions to the approved landscape plan for Pod 6. The Applicant also proposes building mounted signage that is consistent with what has previously been erected on existing buildings within Pod 6 at Melford. Specifications for all proposed signage is shown on Sheet SD-3 of the DSP plan set.

Development Data Summary - The following information relates to the subject DSP for the entirety of Pod 6 within Melford:

Zone	EXISTING	PROPOSED
	TAC-E (M-X-T)	TAC-E(M-X-T)
Use(s)	Flex/R&D, Institutional	Flex/R&D, Institutional
Acreage (Gross)	38.88	38.88
Building Square Feet (GSF)	372,889	338,849
Parking Spaces	--	--
Standard Spaces	1,183	1,124
Compact Spaces	0	0
Total spaces	1,183	1,124
Loading Spaces (12 ft. x 33 ft.)	38	62
Residential Units	N/A	N/A
Variance	No	No

B. Conformance to Zoning Ordinance

Section 27-281: - Purposes of Detailed Site Plans:

(b) General DSP Purposes:

(1) The general purposes of Detailed Site Plans are:

- (A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;***

RESPONSE: The subject property will be developed in accordance with the relevant land use policy recommendations contained in the 2035 General Plan and 2022 Bowie-Mitchellville & Vicinity Master Plan (2022 Master Plan). Specifically, the overall Melford project is designated to be part of the Bowie local “town center” designation. It should be noted that the 2035 General Plan created many new “center” designations (including the concept of local “town centers”). According to the approved 2035 General Plan, the site is located within an Employment Center, and is designated as a “Local Town Center” as shown on the Growth Policy Map. The mix of uses proposed in the approved CSP and PPS are consistent with the vision, policies and strategies of the 2035 General Plan. Specifically, page 108 of the approved 2035 General Plan explains the Local Town Centers concept as follows:

Town Centers (Local)			
<ul style="list-style-type: none"> • Bowie • Brandywine • Konterra • Landover Gateway • Westphalia Center 		<p>A range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall the centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. The centers typically have a walkable “core” or town center. Often the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction.</p> <p>Town Centers such as Brandywine, Konterra, and Westphalia are currently under construction and have received significant public and private investment for infrastructure improvements. These centers are envisioned to develop per the guidelines of Plan 2035 to help fulfill countywide goals.</p>	
New Housing Mix	Average Housing Density for New Development	FAR for New Commercial Development	Transportation Characteristics
Low-rise apartments and condos, townhomes, and small, single-family lots.	10-60 Dwelling Units/Acre	1-2.5	Largely automobile-oriented with access from arterial highways. Limited bus service along with on-demand bus service.

As noted above, the 2035 General Plan intends that Local Town Centers offer a range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall, the local centers are less dense and intense than other center types (in the 2035 General Plan) and may be larger than half mile in size due to their auto orientation. Further, the 2022 Master Plan recommends a “Mixed Use” designation for the entire Melford project. Said land use category is defined as follows:

Table 3. Future Land Use Categories

Color	Designation	Description	Density (dwelling units per acre)
	Mixed-Use	Areas of various residential, commercial, employment, and institutional uses. Residential uses may include a range of unit types. Mixed-use areas may vary with respect to their dominant land uses, i.e., commercial uses may dominate in one mixed-use area, whereas residential uses may dominate in another. Large-scale mixed-use development should be limited to designated Centers and other areas where it currently exists.	Based on Center

The development proposed in this application represents an appropriate addition of employment uses to the overall mix of uses within the Melford project. As such, the proposed development in this DSP is consistent with the recommendations of the 2035 General Plan and 2022 Master Plan.

(B) To help fulfill the purposes of the zone in which the land is located;

The purposes of the M-X-T Zone are found in Section 27-542 and include the following:

(a) The purposes of the M-X-T Zone are:

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

RESPONSE: Melford is geographically located at the site of a major interchange of two highways (i.e. US 50 and MD3/US 301. As previously discussed in this statement of justification, the site is also located within the boundaries of a local center as designated by the 2035 General Pan and the 2022 Master Plan.

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

RESPONSE: The subject property will be developed in accordance with the relevant land use policy recommendations contained in the 2035 General Plan and 2022 Master Plan as described in this statement of justification.

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

RESPONSE: The development proposed in this DSP will ultimately lead to the enhancement of the value of surrounding land and buildings by unlocking the mixed-use potential of the overall Melford project. The additional flex/R&D buildings proposed in this application will lead to future employment opportunities for County residents (consistent with the approved CSP and PPS), which in turn will be an important element of the vibrant mixed-use community planned within the boundaries of Melford. If this development were not to

move forward, the mix of uses planned for the overall project would likely otherwise be spread inefficiently throughout other portions of the County.

(4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;

RESPONSE: Public transportation will eventually be in Melford upon further development of Melford as contemplated in CSP-06002/01. The street system in Melford has been designed to accommodate bus service. Further specifics regarding the location and appearance of bus stops will be forthcoming in future detailed site plans. As public and privately funded community improvements continue to be implemented in accordance with the approved CSP and PPS, the subject property will become easily accessible to the surrounding community. Further, the ultimate location of a diverse mix of uses within the Melford Town Center (and the overall Melford project), will allow persons the opportunity to work, shop and live within the same community (thus reducing automobile usage and promoting walkable communities).

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

RESPONSE: The proposed flex/R&D buildings will support the eventual creation of a larger and vibrant mixed-use community (as further described through future detailed site plan applications).

(6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

RESPONSE: The proposed flex/R&D buildings will support the eventual creation of a vibrant mixed-use community (as further described through future detailed site plan applications). The future mix of uses will be represented in a mix of vertical and horizontal structures given the finite land area of Melford.

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

RESPONSE: The proposed flex/R&D buildings will support the eventual creation of a vibrant mixed-use community (as further described through future detailed site plan applications). Future development applications will reflect and emphasize the maximum relationships between individual uses to create a distinctive visual character and identity.

(8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

RESPONSE: Stormwater management policies and other smart growth principles are incorporated into the site's development. A Stormwater Management (SWM) Concept Plan for the proposed development has been submitted, reviewed and approved.

(9) To permit a flexible response to the market and promote economic vitality and investment; and

RESPONSE: The approval and construction of the flex/R&D buildings proposed in this DSP will ultimately allow Melford to develop in a manner that will permit a flexible response to market conditions. The creation of an appropriate employment population within Melford will encourage the development of new and complimentary retail opportunities that otherwise would not come without an appropriate on-site population to service. Similarly, new retail uses will help bolster existing and future employment opportunities within the overall Melford project.

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

RESPONSE: The instant DSP proposes development that responds to existing site conditions (i.e. topography, environmental conditions). The architectural design of the 2 new flex/R&D buildings are wholly consistent with other structures that have been constructed within Pod 6 of Melford.

(C) To provide for development in accordance with the site design guidelines established in this Division; and

RESPONSE: The proposed development is designed in accordance with site design guidelines in this Division. The "general" site design guidelines are found in Section 27-283 and require the following:

- (a) The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).*
- (b) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development, and the specific zone in which it is to be located.*

(c) *These guidelines may be modified in accordance with Section 27-286.*

RESPONSE: The subject DSP has been developed in accordance with the Conceptual Site Plan design guidelines contained in Section 27-274 that pertain to the following relevant design elements:

(1) *General*

(A) *The Plan should promote the purposes of the Conceptual Site Plan.*

RESPONSE: The proposed flex/R&D buildings in this DSP are consistent with the design approved in CSP-00002/01 for a mixed-use community. The location of the proposed development was identified as a an office/research & development/institutional area in both the CSP and the PPS. Moreover, the PPS approved a lot and parcel layout that is overwhelmingly similar to the layout proposed in this DSP.

(2) *Parking, loading, and circulation.*

(A) *Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:*

- (i) *Parking lots should generally be provided to the rear or sides of structures;*
- (ii) *Parking spaces should be located as near as possible to the uses they serve;*
- (iii) *Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;*
- (iv) *Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and*
- (v) *Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.*

RESPONSE: The surface parking lots proposed in this DSP have been designed to conform to the above standards.

(B) *Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:*

- (i) *Loading docks should be oriented toward service roads and away from major streets or public view; and*
- (ii) *Loading areas should be clearly marked and should be separated from parking areas to the extent possible.*

RESPONSE: The loading spaces proposed are visually unobtrusive, and are largely oriented away from the main spine road of Melford Boulevard.

(C) *Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:*

- (i) *The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;*
- (ii) *Entrance drives should provide adequate space for queuing;*
- (iii) *Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;*
- (iv) *Parking areas should be designed to discourage their use as through-access drives;*
- (v) *Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;*
- (vi) *Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;*
- (vii) *Parcel pick-up areas should be coordinated with other on-site traffic flows;*
- (viii) *Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;*
- (ix) *Pedestrian and vehicular circulation routes should generally be separated and clearly marked;*
- (x) *Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and*
- (xi) *Barrier-free pathways to accommodate the handicapped should be provided.*

RESPONSE: The proposed DSP includes streets and alleys that were evaluated at the time of PPS and found to be safe and efficient. Pedestrian and vehicular circulation routes will be separated with the use of sidewalks to avoid any conflicts between vehicular and pedestrian movements. All crosswalks along pedestrian sidewalks routes will be prominently identified/marked, and all ADA compliant curb cuts will be installed to accommodate handicapped access requirements.

(3) *Lighting.*

(A) *For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:*

- (i) *If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;*
- (ii) *Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;*
- (iii) *The pattern of light pooling should be directed on-site;*
- (iv) *Light fixtures fulfilling similar functions should provide a consistent quality of light;*
- (v) *Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and*
- (vi) *If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.*

RESPONSE: The lighting proposed in this DSP meets all of the above requirements.

(4) *Views.*

(A) *Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.*

RESPONSE: The instant DSP proposes the addition of 2 flex/R&D buildings that will be consistent with surrounding development in Pod 6 and will not impair or impact any scenic views both to and from the Melford House.

(5) *Green area.*

(A) *On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:*

- (i) *Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;*

- (ii) Green area should link major site destinations such as buildings and parking areas;*
- (iii) Green area should be well-defined and appropriately scaled to meet its intended use;*
- (iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;*
- (v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;*
- (vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and*
- (vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.*

RESPONSE: The instant DSP contains an appropriate amount of green area for the 2 proposed flex/R&D buildings. Further, Lot 1 proposes a pavilion along its frontage with Melford Boulevard.

(6) Site and streetscape amenities.

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

- (i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;*
- (ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;*
- (iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;*
- (iv) Amenities should be functional and should be constructed of durable, low maintenance materials;*
- (v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;*
- (vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and*
- (vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.*

RESPONSE: The instant DSP proposes a pavilion along for Lot 1 along its frontage with Melford Boulevard.

(7) **Grading.**

(A) *Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:*

- (i) *Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;*
- (ii) *Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;*
- (iii) *Grading and other methods should be considered to buffer incompatible land uses from each other;*
- (iv) *Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and*
- (v) *Drainage devices should be located and designed so as to minimize the view from public areas.*

RESPONSE: All grading will conform to regulations and the approved Stormwater Management Plan. Excessive grading will be avoided through the proposed design and all proposed drainage devices will be de designed to minimize views from public areas to fullest extent practicable.

(8) **Service areas.**

(A) *Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:*

- (i) *Service areas should be located away from primary roads, when possible;*
- (ii) *Service areas should be located conveniently to all buildings served;*
- (iii) *Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and*
- (iv) *Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.*

RESPONSE: This DSP contains a landscape plan that reflects an appropriate amount of planting to effectively screen service areas from Melford Boulevard. Further, the building proposed on Lot 7 includes to appropriately sized screening walls in the rear of the building.

(9) Public spaces.

(A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:

- (i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;**
- (ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;**
- (iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;**
- (iv) Public spaces should be readily accessible to potential users; and**
- (v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.**

RESPONSE: The instant DSP contains an pavilion to be constructed on Lot 1 along its frontage with Melford Boulevard.

(10) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.

(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.

(C) These guidelines may be modified in accordance with Section 27-277.

RESPONSE: The instant DSP includes high quality architecture that is wholly consistent with flex/R&D buildings constructed within Pod 6.

(B) Specific DSP Purposes:

(1) The specific purposes of Detailed Site Plans are:

- (A) *To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;*
- (B) *To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;*
- (C) *To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and*
- (D) *To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.*

RESPONSE: The DSP and related plans show all the above information proposed for the site.

(C) **Section 27-285 (b): Required findings for Detailed Site Plans:**

(1) The Planning Board may approve a Detailed Site Plan if it finds that the plan 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. If it cannot make these findings, the Planning Board may disapprove the Plan.

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

RESPONSE: It is the Applicant's belief that the proposed development represents a reasonable alternative to satisfying all site design guidelines in view of the physical development constraints represented on the Property. The proposal will allow the Applicant to develop the site without requiring unreasonable costs and without detracting from the utility of the proposed development, its intended purpose as a mixed-use center, or the surrounding uses. The proposed development in this DSP is consistent with the design principles approved in CSP-00002/01. The development proposed in this DSP also satisfies the site design guidelines as contained in Section 27-274 (as explained in this statement of justification), prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge. Further, the proposed detailed site plan is consistent with the increased density and commercial FAR targeted for local town centers in the 2035 General Plan. The development proposed in this DSP is consistent with the "mixed-use" land use

recommendations set forth in the 2022 Master Plan. As such, it is certainly the most reasonable alternative for the Planning Board to support the proposed DSP in light of its conformance to the planning considerations and land use policy goals proposed for local town centers in the 2035 General Plan and the 2022 Master Plan.

(D) Section 27-546 - Site plans in M-X-T Zone:

(a) *A Conceptual Site Plan and a Detailed Site Plan shall be approved for all uses and improvements, in accordance with Part 3, Division 9, of this Subtitle.*

(b) *In addition to the information required by Part 3, Division 9, for Conceptual Site Plans, the following information shall be included on Plans in the M-X-T Zone:*

(1) *A general description of the pedestrian system proposed;*

RESPONSE: The instant DSP includes the development of streets that were approved as part of the PPS. All streets will have sidewalks on both sides of the right-of-way.

(2) *The proposed floor area ratio;*

RESPONSE: The instant DSP includes an FAR of 0.09. The total FAR for the Melford project per the approved CSP is 1.4.

(3) *The type and location of uses proposed, and the range of square footage anticipated to be devoted to each;*

RESPONSE: The instant DSP reflects the square footages of the 2 flex/R&D buildings proposed in this DSP amendment.

(4) *A general description of any incentives to be used under the optional method of development;*

RESPONSE: This DSP is part of the approved CSP for the Melford. The CSP was approved using the optional method of development for the MXT Zone as set forth in Section 27-545 of the Zoning Ordinance. As such Melford is entitled to an optional method FAR of 1.4 (.4 base FAR + 1.0 bonus FAR for including 20 or more residential units). The instant DSP includes an FAR of 0.09.

(5) *Areas proposed for landscaping and screening;*

RESPONSE: A Landscape Plan is included in the DSP plan set and is compliance with the applicable requirements of the County's Landscape Manual.

(6) *The proposed sequence of development; and*

RESPONSE: The development proposed in this DSP will be conducted in one phase.

(7) *The physical and functional relationship of the project uses and components.*

RESPONSE: The instant DSP proposes two new flex/R&D buildings that will be wholly compatible with the existing buildings and uses in Pod 6 within Melford.

(8) *Property placed in the M-X-T Zone by a Sectional Map Amendment shall provide supporting evidence which shows whether the proposed development will exceed the capacity of transportation facilities that are existing, are under construction, for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program.*

RESPONSE: The instant DSP will be served by available and adequate public facilities as determined in the approved CSP and PPS. The overall Melford project has a significant onsite road network that can accommodate existing and future traffic levels. Similarly, the Applicant has completed significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for future Melford traffic (pursuant to the County's approved Transportation Design Guidelines).

(c) *In addition to the information required by Part 3, Division 9, for Detailed Site Plans, the following information shall be included on Plans in the M-X-T Zone:*

- (1) *The proposed drainage system;*
- (2) *All improvements and uses proposed on the property;*
- (3) *The proposed floor area ratio of the project, and detailed description of any bonus incentives to be used; and*
- (4) *Supporting evidence which shows that the proposed 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 or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program, 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.*

RESPONSE: The instant DSP reflects all of the required plan details (as appropriate) noted above. Also, as previously stated herein, the traffic generated from the proposed development will not exceed existing transportation facilities. The overall Melford project has a significant onsite road network that can accommodate existing and future traffic levels. Similarly, the Applicant has completed (or otherwise has agreed to install)

significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for future Melford traffic (pursuant to the County's approved Transportation Design Guidelines).

(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

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

RESPONSE: The Applicant has followed the general requirements and procedures contained in Part 3 Division 9 (Site Plans) for submitting Detailed Site Plans and the proposal conforms to the following purposes pursuant to Section 27-272 of the Zoning Ordinance (as explained in earlier portions of this statement of justification):

- 1. To provide requirements for the preparation and approval of all Conceptual and Detailed Site Plans;*
- 2. To assure site plans help to fulfill the purposes of the zone in which the land is located;*
- 3. To provide simple, efficient procedures for the review and approval of site plans;*
- 4. To provide simple, straightforward explanations of the information that is to appear on each plan.*

(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;

RESPONSE: The subject property was placed in the M-X-T Zone on February 7, 2006, via the Bowie and Vicinity Master Plan and SMA. Thus, the above section does not apply to this application.

(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;

RESPONSE: The proposed development is designed to be physically integrated with both existing and future adjacent development in the area. The DSP is visually integrated with existing and future uses through the use of connecting streets and pedestrian systems as reflected on the DSP. Additionally, the approved CSP requires the construction of pedestrian system from the main entrance boulevard (i.e. Melford Boulevard) to the adjacent residential neighborhood to the west (located in the City of Bowie). This pedestrian

connection will add a further element of an outward orientation to surrounding land uses/development.

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

RESPONSE: The proposed development is anticipated by the 2035 General Plan, the appropriate portions of the 2022 Master Plan and CSP-06002/01 and is therefore compatible with the development concept and other design elements recommended for the area.

- (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;*

RESPONSE: The proposed development in this DSP has been designed in anticipation of additional uses and structures that will be developed in future phases of the project.

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

RESPONSE: The development shown in the instant DSP will be completed in one phase.

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

RESPONSE: The overall Melford development plan (as reflected in approved CSP-06002/01) includes sidewalks on both sides of the internal roads and several internal trail/bicycle connections, in addition to a future Master Plan trail. The trail along the Patuxent River corridor is shown as two connections from both the north and south ends of the development. These connections are designed to meet the intent of the master plan recommendations. The proposed road network in this detailed site plan will accommodate relatively small block sizes and include sufficient crossing opportunities for pedestrians.

- (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*

RESPONSE: The instant DSP is for 2 flex/R&D building within the existing Pod 6 within Melford. As stated previously, the proposed buildings architecture and size is wholly compatible with existing development within Pod 6. Further, the Applicant is proposing a pavilion on Lot 1 along its frontage with Melford Boulevard.

- (9) *On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are*

under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

RESPONSE: As previously stated herein, the overall Melford project has significant onsite road networks that can accommodate existing and future traffic levels. Similarly, the Applicant has completed (or otherwise has agreed to install) significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for future Melford traffic (pursuant to the County's approved Transportation Design Guidelines).

(E) Section 27-548 – Additional M-X-T Zone Regulations:

(a) *Maximum floor area ratio (FAR):*

- (1) *Without the use of the optional method of development -- 0.40 FAR; and***
- (2) *With the use of the optional method of development -- 8.00 FAR.***

RESPONSE: This DSP is part of the approved CSP for the Melford. The CSP was approved using the optional method of development for the MXT Zone as set forth in Section 27-545 of the Zoning Ordinance. The instant DSP proposes an FAR of 0.09. The total FAR for the Melford project (including the development in this DSP) is 0.68. This is within the FAR maximum of 1.4 set forth in the approved CSP.

(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.*

RESPONSE: The instant DSP includes 2 new flex/R&D buildings to be located on Lot 1 and Lot 7 within Pod 6 of Melford.

(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.*

RESPONSE: The dimensions for coverage, height and location of all improvements are reflected on the DSP plan sheets.

(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.

RESPONSE: All landscaping will be provided in accordance with relevant requirements in the Landscape Manual.

(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.

RESPONSE: instant DSP proposes an FAR of 0.09. The total maximum FAR for the Melford project (including the development in this DSP) is 0.68. This is within the FAR maximum of 1.4 set forth in the approved CSP.

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

RESPONSE: No structures that will infringe upon public rights of way.

(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.

RESPONSE: All lots and parcels will have adequate street access as determined in the PPS.

(h) Townhouses developed pursuant to...

RESPONSE: The instant DSP does not include any townhouses. Thus, this section does not apply to the instant DSP.

(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.

RESPONSE: The instant DSP does not propose any multifamily buildings. Thus, this section does not apply to the instant DSP.

(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).

RESPONSE: As previously discussed herein, the Property was rezoned to the M-X-T Zone on February 7, 2006. Thus, this section does not apply to the instant DSP.

(F) Section 27-586 – Limiting the review:

(a) In general, the required findings and site design guidelines and criteria are intended to apply to the review of all Detailed Site Plans, as they reasonably relate to the purposes of the zones and of this Division. However, a more limited review may be imposed by other parts of this Subtitle or by another authority requiring the review. In these cases, specific issues to be reviewed shall be stated. Only those submittal requirements (Section 27-282) and site design guidelines (Section 27-283) which apply to the issue shall be considered.

(b) An applicant may submit a Detailed Site Plan for Infrastructure in order to proceed with limited site improvements. These improvements must include infrastructure which is essential to the future development of the site, including streets, utilities, or stormwater management facilities. Only those regulations, submittal requirements, and site design guidelines which are applicable shall be considered. The Planning Board may also consider the proposal in light of future requirements, such that the plan cannot propose any improvements which would hinder the achievement of the purposes of the zones, the purposes of this Division, or any conditions of previous approvals in the future. The Planning Board shall also consider any recommendations by the Department of Permitting, Inspections, and Enforcement and the Prince George's Soil Conservation District.

RESPONSE: All applicable (and/or appropriate) site design guidelines have been addressed in this statement of justification.

(G) Section 27-574 – Number of Spaces required in the M-X-T Zone.

(a) The number of parking spaces required in the M-X-T Zone and in a Metro Planned Community are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.

(b) The number of off-street parking spaces required for development in the M-X-T Zone and in a Metro Planned Community shall be calculated using the following procedures:

(1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to be known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).

(2) For each hour of the day the number of parking spaces to be occupied by each use shall be calculated. These numbers are known as the hourly fluctuation pattern. For each use, at least one (1) hour shall represent the peak parking demand, and the remaining hours will represent a percentage of the peak. There may be more than one (1) hour at the peak level.

(3) The total number of parking spaces required for all uses proposed in the M-X-T Zone and in a Metro Planned Community shall be the greatest number of spaces in any one (1) hour for the combined total of all uses proposed, based on the calculations in paragraphs (1) and (2), above. This total is known as the base requirement.

(4) The base requirement may be reduced in the following manner:
(A) Conservatively determine the number of trips which are multipurpose. A multipurpose trip is one where a person parks his car and uses a number of facilities (i.e.; an office, eating or drinking establishment, and store) without moving the car. The number of spaces required for a multi-purpose trip shall be the greatest number of parking spaces required by Section 27-568 for any one (1) use within the multipurpose trip. The base requirement may be reduced by the number of parking spaces for the other uses involved in the multipurpose trip.

(B) Determine the number of parking spaces which will not be needed because of the provision of some form of mass transit, such

as rapid rail, bus, forced carpool, van pool, and developer provided services. The base requirement may be reduced by this number.

(5) In addition to the foregoing calculations, the Planning Board shall take the following into consideration:

(A) The number of off-street parking spaces which are to be held as exclusively reserved spaces for any period of time during the day. These parking spaces may not be made available for other uses during the time they are reserved; and

(B) The location of parking spaces relative to the uses they serve. If the shared parking spaces are so remote that the walking distance is unacceptable for some uses, the effectiveness of shared parking will be reduced. The Planning Board may require a number of parking spaces (in addition to the base requirement) to be reserved for any specific use that is in need of spaces in the immediate vicinity of that use.

RESPONSE: The number of spaces required under Section 27-568 is 775 total spaces. Please see attached memo from Lenhart Traffic Consultants dated June 2, 2022 demonstrating how the development proposed in the instant DSP provides a total of 1,060 spaces within Pod 6 (which is a surplus of 285 spaces).

(c) Notwithstanding the provisions of Section 27-573(a), required off-street parking spaces may be provided on a lot other than the lot on which the mixed use development is located, provided:

(1) The other lot is used in accordance with the requirements of the zone in which it is located; and

(2) The Planning Board determines that the other lot is convenient to the mixed use development, taking into account the location of the lot, the uses to be served, the safety of persons using it and any other considerations.

RESPONSE: The attached memo from Lenhart Traffic Consultants dated June 2, 2022 demonstrates how the development in the instant DSP provides the minimum amount of parking spaces pursuant to Section 27-574 of the Zoning Ordinance on-site. The proposed parking for Pod 6 is explained as follows:

Parking Schedule for DSP-07031-05			
Lot	Required Parking per 27-568	Provided Parking	Surplus Spaces
Pod 6 - Existing Lot 1	73	131	58
Pod 6 - Existing Lot 2	160	217	57
Pod 6 - Existing Lot 3	103	160	57
Pod 6 - Existing Lot 7A	48	67	19
Pod 6 - Existing Lot 7B	240	270	30
Pod 6 - Existing Lot 7C	61	72	11
Pod 6 - Existing Lot 8	90	143	53
Pod 6 Lot 6	n/a	SWM Facility	n/a

H. PREVIOUS APPROVALS

Since the original rezoning of Melford in 2006, two conceptual site plans (CSP-06002 and CSP-06002-01) five detailed site plans (DSP-07031 and DSP-07031-01 through 04), and four preliminary plans (4-98076, 4-02093, 4-07055) have been approved which affect Pod 6. The only preliminary plan that is relevant to this DSP is 4-07055. The applicable conditions of PPS 4-07055 (PGCPB No. 08-86) are as follows:

- 2. A Type II tree conservation plan shall be approved in conjunction with detailed site plans.**

RESPONSE: The instant DSP is accompanied by a TCP Type 2 Plan.

- 3. Development of this site shall be in conformance with the Stormwater Management Concept Plan #01-0907-207NE15, issued by the City of Bowie and any subsequent revisions.**

RESPONSE: The instant DSP in conformance with an approved Stormwater Management Concept issued by the City of Bowie.

- 4. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.**

RESPONSE: Condition 4 of PPS 4-07055 provided a trip cap of 874 AM and 1,272 PM trips for Pods 5, 6, 7, and P2. Pod 5 was part of a subsequent Preliminary Plan of Subdivision 4-1006 with a new trip cap for the area including Pod 5 (as part of the Melford Town Center portion of the overall Melford project). Therefore, the remainder of PPS 4-07055 (Pods 6, 7, and P2) retain the \$-07055 trip cap of 874 AM and 1,272 PM Trips. The parking and trip generation analysis included with this DSP calculates that Pods 6, 7, and P2 will generate a total of 550 AM and 540 PM peak hour trips which will remain well within the trip cap.

- 5. Prior to the issuance of any building permits within the subject property (with the exception of Pod 1), the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

(A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

(B) At US 301/Governor Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane. Governor Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

RESPONSE: The above road improvements have been completed by the Applicant.

- 10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.**

RESPONSE: Pod 6 is largely developed, and the Applicant included low impact development techniques that included 2 bioretention recharge areas providing water quality recharge for impervious areas within Pod 6. The approved stormwater management plans for Pod 6 address water quality, CPV, and 10-year controls for the entirety of Pod 6.

- 11. Detailed site plans for the development shall include a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.**

RESPONSE: The Applicant proposes the following green building techniques:

- Designed to LEED standards (strive for LEED Gold)
- Water efficient Landscaping
- Water Use Reduction fixtures
- Fundamental commissioning of the Buildings Energy System
- Optimize Energy Performance
- Fundamental Refrigerant Management
- Storage and Collection of Recyclables
- Waste Management
- Regional Materials
- Certified Wood
- Environmental Tobacco Smoke (ETS) Control
- Outdoor Air Delivery Monitoring
- Low-Emitting Materials (Adhesives, Paints)
- Daylight and views
- Low Mercury Lighting

- 12. The DSP shall demonstrate the use of full cut-off optics for all commercial and industrial lighting fixtures and for the proposed street lighting.**

RESPONSE: The development in the instant DSP includes full cut-off optics for proposed lighting.

- 32. Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of detailed site plans.**

RESPONSE: The development in the instant DSP is for commercial/employment space and does not include residential uses.

Ms. Anne Fothergill

DSP-07031-05

August 3, 2022

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I. CONCLUSION

In consideration of the foregoing statement of justification, the Applicant respectfully requests approval of DSP-07031-05 for Pod 6 within Melford. Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact me.

Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Antonetti, Jr.", with a stylized flourish at the end.

Robert J. Antonetti, Jr.

cc: St. John Properties. Inc.

C O R R E C T E D R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on January 11, 2007 regarding Conceptual Site Plan CSP-06002 for Melford (formerly the Maryland Science and Technology Center), the Planning Board finds:

1. **Request:** The conceptual site plan proposes a mixed-use development consisting of a hotel, office, retail, restaurant, research and development, residential (366 single-family detached and attached units, and 500 multifamily units). The conceptual site plan is required to be submitted for review under the M-X-T zone.

2. Development Data Summary

	EXISTING	PROPOSED	
Zone(s)	M-X-T	M-X-T	
Use(s)		Mixed-use development including one hotel, office, retail, restaurant, research and development, residential (366 Single-family detached and attached units, and 500 multifamily units)	
Acreeage of application of CSP	334.10	334.10	
Area within 100 year floodplain	89.26	89.26	
Net tract area	244.84	244.84	
Dwelling Units	0	866	
Lots	19	19	
Parcels	5	5	
Square Footage/GFA	536,496* commercial only	Use:	Area/Units Range
		Office**	750,000 s.f. - 3,120,000 s.f.
		Retail	70,000 s.f. - 150,000 s.f.
		Restaurant	10,000 s.f. - 20,000 s.f.
		Office/Retail	131,000 s.f. - 180,000 s.f.
		R&D**	525,000 s.f. - 600,000 s.f.
		Hotel	250,000 s.f. - 325,000 s.f.
		MF Residential	500 units (1000 s.f. - 1200 s.f.)
		SF Residential	366 units maximum
			316 - 341 units of SFA
			(2,400 s.f. to 2,600 s.f.)
			25 - 50 units of SFD
			(3,000 s.f. to 4,000 s.f.)
Proposed Floor Area Ratio (FAR) Based on 10,665,230 square feet (net tract area) within the CSP application	536,496*		
			Min (s.f.) Max (s.f.)
		Residential	1,333,400 1,621,600
		Commercial**	1,736,000 4,395,000
		Total	3,069,400 6,016,600
		Proposed FAR	0.29 0.57

*The following development exists within the limits of the application:

- Block 2, Lot 2 40,800 square feet
- Block 2, Lot 3 40,800 square feet
- Block 2, Lot 4 30,450 square feet
- Block 3, Lot 1 150,000 square feet
- Block 4, Lot 1 61,680 square feet
- Block 4, Lot 2 61,120 square feet
- Block 4, Lot 3 83,680 square feet
- Block 4, Lot 5 67,966 square feet

**Includes existing commercial development.

3. **Location:** The site consists of approximately 334.1 acres of land in the MXT Zone and is located in the northwest quadrant of US 301 and US 50. The property is located in Planning Area 71B within the 2006 *Approved Bowie-Vicinity Master Plan*.
4. **Surroundings and Use:** The subject property is located in the northeast quadrant of the intersection of Crain Highway (US 301/MD 3) and John Hanson Highway (US 50). The site is bounded to the north by Sherwood Manor, an existing subdivision of single-family detached dwelling units in the R-A Zone, and the Patuxent River Park; to the east by the Patuxent River and the US Air Force transmitter station located in Anne Arundel County; to the south by the US 50 right-of-way; and to the west by the MD 3 right-of-way.
5. **Previous approvals:** On January 25, 1982, the District Council approved zoning map amendment application and Basic Plan A-9401 for the subject property, with ten conditions (Zoning Ordinance 2-1982). The zoning map amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision (PGCPB No. 86-107), for the Maryland Science and Technology Center, with 27 conditions and two considerations. Numerous specific design plans have been approved for the project, including the following:

EXISTING DEVELOPMENT, APPROVED AND/OR UNDER CONSTRUCTION:

	GFA	Site Area (ac)	SDP
Block 2, Lot 2	40,800	10.51	SDP-0203-01
Block 2, Lot 3	40,800	9.14	SDP-0203-01
Block 2, Lot 4	30,450	3.74	SDP-0103
Block 3, Lot 1	150,000	10.88	SDP-0104
Block 4, Lot 1	61,680	7.18	SDP-0103
Block 4, Lot 2	61,120	5.97	SDP-0103
Block 4, Lot 3	83,680	9.07	SDP-0201
Block 4, Lot 5	67,966	6.36	SDP-0402

6. **Design Features:** The project proposes a transit-oriented mix uses consisting of hotel, office, retail, restaurant, research and development, residential (366 single-family detached and attached units, and 500 multifamily units). The plan provides for a single existing entrance into the site from US 301. The project proposes retail and office to the right of the entrance road into the development and a 325-500 room hotel on the left side of the entrance. Two existing ponds on site flank both sides of the road to create an entrance feature and will contribute to the sense of arrival into the development for both employees and residents. The existing state-of-the-art US Census Bureau building further adds to the distinctive character of the development. Office and residential buildings are mixed on the opposite side of the entrance road. Once into the development, a traffic circle is planned at a four-way intersection that will provide access to existing research and development, office, and residential uses. To the north of the circle is the additional mixed uses of office and residential and retail and residential. The National Historic

Melford House is located on the property and it is surrounded by green space. To the northeast and southeast are pure residential pods of development, townhouses, and single-family detached. All multifamily dwellings are associated with the office and retail development.

Conformance to the approved Bowie-Vicinity Master Plan (CR-11-2006)

7. The *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* was adopted on February 7, 2006. CR-11-2006 contains the following guidelines for the development of the subject property. The guidelines apply to the entire 431.55 acres of land rezoned to the M-X-T Zone. Staff has provided comments as appropriate to find conformance with the guidelines for the subject conceptual site plan application:

- a. **Property in the northeast quadrant of US 50 and MD 3 (known as the Melford Property): This area should be developed with a moderate- to-high density mixture of office, employment, retail, hotel, residential and parkland/open space uses. Figure 1 is an illustrative concept for the planned community at the subject location. This will offer a mix of employment and residential uses that can create a place of activity and interaction for those who live, work, or visit in the area. The residential component should develop in such a way that the residential buildings and settings complement Melford, a National Register Historic Site.**

Development on this site shall conform to the following standards and guidelines:

(1) The mixed use community shall include the following uses:

- **Corporate office**
- **Condominium/Professional office**
- **Research and Development**
- **Hotel**
- **Single-family detached residential (executive housing)**
- **Single-family attached residential (6 to 11 dwellings per acre); a minimum of 20 percent being senior housing units and a maximum of 25 percent being senior housing units, although the District Council may vary such percentages when approving a Concept Plan.**
- **Multifamily residential (at up to 30 dwellings per acre); a minimum of 20 percent being senior housing units and a maximum of 25 percent being senior housing units, although the District Council may vary such percentages when approving a Concept Plan.**
- **Live/work units (e.g., office over retail; residential over retail; residential over office)**

Other uses may include:

- **Flex space and warehouse as an interim use (See Finding 8)**
- **Professional training facilities**

*[Staff] Comment: The application proposes the following uses and square footages:

Proposed Development:

Use:	Area/Units Range
Office	750,000 s.f. - 3,120,000 s.f.
Retail	70,000 s.f. - 150,000 s.f.
Restaurant	10,000 s.f. - 20,000 s.f.
Office/Retail	131,000 s.f. - 180,000 s.f.
R&D	525,000 s.f. - 600,000 s.f.
Hotel	250,000 s.f. - 325,000 s.f. (375 - 500 rooms)
MF Residential	500 units (600 s.f. - 1200 s.f.)
SF Residential	366 units maximum
	316 - 341 units of SFA (1,800 s.f. to 2,600 s.f.)
	25 - 50 units of SFD (3,000 s.f. to 4,000 s.f.)

The plans do not make a commitment to the number of senior housing units as required in the guideline, therefore, the staff recommends a condition that there be a minimum of 20 percent senior housing units and a maximum of 25 percent senior housing units, in the single-family attached and the multifamily residential housing units.

- (2) **The M-X-T (Mixed Use Transportation Oriented) Conceptual Site Plan shall show all existing development and approved development under the E-I-A (Employment and Institutional Area) Zone “as approved.” The mixed-use ratio for the design plans shall be the following, based on the total gross floor area for residential and Employment/Office/Retail/Hotel combined:**

	Minimum	Maximum
Residential	20 percent	30 percent
Office/Employment/Retail/Hotel	70 percent	80 percent

The residential component shall be no greater than 866 dwelling units.

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*[Staff] Comment: The plans have been revised to show all existing development and approved development under the E-I-A Zone as approved. The application proposes the following mixed use ratio based on the proposed square footage of development as follows:

	Minimum (square feet)	Maximum (square feet.)	
Residential	1,333,400	1,621,600	(25–38 percent)
Commercial	2,175,060	4,834,060	(70–74 percent)

The commercial square footage is based on the existing and proposed development of the entire M-X-T zone. At the Planning Board hearing, the opposition testified that the percentage of residential development had the potential of increasing above the percentages listed. In response, the applicant stated at the hearing it would reduce the number of units so as to comply with the guideline. The Planning Board decided that the guideline contained within CR-11-2006 should be included as a condition of approval, in regard to the ratios for residential and commercial development. This issue will be reviewed and addressed during the review of each Detailed Site Plan.

(3) The conceptual site plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.

*[Staff] Comment: The plan provides for an integrated network of streets, pedestrian systems and open space throughout the project. The placement of uses is such that it generally reflects the layout of the Melford Illustrative plan, as was developed as part of the rezoning application for the project.

(4) The community shall be focused upon an open-space network consisting of the Melford house and its historic vista, and other public spaces, which are surrounded by a combination of commercial, civic, cultural or recreational facilities. This network shall be designed with adequate amenities to function as a fully shared space for the entire community.

[Staff] Comment: The plan has been designed with both components of the Melford Historic site (house and grounds and cemetery to the northwest). The surrounding uses associated directly with the Melford Historic Site are residential in nature and are appropriately located in and around the open space network.

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- (5) **The community shall contain additional linked open space in the form of squares, greens, parks, and trails that are accessible, safe and comfortable. The open space should provide a variety of visual and physical experiences. Some of these open spaces should be bordered by buildings and be visible from streets and buildings.**

*[Staff] Comment: The plans do not appear to provide for additional linked open spaces other than those that were shown on the Illustrative Melford plan. Staff recommends that the plan be revised to include additional open space elements that provide for linkages throughout the development.

- (6) **Retail uses shall be designed to:**

- **Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining; and providing attractive gateways/entries and public spaces.**
- **Create outdoor amenities, such as brick pavers, tree grates, decorative lighting, signs, banners, high quality street furniture and extensive landscaping, including mature trees.**
- **Create attractive architecture by using high-quality building materials such as stone, brick or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes and customized shopfronts to create a street-like rhythm.**
- **Provide attractive, quality facades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC and other unsightly functions.**
- **Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street front experiences to maximize the quality of the pedestrian environment[; a]. All uses are connected by sidewalks; crosswalks run through and across the parking lots and drive aisles to connect all buildings and uses; sidewalks are wide, appealing, shaded and configured for safe and**

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comfortable travel; pedestrian walkways are separated from vehicular circulation by planting beds, raised planters, seating walls, on-street parallel parking and/or structures; walking distances through parking lots are minimized and located to form logical and safe pedestrian crossings, and walkways are made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.

- **Screen parking from the streets and ensure that attractive buildings and signage are visible from the streets.**
- **Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, and/or landscape islands.**
- **Provide a hierarchy of pedestrian-scaled, direct and indirect, high quality, energy efficient lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.**
- **Create a signage package for high-quality signs and sign standards and requirements for all retail and office tenants and owners, which shall address size, location, square footage, materials, logos, colors, and lighting. Any revision to the existing approved signage plans shall incorporate the previously approved designs.**
- **Temporary signage on the site or attached to the exterior facades of a building shall not be permitted.**
- **Design retail pad sites to be compatible with the main retail/office/hotel component. If the retail pad sites are located along the street, parking shall be located to the rear of the pad sites.**
- **Green areas or public plazas should be provided between pad sites.**
- **Restaurants should have attractive outdoor seating areas with views of the public spaces/lakes or other natural features.**

*[Staff] Comment: All of these guidelines are appropriately reviewed at the time of detailed site plan for retail development. Therefore, the staff recommends that the guidelines be added as conditions to the approval of this plan, to be fulfilled at the time of detailed site plan.

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(7) Residential uses shall meet the following design standards:

- **Single-family detached:**
 - **There shall be a range of lot sizes, with a minimum square footage on any lot of 3,000 square feet of finished living space.**
 - **At least 20 percent of the houses shall be a minimum of 4,000 square feet of finished living space.**
 - **Garages should not dominate the streetscape, and all garages should either be detached, or located in the rear (accessible by alleys or driveways), attached and set back a minimum of eight feet from the façade, or attached and oriented for side entry access.**
- **Multifamily and single-family attached:**
 - **Building design and materials shall be high quality, enduring and distinctive.**
 - **Use of siding should be limited.**
 - **A significant number of amenities, such as are typically provided for luxury projects shall be provided.**

*[Staff] Comment: All of these guidelines are appropriately reviewed at the time of detailed site plan for residential development. Therefore, the staff recommends that the guidelines be added as conditions of approval.

- (8) Any additional research and development type flex space and/or warehouses shall be limited to not more than ten percent of total non-residential space. Generally this flex space is intended as an interim use, which shall be redeveloped predominantly with office use, as market conditions permit. When an area is initially developed as research/development, flex space and/or warehouses, that area should be the first considered for redevelopment when market conditions permit new office development. The long-term goal is that all of the non-residential uses would be office with retail (including a main street) and hotel.**

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*[Staff] Comment: The guideline above is appropriately applied at the time of the detailed site plan review for research and development space. Therefore, the staff recommends that the guideline above be added as a condition of approval.

(9) All stream channels on the site should be depicted on all plans in their entirety, with the regulated stream buffer shown as required.

*[Staff] Comment: Based on the information currently shown on the plans, this guideline has been met. In addition, the guideline above should be added as a condition of approval of the CSP.

(10) All residential development proposals shall demonstrate that interior noise levels will conform to State of Maryland (COMAR) noise regulations.

*[Staff] Comment: Noise contours are not shown on the plans. It appears that some of the residential units proposed in the southernmost portion of the site will be within the 65 dBA Ldn noise contour for US 50. This guideline will be addressed at time of preliminary plan review. Either the units will have to be moved outside the corridor or noise mitigation measures will be required.

(11) The stormwater management concept plans, shall incorporate bioretention and other low impact development techniques throughout the site.]

*[Staff] Comment: This guideline was deleted from this portion of the text of CR-11-2006; however, it is a provision that applies to all development in the Bowie and Vicinity Master Plan (See p. 49, Policy 2, Strategy 4). This guideline will be addressed during the review of the preliminary plan.

(12) The proposed lighting system shall include the use of full cut-off lighting systems with limited light spill over. The lighting plan and design drawings shall be included with each detailed site plan approved in the future.

*[Staff] Comment: This guideline should become a condition of approval of the subject application.

(13) Development plans shall show the minimization of impervious surfaces through various phases of the project. Early phases of the project may use surface parking and later phases of development will seek to reclaim the surface parking by the use of structured parking to the maximum extent possible.

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*[Staff] Comment: There does not appear to be a commitment to provide structured parking in later phases. This should be addressed during the review of the preliminary plan as the current design proposes an extremely high percentage of impervious surfaces.

(14) Fifty percent of parking for multifamily uses shall be structured parking.

*[Staff] Comment: This guideline should become a condition of approval of the subject application to be demonstrated prior to the approval of a detailed site plan for development of multifamily projects.

(15) The design of the stormwater management ponds shall show them as amenities with gentle natural slopes and extensive native planting.

*[Staff] Comment: This guideline should become a condition of approval of the subject application to be demonstrated prior to the approval of a detailed site plan. Native plants will be used throughout the site for landscaping and reforestation.

(16) Streams shall have a 100-foot natural buffer and a 150 foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on the community property.

*[Staff] Comment: These buffers have not been shown on the plans, so it is difficult to evaluate how the design addresses this guideline. During the review of the preliminary plan, this guideline will be evaluated in detail. If any clearing is proposed within the buffers it must either be removed or the “natural buffer alternative” must be provided. Several areas show clearing into the buffers and no “buffer alternative” areas are shown.

(17) The following facilities shall be evaluated for transportation adequacy in all subsequent traffic analyses for the subject property:

- **MD 450/MD 3 intersection**
- **US 301/Harbour Way-Governors Bridge Road**
- **Belair Drive/northbound On-Off ramp to MD 3**
- **Belair Drive/southbound On-Off ramp to MD 3**

*[Staff] Comment: The Transportation Planning Section reviewed the CSP for conformance to the required findings for a conceptual site plan in the M-X-T zone and provided the analysis in accordance with guideline above. See Finding 13 below.

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- (18) **At the time of submission of the detailed site plan application, the owner shall present a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford Historic Site for approval by the Historic Preservation Commission and the Planning Board.**

*[Staff] Comment: This guideline is proposed as Condition 6 in the recommendation section of this report.

- (19) **Prior to the acceptance of building permits in the area in the immediate vicinity of Melford House labeled as POD 1, the owner shall begin the restoration of the Melford House and outbuildings. The restoration of Melford and outbuildings shall be completed prior to the release of any use and occupancy permit for POD 1.**

*[Staff] Comment: Staff recommends that this guideline be modified to reflect the issuance of the certain percentage of single family building permits. This is a more productive way to assure the completion of the restoration process and has been the process associated with other projects though out the county.

- (20) **Prior to submitting a conceptual site plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archeological investigation. The applicant's findings shall be submitted to the historic preservation staff of M-NCPPC for review and approval. Upon approval of this determination, plans may be approved and permits may be issued for any portion of the subject property excluded from the scope of the Phase I investigation. No plans may be approved and no permits shall be issued for the area subject to the Phase I investigation before satisfactory completion of the Phase I investigation, or if required Phase II and/or III.**

*[Staff] Comment: The Historic Preservation Section has reviewed the Phase I report. Staff recommends that a condition be adopted that requires the completion of a Phase II archeological investigation.

- (21) **Prior to the issuance of any building permits, a written agreement/MOU with the Historic Preservation (HPC) that defines/outlines responsibilities and timing for the maintenance/stabilization of all historic buildings within the Environmental Setting, to be followed by quarterly reports submitted by the property owner and/or developer, so that the HPC and staff may monitor the condition of the Melford House, grounds and cemetery.**

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*[Staff] Comment: The substance of this guideline is addressed in the recommendation section of this report as proposed Conditions 6, 7 and 8.

(22) Any detailed site plan shall demonstrate that proposed buildings do not obstruct the historic vista of the Melford House.

*[Staff] Comment: Proposed Condition 4 is contained within the recommendation section of this report.

(23) Prior to acceptance of any detailed site plan, the applicant shall demonstrate that plans for new construction within the impact review area follow the guidelines on page 91 for the CDP 8601 document for the former Maryland Science and Technology Center.

*[Staff] Comment: This guideline should become a condition of approval of the subject application as stated in proposed Condition 5. However, the timing of the fulfillment of this condition should be changed (to prior to the approval of the detailed site plan), because compliance should occur and be evaluated at the time of the DSP, not prior to acceptance of the application.

(24) 288+/- acres of the property are either already developed pursuant to a specific design plan (SDP) approved in the E-I-A Zone or a specific design plan has been approved. The Zoning Ordinance at Sections 27-282 and 27-527 describe a detailed site plan and a specific design plan. The property owner may submit a conceptual site plan in the M-X-T Zone pursuant to Section 27-546 essentially showing the same development and plans as in the M-X-T Zone. If the entire property is placed in the M-X-T Zone, all existing development and/or approved specific design plans shall be shown “as approved” on the conceptual site plan submitted in the M-X-T Zone. Use and occupancy permits have been issued for the following uses for structures existing on the property or to be constructed:

**Office/Medical Practitioner Office; Office; Office/Manufacturing;
Contractor Office; Office/Industrial Laboratory; Office/Real Estate
Subdivision Sales; Institutional/Educational/Church; Educational Institute;
School/Studio for Artistic Instruction**

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All of these uses are also permitted in the M-X-T Zone, so no non-conforming uses are being created. The SDPs are as follows: SDP-0103; SDP-0301; SDP-0203/01; SDP-0104; SDP-0204 (sign); and SDP-0201 (building4-E, F, G). These existing SDPs shall still regulate development of the properties.

*[Staff] Comment: The information above is factual in nature and does not require any additional action on the part of the applicant.

- (25) **The 12.75-acre impact review area approved for the Melford Historic Site by the Historic Preservation Commission and the Planning Board (PGCPB No. 99-28A) should be integrated into a design plan that establishes viewsheds from the Melford Historic Site to the Patuxent River. Open space should be provided adjacent to the historic site that will allow it to be seen from greater distances within the Melford property. A dedicated pedestrian link between the Melford Historic Site and the cemetery should be created. Trails should be provided that connect it to the regional trail system.**

*[Staff] Comment: The plan provides for an open space network around the historic site and establishes viewsheds to and from the house to the historic cemetery. The plan provides for an indirect vista east of the Historic Site to the Patuxent River. This view could be improved with a more axial alignment of the open space. The plans should be revised to create a more direct view at the time of the preliminary plans and the detailed site plans. Another less emphasized vista is implied by the street layout north and east of the Historic Site, which uses the street system and flanking structures to frame a narrow view toward the river. This vista should be better defined with a broader street section in order to open the view and to make it a more prominent element of the overall design. Further development of this vista should be investigated at the time of preliminary plan and detailed site plan review.

- (26) **Development abutting the Melford Historic Site, outbuildings, and cemetery should be compatible in scale, design, and character with the existing historical architectural character. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming and open space, should be incorporated into the proposal to minimize any adverse impacts to the historic site.**

*[Staff] Comment: This guideline should become a condition of approval of the subject application to be fulfilled at the time of the detailed site plan.

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- (27) Appropriate signage should be placed near the historic site illustrating the history of the area.**

*[Staff] Comment: This guideline should become a condition of approval of the subject application to be fulfilled at the time of the detailed site plan.

- (28) Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested in cooperation with the appropriate utility.**

*[Staff] Comment: This guideline will be evaluated during the review of the preliminary plan, when requests for impacts to these areas must be submitted and reviewed.

- (29) Community recreational facilities shall take full advantage of environmental features on and adjacent to the property, and shall include extensive trail and boardwalk systems. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails, boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.**

*[Staff] Comment: The staff recommends that the plans be analyzed at the time of the preliminary plan of subdivision for conformance to the guideline above.

- (30) The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.**

*[Staff] Comment: The staff recommends that the plans be analyzed at the time of the preliminary plan of subdivision for conformance to the guideline above.

Conformance With Other Master Plan Text

Evaluation for conformance with the applicable provisions of the master plan, as stated below, will be conducted during the review of the preliminary plan of subdivision and the detailed site plan review as appropriate.

Policy 1: Protect, preserve and enhance the green infrastructure network; Strategy 2, Primary Corridors

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The Patuxent River is a designated Primary Corridor in the master plan. The subject property abuts the Patuxent River and run-off created is deposited directly into the river channel. Strategy 2 reads as follows:

“Protect primary corridors (Patuxent River and Collington Branch) during the development review process to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements.”

“Essential development elements” include road crossings of streams to access otherwise landlocked portions of sites and the construction of utilities which are limited to stormwater outfalls, sewer lines, electrical lines, gas lines and phone lines (although the last three can usually be designed to eliminate the impacts). This definition does not include grading for buildings, roads, stormwater management ponds or any other feature where the design could be changed to eliminate the impact.

In order for the subject application to be in conformance with the provisions of the Bowie and Vicinity Master Plan, and to be consistent with other Planning Board approvals, the buffers described in CR-11-2006 should be included in the PMA for this site. The PMA definition includes “...Specific areas of rare or sensitive wildlife habitat, as determined by the Planning Board.” The buffers adjacent to a primary corridor are sensitive habitat that should be protected in a natural state to the fullest extent possible.

Policy 2: Water quality; Strategy 4

The CSP and conceptual TCPI do not show how this strategy is to be implemented. There appear to be no low impact development techniques proposed. This will need to be addressed with the preliminary plan application.

Policy 2: Conservation landscaping; Strategy 6

The DSP will be evaluated for how this strategy is being implemented.

Policy 3: Tree cover; Strategy 4

The DSP will be reviewed for conformance with the distribution of tree cover throughout impervious surface areas.

Policy 4: Green buildings and alternative energy sources

The DSP will be evaluated for the implementation of green building techniques and alternative energy sources.

Policy 5: Light pollution

The DSP will be evaluated for the use of alternative lighting technologies and full cut-off optics.

Policy 6: Noise pollution

This policy and the associated strategies will be evaluated at time of preliminary plan review.

M-X-T Zone Required Findings (Section 27-546.07 of the Zoning Ordinance)

7. **The proposed development is in conformance with the purposes and other provisions of this Division.**

*[Staff] Comment: This conceptual site plan for Melford is in conformance with the requirements of Part 10, Division 2, of the Zoning Ordinance.

8. **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.**

*[Staff] Comment: The subject property is located at the intersection of two major arterial Roadways, US 301 and US 50. The property to the north of the M-X-T-zoned property, known as Sherwood Manor, a single-family detached development, is located some distance from the subject application. The plan proposes office, a hotel, and research and development along the perimeter of the adjacent roadways.

9. **The proposed development is compatible with existing and proposed development in the vicinity.**

*[Staff] Comment: The subject application is part of a larger tract of land known as the Melford Property, which was rezoned from the E-I-A Zone to the M-X-T zone. The only adjacent residential property is north of the M-X-T zone, but is not directly adjacent to the subject application. The area of intervening land is developed with the IDA building and the Masonry Institute, which is currently under construction. Development proposed in the CSP is completely compatible with these structures. Any further development of the intervening M-X-T-zoned land will require both a conceptual site plan and a detailed site plan.

10. **The mix of uses and the arrangement and design of buildings and other improvements reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.**

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

*[Staff] Comment: The illustrative plan lays out a development scenario of the property that provides for the design of the road layout and buildings that fit well into the site and provide for the development of a cohesive development in and among the existing and approved (but not yet constructed) projects on site.

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

*[Staff] Comment: The applicant has stated that the project will be developed in basically two phases. Phase I is the minimum square footages proposed in the development data charts in Finding 2, above. Phase II includes the square footages proposed that would exceed the trip cap and would require a new traffic analysis. It appears that the development will be able to be self sufficient as each phase moves forward.

12. **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.**

*[Staff] Comment: The Transportation Planning Section has provided a full review of the pedestrian systems proposed for the development and found that the plan should be approved. See Finding 15 below for a detailed discussion of trail issues.

13. **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 of construction funds are allocated within the adopted county Capital Improvement Program, or the current state Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the council of adequate transportation facilities at the time of conceptual site plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

*[Staff] Comment: The Transportation Planning Section has reviewed the conceptual site plan application referenced above. The property is located in an area generally bounded by MD 3 to the west and US 50 to the south. The applicant proposes to develop the property under the M-X-T zoning with a mixed-use development, as stated below.

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

The applicant prepared a traffic impact study dated June 20, 2006 (revised September 26, 2006), in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The studies have been referred to the County Department of Public Works and Transportation (DPW&T), the State Highway Administration (SHA), and the City of Bowie. The findings and recommendations outlined below are based upon a review of all materials received and analyses conducted by the staff, are consistent with the *Guidelines*.

Growth Policy – Service Level Standards

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

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

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

TRAFFIC IMPACT STUDY

Pursuant to the findings of CR-11-2006, and in conjunction with the scoping agreement between the applicant and staff, the traffic impact study identified the following intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 3 / MD 450-Gas Station Access	E/1565	F/1645
Belair Drive / Ramp from MD 3 SB	A/420	A/452
Belair Drive / MD 3 NB Ramps	A/144	A/272
US 301 & Gov. Bridge Road-Harbor Way	B/1078	E/1493

The traffic study also identified three background developments whose impact would affect some or all of the study intersections. Those background developments are:

- Rips Subdivision (118 PM trips, 119 PM trips)
- Zehner Property (19 AM trips, 25 PM trips)
- Charles Carroll Subdivision (8 AM trips, 17 PM trips)

Additionally, a growth rate of one percent per year (from 2006 through 2012) was applied to the existing traffic counts along MD 3 and US 301. A second analysis was done to evaluate the impact of the background developments on existing infrastructure. The analysis revealed the following results:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 3 / MD 450-Gas Station Access	E/1657	F/1746
Belair Drive / Ramp from MD 3 SB	A/427	A/466
Belair Drive / MD 3 NB Ramps	A/147	A/276
US 301 & Gov. Bridge Road-Harbor Way	B/1134	E/1570

An analysis of the traffic data under “Total” conditions represents a combination of background traffic and site-generated traffic. The following land uses were used in the study as the basis for computing site-generated traffic:

- 42 Single Family dwelling units
- 316 Townhouse/Condo dwelling units
- 500 Apartment units (Garden and mid-rise)
- Hotel – 375 rooms
- Restaurant (High Turnover/Sit down) – 11,250 Square feet
- Retail/Shopping Center – 136,025 square feet
- Office (General) – 706,750 square feet
- Office (Research and Development) – 287,340 square feet
-

Using trip generation rates from the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, as well as the Institute of Transportation Engineer’s (ITE) *Trip Generation Manual, 7th edition*, the study has determined that the proposed development, based on the above-mentioned uses, would generate a net total of 2,774 (1,952 in, 822 out) AM peak hour trips, and 3,593 (1,404 in, 2,189 out) PM peak hour trips. Using these site-generated trips, an analysis of total traffic conditions was done, and the following results were determined:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 3 / MD 450-Gas Station Access	E/1857	F/1931
Belair Drive / Ramp from MD 3 SB	A/816	A/992
Belair Drive / MD 3 NB Ramps	A/1139	A/1046
US 301 /& Gov. Bridge Road-Harbor Way	C/1228	E/1644

The results shown in the table above have indicated that there are two intersections that would operate unacceptably under total traffic conditions. Both intersections are located within the MD 3/US 301 corridor, where the use of mitigation (CR-29-1994) is allowed. To that end, the applicant has proffered a Transportation Facilities Mitigation Plan (TFMP) at these intersections to meet the mitigation critical lane criteria. Specifically, the applicant is proposing to provide the following lane configurations:

MD 3/MD 450/Gas Station Access intersection.

- Provide an additional northbound and southbound through lane.

US 301/Gov. Bridge Road/Harbor Way intersection

- Provide an additional left turn lane on the eastbound approach.

With these improvements in place, the projected LOS/CLV would be the following:

TOTAL CONDITIONS <i>with mitigation improvement</i>		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 3 / MD 450-Gas Station Access	E/1516	F/1639
US 301 / Gov. Bridge Road / Harbor Way	C/1191	E/1531

The traffic study concludes that a provision of an additional left turn lane at the intersection of US 301/ Gov. Bridge Road / -Harbor Way would mitigate the site impact by more than 150 percent.

It further indicates that with all of the improvements identified, the roadway system can accommodate the proposed development.

Upon review of the applicant's traffic study, staff agrees with its overall conclusion regarding the road system being able to accommodate the proposed development. However, staff disagrees with some technical aspects of the report regarding methodologies and procedures pursuant to the guidelines.

- Regarding the use of mitigation, one of the technical requirements is that the traffic study must show the magnitude of the percentage of CLV reduction as a result of the improvement being proffered. At both intersections being considered for mitigation, the study reported that the proffered improvements will reduce the respective CLV by more than 150 percent, but did not quantify the actual margin.
- The intersections at Belair Drive with ramps to and from MD 3 are described as "signalized" intersections, by virtue of the fact that both intersections are equipped with signals that are always in flashing mode. While it may be technically accurate to describe these intersections as being signalized, from an operational perspective, they do not function as signalized intersections and therefore should not have been analyzed using the CLV procedures, which assume phasing operation. Based on comments from SHA on this traffic study, it would appear that plans are underway to have these signals reprogrammed to function as normal traffic signals before the proposed development begins operation. In this regard, having the intersections analyzed under "Total" conditions with the CLV procedure seems appropriate.

In addition to the planning staff, the study was reviewed by two other agencies, the State Highway Administration (SHA) and the Department of Public and Transportation (DPW&T) as well as the City of Bowie. Since most of the transportation facilities being impacted are under the jurisdiction of SHA, the DPW&T did defer to SHA on many of the operational issues associated with those intersections. In its September 11, 2006 memorandum to staff (Issayans to Burton) however, the DPW&T concurred with the study's recommendation of widening Governor Bridge Road as part of the proposed improvement to the US 301/Gov. Bridge Road intersection. In the revised study on September 26, 2006, however, the applicant has demonstrated that a conventional improvement would not result in a CLV of 1450 or less, and consequently, a new recommendation under mitigation was being pursued. Specifically, the study recommended an additional left turn lane only on the eastbound approach, rather than on both approaches as was originally proposed in the original study. In light of this, no additional widening is being sought on the westbound approach.

SHA, in its September 25, 2006 referral (Foster to Foster) to staff, appeared to be in general support of the study findings. However, there were some issues that were raised by SHA that are worth commenting on:

- SHA is concerned that recent construction activities may not have been considered in the analyses of the development. The traffic analyses for the subject application did consider the impact of recent construction activities observed by SHA staff.
- Regarding the proposed improvement at the MD 3/MD 450/gas station access intersection, specific engineering detail was provided. SHA will require the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.
- SHA recommends coordination between its Office of Traffic and Safety and the applicant regarding the operation of the lights (from flashing mode to normal mode) at the intersections of Belair Drive, Melford Boulevard and the ramps to and from MD 3.
- Recent electronic correspondence between staff and SHA has indicated that SHA is concerned with the accuracy of the traffic count that was collected at the MD 3/MD 450 intersection on Tuesday May 30, 2006 (the day after Memorial Day). The applicant did a recount on Thursday September 28, 2006, where the results showed lower volumes. Taking a more conservative approach, all of the analyses were done using the higher volumes.

On September 19, 2006, staff received a letter from the City of Bowie (Meinert to Burton), in which comments were provided based on their review of the original traffic study. A number of issues were raised by the city, many of which were resolved in the applicant's revised in the September 26, 2006 study. Below are some of those issues:

- The city is concerned that they were not given a role in defining the scope of the traffic study. The scope of the traffic was determined by the council in its findings on CR-11-2006. However, the scope may be expanded for subsequent preliminary plan applications.
- The Southeast Quadrant study was part of the analyses for the Bowie-Collington-Mitchellville and Vicinity Master Plan that was approved in 1991. That plan has now been amended (and superseded) by the Bowie and vicinity plan, which was approved in 2006. There are no provisions in the 2006 master plan that maintain the recommendations from the Southeast Quadrant Study.
- In the revised traffic study, the analyses were based on a 375-room hotel rather than the 200 rooms that were previously assumed.
- The intersection of Melford Boulevard and Science Drive was not part of the original scope but could be included in any subsequent analyses required for preliminary plan approval.

- The use of mitigation was necessary for the US 301/Gov. Bridge Road/Harbor Way intersection. Providing widening on both the eastbound and westbound approaches would not lower the CLV below the 1450 threshold based on the revised analyses.

Based on the required findings above, staff concludes that the proposed development generally meets the code requirements provided that the development does not exceed the total number of trips cited in the traffic study (2,774 AM and 3,593 PM) and all of the associated improvements proffered are fully implemented.

Based on the preceding findings, the Transportation Planning Section determines that the plan conforms to the required findings for approval of the conceptual site plan from the standpoint of transportation if the application is approved with the following conditions:

- a. The proposed development shall be limited to a mix of uses where the net new trips shall not exceed 2,774 AM and 3,593 PM peak hour trips.
- b. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency

(A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

(B) At US 301/Gov. Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane.

Referrals

14. The Subdivision Office reviewed the plans for the site as proposed for a mixed-use, transit-oriented development plan including residential, commercial and employment uses. The site has two approved Preliminary Plans of Subdivision, 4-98076 (approved 08/28/00) and 4-02093 (approved 02/06/03). The former preliminary plan was for the majority of what was then called The Maryland Science and Technology Center to the west, while the latter was for three parcels to the east and was limited to two stormwater management ponds. An amended Basic Plan (A-9401/02) for the site was approved as part of the recently adopted and approved Master Plan and Sectional Map Amendment for Bowie and Vicinity (CR-11-2006, adopted 02/07/06). The

amended Basic Plan reflected development of the types being presented in this application.

The subject CSP shows a general layout consistent with the approved Preliminary Plans of Subdivision. It should be noted, however that the approval of 4-02093 was for the construction of the stormwater ponds only, and did not test for adequacy of public facilities. Accordingly, this proposal should be conditioned upon the approval of a new preliminary plan of subdivision prior to the approval of a detailed site plan. Subdivision staff had no other comments.

15. The Transportation Planning Section reviewed the plans for conformance with the Countywide Trails Plan and the Adopted and Approved Bowie and Vicinity Master Plan. The property is also formerly a portion of the Maryland Science and Technology Center. The M-NCPPC Department of Parks and Recreation (DPR) owns numerous parcels of land along the Patuxent River, including both to the north and south of the subject site. DPR has implemented natural surface trails on several parcels of the publicly-owned land along the Patuxent. To the south of the subject property, the Governor Bridge Park to the south of US 50 includes numerous natural surface trails to the river, and around various ponds and wetland areas. To the north of the site, M-NCPPC owns the stream valley land behind the Sherwood Manor subdivision. Staff has also worked with the Queen Anne community to implement hiker/equestrian trails in the public land along the Patuxent River near MD 214.

Prior approvals for the subject site reflected the ultimate desire to develop a trail along the Patuxent to connect to existing and planned trails along the river. For example, approved SDP-0301 (SDP for stormwater management ponds, Blocks 5 and 6) included a recommendation for a public use easement to accommodate the future provision of this trail. This condition reads:

3. Prior to Final Plat approval, a 30-foot-wide trail easement shall be recorded for the master-planned trail construction, maintenance and public use.

Land outside the floodplain and environmental buffers will be necessary to accommodate this trail. The trail should be run north-south parallel to the Patuxent River and be designed to accommodate future extensions to both the north and south. Based on a meeting with the applicant on September 28, 2006, this trail will be located outside the PMA and beyond land dedicated to M-NCPPC. It will be incorporated into the area adjacent to and around the stormwater management ponds. This trail will be on HOA land, and should be located within a public use easement to ensure public access to the master plan trail. Consideration should be given to how this stream valley trail will continue to the south in the area of the hamlet. Area outside the PMA and off private lots should be provided to accommodate this trail.

CR-11 also recommends that trails be included as part of the residential development. Development standards 29 and 30 read as follows:

29. Community recreational facilities shall take full advantage of environmental features on and adjacent to the property, and shall include extensive trail and boardwalk systems. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails,

boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.

- 30. The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.**

Access to the open space, educational opportunities, and observation points will be evaluated at the time of detailed site plan in keeping with these development standards.

Development standard 3 of CR-11 also recommends the following regarding sidewalk facilities:

- 1. The conceptual site plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.**

Related to this, the submitted overall color plan includes a note that reads: "Sidewalks on both sides of streets provide a comprehensive pedestrian circulation network throughout. These sidewalks are located parallel to travel lands and clearly separated from vehicular circulation. Connecting these sidewalks between blocks are crosswalks, located at each intersection, to focus pedestrian movement along the safest route. Since the street network is based on interconnected grid system, the most efficient, pleasant, and safe path between two points is along a street".

Staff supports this planned sidewalk network, which is consistent with the guideline above. These sidewalks, in conjunction with connector trails and the stream valley trail, will provide a comprehensive trail and pedestrian network throughout the site. The sidewalk network and internal trails can be evaluated more fully at the time of preliminary plan and detailed site plan. It should be noted that a trail exists around the lower pond. Providing connections to this trail via sidewalks and connector trails should be a priority. This is a popular trail that is used by many nearby residents and recreational cyclists, and it will be an important component of the trail network on the site.

Development standard 15 recommends the following regarding stormwater management facilities:

- 15. The design of the stormwater management ponds shall show them as amenities with gentle natural slopes and extensive native plantings.**

The planned trail parallel to the Patuxent River will be adjacent to the pond and should be designed to complement and enhance the pond. The exact location and type of trail appropriate along this corridor should be determined at either preliminary plan or detailed site plan. Consideration should be given to the most appropriate trail surface for this environmentally sensitive Patuxent River corridor.

Conclusions

In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, prior approvals for the Maryland Science and Technology Center, and CR-11, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:

- a. Provide a stream valley trail parallel to the Patuxent River corridor. This trail shall be within either dedicated M-NCPPC land or on HOA land within a public use trail easement. Where the trail is adjacent to existing or planned ponds, it should comply with development standard 15 of CR-11. At the time of detailed site plan, special consideration should be given to the surface of the trail to ensure that it is compatible with M-NCPPC plans for the Patuxent River stream valley.
 - b. Provide standard sidewalks along both sides of all internal roads, in keeping with development standard 3 of CR-11. In areas of high pedestrian activity, wide sidewalks should be considered.
 - c. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features will be evaluated at the time of DSP.
 - d. Connector trails should also be provided to complement the sidewalk network and provide access between uses and development pods. Priority should be given to providing trail and sidewalk access to the existing trail around the Lower Pond. The comprehensive trail network will be evaluated at the time of preliminary plan and should be in conformance with design standards 29 and 30 of CR-11.
16. The Historic Preservation Commission (HPC) considered this application at a hearing on September 19, 2006, and would like to forward the following recommendations. The recommendations are based on the Historic Preservation Section's staff report as well as the testimony of the applicant and preservation organizations at the meeting.

Historic Preservation Commission Recommendations:

- a. *The site plans should be revised to delineate and note both the Environmental Setting and Impact Area for Melford, Historic Site 71B-016.*
- b. *Prior to approval of this Conceptual Site Plan, plans shall be revised so that proposed buildings do not obstruct the historic vista between the Melford House and the cemetery.*
- c. *Prior to approval of a Detailed Site Plan for this area, the applicant shall demonstrate that plans for new construction within the Impact Review Area follow the guidelines on page 91 of the CDP-8601 document for the former Maryland Science and Technology Center.*
- d. *Prior to acceptance of any Detailed Site Plan for this development, through the Historic Area Work Permit process the applicant shall present a plan and timetable for the*

protection, stabilization, restoration and planned adaptive use of the buildings and gardens of the Melford Historic Site for approval by the HPC and Planning Board. The plan shall be approved (through a HAWP) before approval of the first DSP.

- e. Prior to or at the time of the first building permit application for property within CSP 06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the Historic Area Work Permit process. The restoration of Melford and outbuildings shall be completed by the time 50 percent of these buildings have received building permits.*
- f. Prior to approval of any relevant applications the Historic Preservation Section should certify that all Quarterly Reports have been received in a timely manner and that Melford is being properly maintained.*
- g. Prior to acceptance of any Detailed Site Plan or new Preliminary Plat of subdivision for Melford, the applicant shall identify archaeological resources in the project area by conducting Phase I archaeological investigations.*

A qualified archeologist must conduct all investigations and follow The Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole, 1994) and the Planning Board's Guidelines for Archeological Review (2005). These investigations must be presented in a draft report following the same guidelines. Following approval of the draft report, four copies of the final report must be submitted to M-NCPPC Historic Preservation staff. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations is required prior to acceptance of the development application.

The design of a Phase I archeological methodology should be appropriate to identify slave dwellings and burials. Documentary research should include an examination of known slave burials and dwellings in the surrounding area, their physical locations as related to known structures, as well as their cultural interrelationships. The field investigations should include a pedestrian survey to locate attributes such as surface depressions, fieldstones, and vegetation common in burial/cemetery environs.

If it is determined that potentially significant archaeological resources exist in the project area, prior to Planning Board approval of a preliminary plan of subdivision, the applicant shall provide a plan for:

- (1) Evaluating the resource at the Phase II level, or*
- (2) Avoiding and preserving the resource in place.*

***[Staff] Comment:** The recommendations above have been included in the recommendation section of this report except for the condition relating to the Phase I report. The applicant submitted a Phase I archaeology report and the Historic Preservation Section analyzed the Phase I report. Phase I (Identification) archeological investigations have been completed on the 63-acre

parcel, which is the area identified as undisturbed on the overall conceptual Site Plan. Staff has not completed the review of the Phase I draft report; however, the following is a summary. Three previously identified archeological sites are present on the subject property, 18PR30, 18PR164, and 18PR165. Phase I archeological investigations were carried out in five survey areas. Prehistoric site 18PR30 in Area D has been impacted by modern ground disturbance and no further work was recommended on this site. Staff concurs that no further archeological investigations are necessary on site 18PR30, as most of it has been impacted by vegetation clearance and grading and that no further archeological investigations are necessary in Areas B, C, D, and E.

Area A is the location of sites 18PR164, Melford house, and 18PR165, the Duckett Cemetery. Shovel test pits (STPs) in this area yielded 301 historic artifacts and four historic features. A surface inspection was made of the area around the extant cemetery and no additional burial features or depressions were noted outside of the gated area. However, no subsurface investigations were carried out in this area. Phase II archeological evaluation was recommended for Area A due to the presence of intact cultural features and soil deposits. Staff concurs that a Phase II archeological evaluation of the area around the Melford main house, 18PR164, and cemetery, 18PR165, is necessary. A Phase II scope of work should be submitted and approved prior to submission of the Preliminary Plan of Subdivision. The Phase III investigations should be completed and approved prior to approval of any detailed site plan or further development plan.

Historic Preservation Section's Analysis

The District Council, in its original approval in 1982, approved A-9401 with conditions. Condition 6 concerned the environmental setting for Melford.

- 6. Prior to or as part of the submittal of a comprehensive design plan for the subject parcel, an environmental setting shall be determined for the historic site (Melford) to define the relationship between the site and the proposed development. Building heights, landscaping and open-space character of the development shall be determined to protect the character of the historic site.**

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

Block 1 of the Melford development includes the Environmental Setting and Impact Review Area of Melford. Melford is a two-part brick and stone plantation house, constructed in the 1840s for the Duckett family; it is distinguished by a two-story semicircular projecting bay and parapetted double chimney at one gable end, and has interior decorative details in the Greek Revival style. Because of its outstanding architectural characteristics, Melford was listed in the National Register of Historic Places in 1988.

The Environmental Setting of the Melford Historic Site is in two parts: 2.7158 acres including the house and immediate grounds, and the non-contiguous 1.1309-acre cemetery parcel. This setting and a 12.75 acre Impact Review Area were determined by the HPC in 1986 as part of CDP-8601 (page 80). The first part includes, in addition to the house, two 19th-century outbuildings and a 20th-century pumphouse, and terraced gardens stretching to the east of the house. The cemetery parcel includes the 19th-century burial ground of the Duckett family. The 12.75-acre impact review area includes both parts of the Environmental Setting and the lower-lying land between them, per Planning Board Resolution 99-28(A).

MIE Properties had met with the HPC in April 2002 and agreed to develop a Preservation Plan and Maintenance Recommendations Plan, as the Melford House had become vacant and there was no intention of finding a new caretaker/tenant in the near future. The Historic Preservation Commission reviewed the applicant's Preservation Plan for Melford in November of 2002. The Heritage Resource Group prepared the plan for MIE. Its purpose was to make recommendations for the repair and maintenance of the buildings and grounds in the short term and to make long-term recommendations for the next three to five years. At the November 2002 meeting, the applicant committed to preparing quarterly reports describing the condition of the Melford House and grounds with an explanation of plans and status of any work on the property. The HPC encouraged the owner to work closely with staff regarding any work performed on the house.

The Ottery Group prepared a Condition Assessment and update to the Maintenance and Preservation Plan in February 2005. Quarterly Reports have been received through April 2006.

In September 2003, the HPC also reviewed and made recommendations to the Planning Board on Specific Design Plan 0310. The recommendations were that 1) plans be revised so that proposed buildings do not obstruct the historic vista between the Melford House and the cemetery; 2) detailed elevation drawings and cross sectional views be submitted as required by Resolution 99-28(A); and 3) Plans for new construction within the Impact Review Area follow the guidelines on page 91 of CDP-8601 document. The applicant withdrew the application.

Historic Preservation Staff Findings

- a. The submission states specific ways the applicant will be in compliance with the county's Guidelines for Historic Preservation for Parcel 1, which includes Melford. The applicant states that currently, both the Melford House and the cemetery are hard to access and that this plan will include paths, open spaces and streets that will allow county residents to easily visit and learn of their significance. The applicant also states that the buildings planned to be adjacent to the Environmental Setting and within the Impact Review Area will be designed to complement the Melford House, and that only minimal on-street parking spaces will be in clear view of the Melford House. Both the HPC and Planning Board will approve any interpretive plaques or signage to be placed near the historic site for wording and design.
- b. The applicant states that restoration efforts will focus on the retention of existing architectural characteristics and natural features. It is noteworthy that in order to promote

local awareness of local historic heritage, the applicant has renamed this development using the subject property's historic name. The applicant plans to preserve the Melford House and Cemetery and utilize them as a focal point for the development. The circulation network is designed on axis with Melford House to ensure views and access are preserved.

- c. The applicant's site plan shows new streets within the Impact Review Area. The plan also shows 60 three-story residential condominiums facing Melford. Six of these units are within the site line between Melford and the cemetery. Across Curry Drive a four story mixed-use building is shown which will contain 13,000 GSF of retail with multifamily above. A Town Commons is shown to the south of this building, visually linking Melford and the Patuxent River.
- d. The subject Conceptual Site Plan proposes only formal fronts of small groupings of townhouses facing the historic structures, all of which would be visible from the Historic Site and would have an adverse impact on the views to and from both parts of the Environmental Setting.
- e. The view from the cemetery is directly into the parking lot. This view should be buffered.
- f. The design guidelines proposed should be further refined at the detailed site plan stage. Specifically, the architecture directly adjacent to Melford should be reviewed for compatibility with Melford and include design elements of the proposed façades. The elevations of buildings should be designed in a manner compatible with the traditional, balanced character of Melford. A generally balanced window arrangement common to buildings of the mid nineteenth century should be employed. Sheathing materials should be limited to an approved palette and brick veneers that reflect the colour, design, size and arrangement of brick as traditionally found in Prince George's County. The use of non-traditional bricks in light colours and the combination of brick colors and sizes within a single structure should be prohibited. Special attention should be paid to the material and pitch of roofs visible from Melford. Non-traditional roof slopes should not be allowed, and large expanses of roof should be mitigated with the introduction of cross-gables or dormers. The design of chimneys, decks and railings visible from the Historic Site shall be carefully considered. All chimneys should be of masonry construction. Deck and balcony railings, flush railings and other vertical elements of porches, decks and balconies visible from Melford should be compatible with its traditional architectural character and constructed of finished lumber that is painted to match the trim colours used on the associated building. Pressure treated dimensional lumber should only be used for horizontal elements of porches, decks and balconies.

Conclusions

- a. Protection of the views between Melford and the cemetery was one of the conditions of approval of Preliminary Plan of Subdivision 4-98076 (Resolution 99-28(A)) The conceptual site plan was revised to protect these views, specifically, plans were revised so that buildings that obstruct the historic vista are not proposed for the area between the Melford house and the cemetery.
 - b. Consideration should be given to providing limited buffering around the boundaries of the two parts of the Melford Environmental Setting.
 - c. New construction within the Impact Review Area should follow the guidelines on page 91 of CDP 8601 (1986) document for the former Maryland Science and Technology Center. [Note: Staff had not yet located copies of these guidelines at the time the staff report was written. They will be provided to the Planning Board prior to the public hearing.]
 - d. Quarterly reports should continue to be submitted by St. Johns Properties, Inc. until restoration is completed, so that the Historic Preservation Commission (HPC) and staff may monitor the condition of the Melford house, grounds and cemetery.
17. The Historic Preservation and Public Facilities Planning Section has reviewed the conceptual plan for a 259-acre site with a 262,921,740 square feet commercial/retail area and 866 residential dwelling units. The development is proposed to be located at the northwest quadrant of the intersection of US-301 and John Hanson Highway. This referral is being provided in response to a request by staff and is for informational basis as there are no required adequate public facility findings for conceptual site plans.

Fire and Rescue Facilities

The Prince George's County Planning Department has determined that this plan is within the required seven-minute response time for the first due fire station Bowie Company 39 using the Seven-Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire Department.

Police Facilities

The proposed development is within the service area for Police District II Bowie. The police facilities test is done on a countywide basis in accordance with the policies of the Planning Board. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police and the latest population estimate is 825,520. Using the 141 square feet per 1,000 residents, it calculates to 116,398 square feet of space for police. The current amount of space, 267,660 square feet is above the guideline.

School Facilities

The applicant’s proposal calls for 866 dwelling units. These dwelling units are projected to yield 208 elementary school students, 52 middle school students and 104 high school students. The following table indicates how the three assigned schools’ capacities would be impacted by this project.

Assigned School	Enrollment Sept 2005	Subject Site Student Yield	Total Enrollment	State Rated Capacity	Percent of Capacity
Yorktown Elementary	417	208	625	452	138
Samuel Ogle Middle	911	52	963	850	113
Bowie High	2,851	104	2,955	1,934	153

In addition, the subject application is subject to a school fee of \$7,000 per dwelling if a building is located between interstate highway 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

18. The Environmental Planning Section has reviewed revised plans for Conceptual Site Plan, CSP-06002, and the Type I Tree Conservation Plan, TCPI/44/98-02, for the Melford site, stamped as received on December 4, 2006. The Environmental Planning Section recommends approval of Conceptual Site Plan CSP-06002 and revised Type I Tree Conservation Plan, TCPI/44/98-02, with conditions. The Environmental Planning Section previously reviewed plans for the site when it was zoned E-I-A and known as the University of Maryland Science and Technology Center.

Type I and Type II Tree Conservation Plans, (TCPI/44/98 and TCPII/36/99, respectively) are associated with the site based on previous approvals by the Planning Board of a Preliminary Plan of Subdivision (4-98076), Comprehensive Design Plan (CDP-8601) and several Specific Design Plans (SDP-0201, SDP-0203, SDP-0301 and SDP-0405) when the site was zoned E-I-A, a comprehensive design zone. Portions of the site have been developed with office and flex-warehouse buildings. The plan represents a –02 revision to TCPI/44/98 and is the first plan to show development on the southeastern portion of the property.

Development of the site is now proposed under the M-X-T zone requirements, which require a Conceptual Site Plan (CSP) and Detailed Site Plan (DSP). The scope of the CSP includes a hotel, office, retail, restaurant, research and development space, and residential pods for single and multifamily attached dwellings (townhouses and condominiums, respectively), and single-family detached dwellings. Residential uses were not allowed under the previous zoning of E-I-A.

The property is located in the northeast quadrant of the intersection of US 50 and MD 3/US 301, and contains 431.55 acres in the M-X-T zone. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on this property. The predominant soils found to occur, according to the Prince George's County Soil Survey, include Adelphia, Collington, Mixed alluvial land, Ochlockonee and Shrewsbury. The Mixed alluvial land and the Adelphia soils have limitations with respect to high water tables and impeded drainage. The other soil series pose few difficulties to development. According to available information, Marlboro clay is not found to occur in the vicinity of this property. US 50 (John Hanson Highway) is an existing freeway and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property; however, there are records of 'species of concern' known to occur within the vicinity of the site. There are no designated scenic and historic roads in the vicinity of this property. According to the adopted Countywide Green Infrastructure Plan, all three network features (Regulated Areas, Evaluation Areas and Network Gaps) are present on the site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River, and is located in the Developing Tier in the adopted General Plan.

Environmental Review

- A. The TCPI and the CSP do not show the same layout. The illustrative plan shows the construction of many units in the northeastern corner of the site and the southeastern portion that are not consistent with the TCPI.

Recommended Condition: The illustrative plan provided with the CSP is for illustrative purposes only and does not reflect the final layout with respect to the limits of disturbance or the placement of residential units. It will be used as a guide for the layout to be reviewed with the preliminary plan of subdivision.

- B. A revised TCPI was stamped as received on December 4, 2006. The TCPI is very hard to read. It is almost impossible to read the conceptual grading due to the various shading patterns. The patterns that mask the information underneath should be lightened or removed from all the sheets. The "existing tree line" that has been added to the plan is unclear because it is not possible to tell which side of the line contains the woods. It is, for the most part, correct; however, it needs to be revised in a few places. Staff Exhibit 'A' reflects the correct existing tree line. This plan was provided to the applicant's engineer in a meeting held on December 11, 2006.

The previously approved TCPI (March 6, 2003) does not show the clearing of the southeastern portion of the site nor has a development proposal for this portion of the site been reviewed previously. The woodlands that exist on the subject portions of the property were previously being used to meet the overall requirements until such time as development is proposed in this area. The shading used to represent **the previously**

approved clearing on the TCPII should be removed from the TCPI in favor of a limit of disturbance that reflects the currently proposed development.

As with all TCPIs that are associated with a CSP or CDP, the TCPI is subject to change with the preliminary plan application. A note is needed on the TCPI so that it is clear which approval it is associated with and so it is clear that additional revisions may be required during the review of the preliminary plan. The worksheet and associated tables on the plan need to be completed and updated to reflect the current proposal. The table on sheet 1 currently says there are only 21.44 acres of conservation proposed on-site while the worksheet shows 64.33 acres. After the plans have been revised, they must be signed and dated by the qualified professional who prepared and checked the plans.

Recommended Condition: Prior to signature approval of the CSP and TCPI, the TCPI shall be revised as follows:

- a. Revise the shading patterns so that the information underneath is legible;
 - b. Eliminate the pattern used to depict previously approved limits of disturbance and show only that limit of disturbance needed for the proposed development;
 - c. Eliminate all clearing not necessary for the conceptual construction of the features shown;
 - d. Revise the existing tree line per Staff Exhibit A;
 - e. Provide labels on each cleared area with the acreage and which land pod it is credited to; if cleared areas cross pods, divide them up so that the table on sheet 1 can be checked for correctness;
 - f. Revise the worksheet to reflect all cleared areas, preservation areas, etc.;
 - g. Revise the table on Sheet 1 to fill in all the boxes;
 - h. Add the following note: "This TCPI is associated with the approval of CSP-06002 and as such is conceptual in nature. It is subject to further revisions with the preliminary plan of subdivision application.";
 - i. Revise the plans to address all other comments; and
 - j. Have the revised plans signed and dated by the qualified professional who prepared the plans.
- C. The following design guidelines listed in Section 27-274 of the Zoning Ordinance are relevant to the current review. A statement regarding how the CSP is in conformance with these design guidelines has not been provided.

“(5) Green area.

- (vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site...”**

“(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.”**

“(11) Townhouses and three-family dwellings

- (A) Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.”**

There are several areas where the proposed clearing and grading shown on the TCPI is excessive and not necessary for the development proposed. While these areas may have been approved for clearing previously under a plan to mass grade the site for the construction of the stormwater management ponds, any area that is now subject to the design guidelines for a CSP (and CR-11) should be reconsidered – especially because these areas were never cleared. CR-11-2006 describes the areas of “significant on-site natural features” addressed in 27-274 as the 100 foot-wide stream buffers and the 150 foot-wide floodplain buffer. A 150 foot-wide building setback also contributes to the preservation of the natural features of the site.

Recommended Condition: Prior to signature approval of the CSP and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCPI associated with the CSP shall be revised to remove all buildings, roads, trails and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain. Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbance to the stream and floodplain buffers shall be eliminated. Where these buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The TCPI associated with the preliminary plan will be evaluated for impacts to these buffers for the installation of stormwater management

outfalls as necessary. The 150-foot building setback shall be shown on the plans and shall be honored.

- D. The area at the headwaters of the “linear wetland” in the middle of the site has been shown on all previous approvals to be protected. The current plan shows an additional 1.45 acres of clearing and the elimination of the 1.24 acres of afforestation shown on the previously approved TCPII in this area. In order to protect this precious headwaters area, and to be consistent with previous approvals, future revisions to the TCPI should evaluate how this area can be protected.

Recommended Condition: During the review of the TCPI associated with the preliminary plan, the linear wetland in the middle of the southeastern portion of the site shall be evaluated to ensure its protection in a manner consistent with previous approvals.

- E. The Maryland Department of Natural Resources Wildlife and Heritage Division issued a letter dated May 18, 2001, that states that there are no records of rare, threatened or endangered plants or animals within this project site. A MDNR database indicates that there are recent records of species of concern known to occur within the vicinity of the site; however, the portions of the subject property currently under review would not be likely to support the species listed. Much of the subject property currently under review, while presently wooded, has been disturbed over the course of the last few decades as indicated by the presence of Virginia pine and the small diameter of the trees on-site. The site that is “in the vicinity” is likely the Nash Woods property located west of the subject property across US 301. If any regulated species are present on the site, they would be located within the areas proposed for preservation: the streams, wetlands, floodplain and their associated buffers.

*[Staff] Comment: No additional information is required with regard to rare, threatened or endangered species.

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

19. The staff of the Department of Parks and Recreation (DPR) has reviewed Conceptual Site Plan CSP-06002. Our review considered the recommendations of the CR-11-2006, the approved Master Plan And Sectional Map Amendment For Bowie And Vicinity for Planning Area 71B, the Land Preservation and Recreational Program for Prince George’s County, current zoning and subdivision regulations, and existing conditions in the vicinity of the proposed development.

The subject property is located in the northeast quadrant of intersection of Robert Crain Highway (US 301) and John Hanson Highway (US 50) in the City of Bowie. The 2006 approved Bowie and Vicinity Sectional Map Amendment for Planning Area 71B rezoned the property (259 acres) from the E-I-A Zone to M-X-T. The property adjoins Patuxent River (on the east) and includes the floodplain along the river. The applicant proposes mixed-use, high-density development

consisting of a mixture of office, research and development, retail, hotel and residential (single family detached, single family attached, multi family, senior housing, live/work units) uses.

The applicant proposes 866 residential units, which will generate approximately 2165 new residents in the community. The approved Master Plan describes the vision of the plan as providing a variety of safe public parks, plazas, and open spaces for recreation, relaxation and socialization in proximity to the community they serve. The goal of the master plan is to provide parks and recreation acreage that complies with standards set by the National Recreation and Parks Association, the State of Maryland, and the 2002 Prince George's County General Plan.

The standards referenced above call for the provision of 15-acres of local parkland for every thousand residents. The standards also recommend an additional 20 acres of regional parkland for every thousand residents. Only 13 acres of parkland per one thousand residents are currently available in the Bowie area. Staff has performed some very general analysis using available information. By applying the above-mentioned standards, staff concludes that 32 acres of additional local and 43 acres of additional regional parkland will be needed to serve the anticipated population of the new development.

DPR staff met with applicant and developed a mutually acceptable package of public park and recreation needed to serve new residents and surrounding community. The applicant agreed to dedicate the 100-year floodplain and floodplain buffer adjoining the Patuxent River to M-NCPPC for incorporation into the Patuxent River Park system. The applicant further agreed to construction of a master planned trail as shown on park exhibit and trailhead facilities including a park access road and gravel parking lot. In addition, the applicant offered a contribution of \$250,000 for the construction of the regional athletic complex at Green Branch Community Park located south of US 50, next to Prince George's Stadium. This contribution will accelerate the design and construction of the phase one of the project.

The approved Master Plan and Sectional Map Amendment for Bowie and Vicinity includes specific design guidelines pertaining to Melford. The plan states that development at Melford shall conform to the following standards and guidelines:

- (3) The conceptual site plan shall have an integrated network of open space, public or private and shall give priority to public space and appropriate placement of uses.**

*[Staff] Comment: The applicant proposes a network of private and public open space. DPR staff recommends dedication of parkland as shown on attached Exhibit "A."

DPR staff recommends construction of the master plan trail along the Patuxent River, park access and a trailhead parking lot on dedicated parkland to complement the private recreational facilities package. Boardwalks, bridges, observation points, and education stations shall be considered along the trail at the time of review and approval of the detailed site plan.

- (4) The community shall be focused upon an open space network consisting of the Melford house and its historic vista, and other public spaces, which are surrounded**

by a combination of commercial, civic, cultural or recreational facilities. The network shall be designed with adequate amenities to function as fully shared space for the entire community.

*[Staff] Comment: The applicant showed an open space network including Melford house and its historic vista, but the concept plan has not provided full information to determine the adequacy of recreational amenities in the open space. DPR staff believes that recreational amenities in the open space should be reviewed and approved at the time of the detailed site plan (DSP).

(5) The community shall contain additional linked open space in the form of squares, greens, parks, and trails that are accessible, safe and comfortable. The open space should provide a variety of visual and physical experiences. Some of these open spaces should be bordered by buildings and be visible from streets and buildings.

*[Staff] Comment: The applicant shows pocket private parks on the plan and in the statement of justification; the applicant mentions that there will be also space for a traditional clubhouse to serve the proposed residential development.

(29) Community recreational facilities shall take full advantage of environmental features on and adjacent to the property and shall include extensive trail and boardwalk system. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails, boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.

*Denotes Correction

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*[Staff] Comment: The applicant proposes a trail network on private property and on property to be dedicated to the M-NCPPC and the City of Bowie. DPR staff believes that the public parkland along the Patuxent River will become a destination point not only for the residents and employees and guests of Melford but to the general public and public schools in the area as well. The recreational facilities package, including educational features such as kiosks along the trails, boardwalks at observation points, and education stations, should be reviewed and approved at the time of DSP.

(30) The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.

*[Staff] Comment: The applicant did not indicate on the plan which of the roads will be private and which will be city maintained roads. Either a public road should be extended to the dedicated parkland or a public access easement should be recorded from the US 301 to

the dedicated parkland to provide public access to the park over private streets.

The subject CSP-06002 includes a 100-year floodplain on the east side of the property to be dedicated to the M-NCPPC. DPR Exhibit "A" attached to this memorandum shows the area to be conveyed to M-NCPPC.

The master plan recommends hiker/biker equestrian trail construction along the Patuxent River. The applicant agreed to construction of a hiker/biker and equestrian trail in the 100-year floodplain buffer area. Since it may not be desirable (because of environmental features of the site) to build the trail on land to be dedicated to M-NCPPC, the applicant agreed to construct the trails in the easement on private property at a location agreeable to DPR. The specific location of the trail shall be established at the DSP stage review and approved when additional information is available to evaluate if the trail can be built on dedicated parkland or if it must be built in the easement on private property.

Conclusion

The DPR staff concludes that the applicant has fully demonstrated that the proposed development addresses the recommendations of the approved Master Plan and Sectional Map Amendment for Bowie and Vicinity for Planning Area 71B, the Land Preservation and Recreational Program for Prince George's County, current zoning and subdivision regulations, and existing conditions in the vicinity of the proposed development.

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In summary, DPR staff believes that combination of private and public recreational facilities, parkland dedication as shown on attached DPR Exhibit "A", the construction of the master planned trail and trail connectors on dedicated parkland and in trail easements (when the trail cannot be constructed on parkland) and the provision of trailhead facilities, kiosks along the trails, boardwalks at observation points and education stations and contribution of \$250,000 for the construction of off-site public recreational facilities addresses the recreational needs of the new residents.

The Department of Parks and Recreation staff recommends to the Planning Board the following conditions of approval for Conceptual Site Plan CSP-06002:

- a. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.
- b. The dedication of 108± acres including but not limited to 100-year floodplain and

floodplain buffer to the M-NCPPC as shown on the Department of Parks and Recreation (DPR) Exhibit "A."

- c. Land to be conveyed shall be subject to conditions 1 through 9 of attached Exhibit "B".
 - d. The applicant shall construct a 10-foot-wide asphalt surface hiker/biker/equestrian trail along the Patuxent River. DPR staff shall determine the exact location of the trail at the time of the DSP review and approval. The trail shall be located on dedicated parkland and/or in an easement where appropriate. The trail shall be connected to trailhead facilities on dedicated parkland. The applicant shall construct the master planned trail in phase with development.
 - e. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on dedicated parkland.
 - f. The applicant shall construct eight-foot-wide asphalt trail connectors from the neighborhoods to the master planned trail along the Patuxent River. The location of the trail connectors shall be determined at the time of DSP.
 - g. The applicant shall construct an access road and gravel parking at the public access/trailhead. The specific location and size of the parking lot shall be determined at the time of DSP.
 - h. Prior to the approval of the first final plat for the project, the applicant shall make a monetary contribution in amount of \$250,000 for the design and construction of the Green Branch Athletic Complex.
 - i. Prior to issuance of the 50 percent of the residential building permits, all public recreation facilities shall be constructed.
 - j. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.
 - k. The applicant shall submit three original, executed recreational facilities agreements (RFAs) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
 - l. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits.
20. The Community Planning Division found that the application is consistent with the 2002 *General*

Plan Development Pattern policies for the Developing Tier. CSP-06002 is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable.

The 2006 *Bowie & Vicinity Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* rezoned the property from the E-I-A Zone to the M-X-T Zone. The 2006 *Approved Bowie & Vicinity Master Plan* recommends mixed-use development for the Melford property. It recommends the area be developed with a moderate- to high-density mixture of office, employment, retail, hotel, residential and parkland/open space uses (p.12, the master plan, p.40, CR-11-2006). The plan recommends that the component for residential development be provided in the range of 20 percent to 30 percent of the total development and the component for office/employment/retail/hotel development be provided in the range of 70 percent to 80 percent. The residential component shall be no greater than 866 dwelling units. The residential component shall include single-family attached residential (6 to 11 dwellings per acre), multifamily residential (at up to 30 dwellings per acre), senior housing units (p.40, CR-11-2006) and live/work units. This application conforms to the land use recommendations for mixed-use development of the 2006 *Approved Bowie & Vicinity Master Plan*. However, the proposal has a few minor inconsistencies with the master plan's Melford illustrative concept map.

*[Staff] Comment: The proposal is consistent with the master plan's guidelines. However, the applicant has not provided enough information for staff to evaluate the percentage of senior housing stated per CR-11-2006 on page 40.

Land Use Patterns

Plan Recommendations: The Melford illustrative concept map in the master plan shows office development north of US 50. It shows higher residential development in the midst of the property.

Applicant's proposal: The applicant's proposal shows R&D buildings for the area immediately north of John Hanson Highway (US 50) and provides single-family attached residential development and a public use the midst of the property. It adds offices to the central area.

*[Staff] Comment: These changes do not impair the integrity of the Melford Illustrative Concept.

21. The application was sent to the City of Bowie and the following letter dated April 4, 2006, G. Frederick Robinson, Mayor, to Chairman Parker, contains the City's recommendation for this project:

“The City has received notice of a Conceptual Site Plan (CSP) filed by St. John Properties for mixed-use development on 334 acres of land located in the northeast quadrant of US 50/301 and MD 3 at the site now known as Melford (i.e. the Maryland

Science and Technology Center). The plan includes 2,622,740 square feet of employment use, including a 200,000 square foot hotel/conference center and 65,000 square feet of retail and restaurant uses. The plan also includes 866 dwelling units (including 20-25 percent senior units).

“While some of the uses proposed in the CSP are permissible under the City's covenants on the property, residential use is not. Therefore, the developer cannot implement the plan, as proposed. The City Council finds that the proposed development plan should not be approved because it cannot be implemented due to the conflict with City covenants. The City therefore recommends DISAPPROVAL of CSP 06002 for Melford.”

- 22. At the Planning Board hearing, a number of residents of the Sherwood Manor Subdivision testified in opposition to the case, incorporating exhibits (Opponent Exhibits No. 1-13) into the record.
- 23. As required by Section 27-276(b), the CSP 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.

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

*24. The applicant submitted the following proposed development standards for consideration:

	<u>SFA</u>	<u>SFD</u>	<u>MF</u>
<u>Unit Count</u>	<u>341~316</u>	<u>25~50</u>	<u>500</u>
<u>Unit Size</u>	<u>2,400–2,600 sf</u>	<u>3,000–4,000 sf</u>	<u>1,000 sf</u>
<u>Lot Size</u>	<u>1,200–2,400 sf</u>	<u>4,700–50,500 sf</u>	<u>N/A</u>
<u>Minimum width at front street R-O-W.</u>	<u>20'</u>	<u>55'</u>	<u>N/A</u>
<u>Minimum Frontage on Cul-de-sacs</u>	<u>N/A</u>	<u>45'</u>	<u>N/A</u>
<u>Maximum Lot Coverage</u>	<u>65%-85%</u>	<u>40%</u>	<u>90%</u>
<u>Minimum Setback from R-O-W.</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<u>Minimum Side Setback</u>	<u>None</u>	<u>10'</u>	<u>10'</u>

<u>Minimum Rear Setback</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Minimum Corner Setback to Side Street R-O-W.</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<u>Maximum Residential Building Height</u>	<u>40'</u>	<u>35'</u>	<u>50'</u>
<u>Minimum Green Area</u>	<u>N/A</u>	<u>N/A</u>	<u>10%</u>

***[Staff] Comment:** The proposal appears to meet the requirements of CR-11-2006 in regard to guideline number 7. The staff suggests that the minimum finished living area for the single-family detached be increased slightly to accommodate a minimum of 20 percent of the units with a minimum finished living area of 4,000 square feet. In order to address building height issues, the staff recommends an additional five feet in the height of buildings for the single-family detached units.

In regard to the single-family attached units, the minimum lot size is subject to Section 27-548, which requires not less than 1,800 square feet of area. The lot coverage for the single-family attached should be adjusted to conform to the R-T regulations that govern yard area. Setbacks for the single-family units should be increased to 20 feet, if there are front load garages proposed, in order to allow for on-lot parking. In order to address building height issues, the staff recommends an additional five feet in the height of buildings for the single-family attached units as well.

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In regard to the multifamily units, which category should also include dwelling types other than a single-family units such as two-over-two (stacked townhouse) units, the lot coverage should be reduced to no more than 80 percent and the green area should not be less than 20 percent. However, if the application for detailed site plan is for an urban, densely designed portion of the project that includes structured parking, then the applicant's proposal of 90 percent lot coverage and 10 percent green area should be acceptable. The building height of multifamily should be increased to 60 feet.

As has been the accepted process for the development of standards at the early phases of the development review process, the staff does recommend that a standard note be attached to the proposed chart that allows for variations to the standards on a case-by-case basis.

*25. The application indicates that there will be some private recreational facilities for the site, as shown on the recreational plan, but the identification of those facilities is somewhat vague, as the plan uses terminology that is not consistent with the Parks and Recreational Facilities Guidelines. Therefore the staff recommends that the plans be revised prior to signature approval to be consistent with those guidelines and to indicate a timing element for the construction. Further, at the time of the preliminary plan of subdivision, a determination of the appropriateness of providing indoor recreational facilities and/or community meeting space, and a timing element associated with their construction, should be addressed.

*26. The Maryland Department of Planning (MDP) sent a letter dated November 28, 2006, to Chairman Parker requesting the opportunity to review the conceptual site plan application. A copy of the application was sent to the MDP. As of the writing of this report, no comments have been submitted to this office.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/44/98-02), and further APPROVED Conceptual Site Plan CSP-06002 for the above-described land, subject to the following conditions:

1. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. Any development with an impact beyond that identified herein above shall require a revision to the CSP with a new determination of the adequacy of transportation facilities.
2. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

(A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

(B) At US 301/Gov. Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane.

3. The site plans should be revised to delineate and note both the Environmental Setting and Impact Area for Melford, Historic Site 71B-016.
4. Applicable detailed site plans shall demonstrate that proposed buildings do not obstruct the historic vista of the Melford House.

5. Prior to approval of a detailed site plan for this area, the applicant shall demonstrate that plans for new construction within the impact review area follow the guidelines on page 91 of the CDP-8601 document for the former Maryland Science and Technology Center.
6. Prior to acceptance of any detailed site plan for this development, through the historic area work permit process the applicant shall present a plan and timetable for the protection, stabilization, restoration and planned adaptive use of the buildings and gardens of the Melford Historic Site for approval by the HPC and Planning Board. The plan shall be approved (through a HAWP) before approval of the first DSP.
7. At the time of detail site plan for the development Melford Historic Site, outbuildings, and cemetery shall be compatible in scale, design, and character with the existing historical architectural character. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming and open space, should be incorporated into the proposal to minimize any adverse impacts to the historic site
8. Prior to issuance of building permits for the overall property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and outbuildings shall be completed prior to the release of 50 percent of the buildings for the residential units located within Block 1.
9. Prior to approval of any preliminary plan or detailed site plan applications, the Historic Preservation Section shall certify that all quarterly reports have been received in a timely manner and that Melford is being properly maintained.
10. Provide standard sidewalks along both sides of all internal roads, in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks should be considered.
11. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate and shown on all affected DSPs.
12. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the Lower Pond. The comprehensive trail network will be evaluated at the time of preliminary plan and should be in conformance with guidelines 29 and 30 of CR-11-2006.
13. The illustrative plan provided with the CSP is for illustrative purposes only and does not reflect the final layout with respect to the limits of disturbance or the placement of residential units. The CSP shall be used as a guide for the layout to be reviewed with the preliminary plan of subdivision, and the detailed site plans.

14. Prior to signature approval of the CSP and TCPI, the TCPI shall be revised as follows:
 - a. Revise the shading patterns so that the information underneath is legible;
 - b. Eliminate the pattern used to depict previously approved limits of disturbance and show only that limit of disturbance needed for the proposed development;
 - c. Eliminate all clearing not necessary for the conceptual construction of the features shown;
 - d. Revise the existing tree line per Staff Exhibit A (2006 Aerial);
 - e. Provide labels on each cleared area with the acreage and which land pod it is credited to; if cleared areas cross pods, divide them up so that the table on sheet 1 can be checked for correctness;
 - f. Revise the worksheet to reflect all cleared areas, preservation areas, etc.;
 - g. Revise the table on Sheet 1 to fill in all the boxes;
 - h. Add the following note: “This TCPI is associated with the approval of CSP-06002 and as such is conceptual in nature. It is subject to further revisions with the preliminary plan of subdivision application.”;
 - i. Revise the plans to address all other comments; and
 - j. Have the revised plans signed and dated by the qualified professional who prepared the plans.
15. Prior to signature approval of the CSP and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCPI shall be revised to remove all buildings, roads, trails and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain. Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbance to the stream and floodplain buffers shall be eliminated. Where these buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The TCPI associated with the preliminary plan will be evaluated for impacts to these buffers for the installation of stormwater management outfalls as necessary. The 150-foot building setback shall be shown on the plans and shall be honored.
16. During the review of the TCPI associated with the preliminary plan, the linear wetland in the middle of the southeastern portion of the site shall be evaluated to ensure its protection in a manner consistent with previous approvals.
17. Prior to approval of a detailed site plan, a new preliminary plan of subdivision for the proposed residential development shall be approved.

18. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.
19. The applicant shall dedicate 108± acres including but not limited to 100-year floodplain and floodplain buffer to the M-NCPPC as shown on the Department of Parks and Recreation (DPR) Exhibit “A”.
20. Land to be conveyed shall be subject to conditions 1 through 9 of attached Exhibit “B”.
21. The applicant shall construct a ten-foot-wide asphalt surface hiker/biker/equestrian trail along the Patuxent River. DPR staff shall determine the exact location of the trail at the time of the DSP review and approval. The trail shall be located on dedicated parkland and/or in an easement where appropriate. The trail shall be connected to trailhead facilities on dedicated parkland.
22. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on dedicated parkland.
23. The applicant shall construct 8-foot-wide asphalt trail connectors from the neighborhoods to the master planned trail along the Patuxent River. The location of the trail connectors shall be determined at the time of DSP.
24. The applicant shall construct an access road and gravel parking at the public access/trailhead. The specific location and size of the parking lot shall be determined at the time of DSP.
25. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of \$250,000 for the design and construction of the Green Branch Athletic Complex.
26. Prior to issuance of the 50 percent of the residential building permits, all public recreation facilities shall be constructed.
27. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.
28. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

29. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits.
30. Prior to the approval of the Preliminary Plan and Detailed site plan, the following shall be demonstrated:
 - a. A minimum of 20 percent of the units shall be senior housing and a maximum of 25 percent of the units shall be senior housing, in both the single-family attached units and the multifamily units.
 - b. All residential development proposals shall demonstrate that interior noise levels will conform to State of Maryland (COMAR) noise regulations.
 - c. Development plans shall show the minimization of impervious surfaces through various phases of the project. Early phases of the project may use surface parking and later phases of development will seek to reclaim the surface parking by the use of structured parking to the maximum extent possible.
 - d. Streams shall have a 100-foot natural buffer and a 150 foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, than an equal area of natural buffer alternative shall be retained on the community property.
 - e. Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested in cooperation with the appropriate utility.
 - f. Community recreational facilities shall take full advantage of environmental features on and adjacent to the property, and shall include extensive trail and boardwalk systems. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails, boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.
 - g. The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.
31. Prior to the to submission of the Preliminary Plan of Subdivision, the applicant shall provide a plan for evaluating the resource at the Phase II level. In accordance with the *Guidelines for Archeological Review*, if a Phase II archeological evaluation is necessary, the applicant shall submit a research design for approval by Historic Preservation staff. After the work is completed, the applicant shall provide a final report detailing the Phase II investigations and ensure that all artifacts are curated to MHT Standards, prior to approval of the preliminary plan.

32. If a site has been identified as significant and potentially eligible to be listed as a historic site or determined eligible for the National Register of Historic Places, the applicant shall provide a plan for:
- a. Avoiding and preserving the resource in place, or for
 - b. Phase III data recovery investigations and interpretation.

Phase III Data Recovery investigations may not begin until Historic Preservation staff have given written approval of the research design. The Phase III (Treatment/Data Recovery) final report must be reviewed and be determined to have complied with the *Guidelines for Archeological Review* prior to approval of any grading permits within 50 feet of the perimeter of the site.

33. Prior to the approval of a detailed site plan for each of the following uses, the plans shall demonstrate conformance to the following guidelines:
- a. Retail uses shall be designed to:
 - i. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining; and providing attractive gateways/entries and public spaces.
 - ii. Create outdoor amenities, such as brick pavers, tree grates, decorative lighting, signs, banners high quality street furniture and extensive landscaping, including mature trees.
 - iii. Create attractive architecture by using high-quality building materials such as stone, brick or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes and customized shopfronts to create a street-like rhythm.
 - iv. Provide attractive, quality facades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC and other unsightly functions.
 - v. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street front experiences to maximize the quality of the pedestrian environment[; a]. All uses are connected by sidewalks; crosswalks run through and across the parking lots and drive aisles to connect all buildings and uses; sidewalks are wide, appealing, shaded and configured for safe and comfortable travel; pedestrian walkways are separated from vehicular circulation by planting beds, raised planters, seating walls, on-street parallel parking and/or structures; walking distances through parking lots are minimized and located to form logical and safe pedestrian crossings, and walkways are made more

pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.

- vi. Screen parking from the streets and ensure that attractive buildings and signage are visible from the streets.
- vii. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, and/or landscape islands.
- viii. Provide a hierarchy of pedestrian-scaled, direct and indirect, high quality, energy efficient lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.
- ix. Create a signage package for high-quality signs and sign standards and requirements for all retail and office tenants and owners, which shall address size, location, square footage, materials, logos, colors, and lighting. Any revision to the existing approved signage plans shall incorporate the previously approved designs.
- x. Temporary signage on the site or attached to the exterior facades of a building shall not be permitted.
- xi. Design retail pad sites to be compatible with the main retail/office/hotel component. If the retail pad sites are located along the street, parking shall be located to the rear of the pad sites.
- xii. Green areas or public plazas should be provided between pad sites.
- xiii. Restaurants should have attractive outdoor seating areas with views of the public spaces/lakes or other natural features.

b. Residential uses shall meet the following design standards:

Single-family detached:

- i. There shall be a range of lot sizes, with a minimum square footage on any lot of three thousand (3,000) square feet of finished living space.
- ii. At least 20 percent of the houses shall be a minimum of 4,000 square feet of finished living space.
- iii. Garages should not dominate the streetscape, and all garages should either be detached, or located in the rear (accessible by alleys or driveways), attached and set back a minimum of eight feet from the façade, or attached and oriented for side entry access.

Multifamily and single-family attached:

- i. Building design and materials shall be high quality, enduring and distinctive.
 - ii. Use of siding should be limited.
 - iii. A significant number of amenities, such as are typically provided for luxury projects shall be provided.
34. Any additional research and development type flex space and/or warehouses shall be limited to not more than ten percent of total non-residential space. Generally this flex space is intended as an interim use, which shall be redeveloped predominantly with office use, as market conditions permit. When an area is initially developed as research/development, flex space and/or warehouses, that area should be the first considered for redevelopment when market conditions permit new office development. The long-term goal is that all of the non-residential uses would be office with retail (including a main street) and hotel.
35. Any detailed site plan (DSP) for new research and development type “flex space” shall be limited to not more than 10 percent of total non-residential space (excluding existing research and development) within the M-X-T zone.
36. All stream channels on the site should be depicted on all plans in their entirety, with the regulated stream buffer shown as required.
37. A minimum of fifty percent of parking for multifamily uses shall be structured parking.
38. Prior to the approval of a detailed site plan, the following issues shall be addressed:
- a. The design of the stormwater management ponds shall show them as amenities with gentle natural slopes and extensive native planting.
 - b. Appropriate signage should be placed near the historic site illustrating the history of the area.
 - c. The proposed lighting system shall include the use of full cut-off lighting systems with limited light spill over.
39. Prior to signature approval of the plans, the coversheet shall be revised to clearly indicate the limits of the application.
40. Detailed site plans shall provide a minimum 30-foot wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer shall be measured from the public utility easement.

41. The mixed-use ratio of the design plans shall be the following, based on the total gross floor area for residential and Employment/Office/Retail/Hotel combined:

	Minimum	Maximum
Residential	20%	30%
Office/Employment/Retail/Hotel	70%	80%

The residential component shall be no greater than 866 dwelling units.

*42. The following standards shall apply to the development:

	<u>SFA</u>	<u>SFD</u>	<u>MF</u>
<u>Unit Count</u>	<u>341~316</u>	<u>25~50</u>	<u>500</u>
<u>Unit Size</u>	<u>2,400–2,600 sf</u>	<u>3,000–4,000 sf</u>	<u>1,000 sf</u>
<u>Lot Size</u>	<u>1,800–2,400 sf</u>	<u>4,700–50,500 sf</u>	<u>N/A</u>
<u>Minimum width at front street R-O-W</u>	<u>20'</u>	<u>55'</u>	<u>N/A</u>
<u>Minimum Frontage on Cul-de-sacs</u>	<u>N/A</u>	<u>45'</u>	<u>N/A</u>
<u>Maximum Lot Coverage</u>	<u>400 sf yard area</u>	<u>40%</u>	<u>80%*</u>
<u>Minimum Setback from R-O-W.</u>	<u>10**</u>	<u>10**</u>	<u>10'</u>
<u>Minimum Side Setback</u>	<u>None</u>	<u>10****</u>	<u>10'</u>
<u>Minimum Rear Setback</u>	<u>None****</u>	<u>None****</u>	<u>None****</u>
<u>Minimum Corner Setback to Side Street R-O-W</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<u>Maximum Residential Building Height</u>	<u>45'</u>	<u>40'</u>	<u>60'</u>
<u>Minimum Green Area</u>	<u>N/A</u>	<u>N/A</u>	<u>20%*****</u>

Footnote: Variations to the standards may be permitted on a case-by-case basis by the Planning Board at the time of detailed site plan if circumstances warrant.

±* Maximum lot coverage for multifamily development with structured parking may be increased to 90 percent.

±** Setbacks from the R-O-W shall increase to 20 feet if the products are proposed as front-loaded garages.

±*** Side yard setbacks may be reduced to 7 feet for lots less than 6,000 square feet.

±**** To be determined at detailed site plan.

±***** Minimum green area may be reduced to 10 percent if structured parking is proposed.

*Denotes Correction

Underlining indicates new language

±indicates change beside existing asterisk

- *43. Prior to signature approval, the recreational plan shall be revised to be consistent with the Parks and Recreational Facilities Guidelines and to indicate a proposed schedule for the construction of those facilities.
- *44. Prior to the approval of a preliminary plan of subdivision, a determination of the appropriateness of providing indoor recreational facilities and/or a community meeting space for use by the overall community, and a timing element associated with the construction, shall be addressed.

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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Vaughns and Parker voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, January 11, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of February 2007.

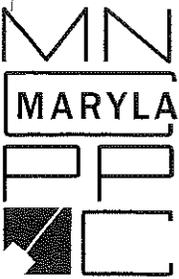
R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

R
BC:FJG:SL:bjjs

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File No. CSP-06002
Page 55

*Denotes Correction
Underlining indicates new language

 **THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

December 9, 2014

St. John Properties
2560 Lord Baltimore Drive
Windsor Mill, MD 21244

Re: Notification of Planning Board Action on
Conceptual Site Plan – CSP-06002-01
Melford

Dear Applicant:

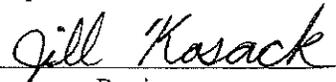
This is to advise you that on **December 4, 2014** the above-referenced Conceptual Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-280, the Planning Board's decision will become final 30 calendar days after the date of the final notice **December 9, 2014** of the Planning Board's decision unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or any Person of Record in the case; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

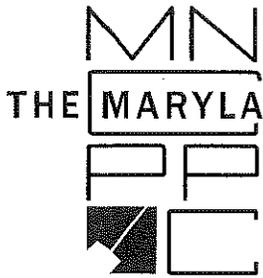
Please direct any future communication or inquiries regarding this matter to Ms. Redis C. Floyd, Clerk of the County Council, at the above address.

Very truly yours,
Alan Hirsch, Chief
Development Review Division

By: 
Reviewer

c: Redis C. Floyd, Clerk to the County Council
Persons of Record

PGCPB No. 14-128



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

PGCPB No. 14-128

File No. CSP-06002-01

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on November 13, 2014 regarding Conceptual Site Plan CSP-06002-01 for Melford, the Planning Board finds:

1. **Request:** The subject application proposes to add: 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, and 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 square feet of office space to a conceptual site plan (CSP) with 1,547,874 square feet of approved office/research and development uses to create an integrated mixed-use development.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Commercial Office	Single-Family Attached and Multifamily Residential, Commercial Office, and Retail
Gross Acreage	276.68	276.68*
Net Acreage	225.22	225.22*
Total Dwelling Units	0	2,500
Townhomes	0	500
Age-Restricted Multifamily Units	0	1,000
Multifamily Units	0	1,000
Residential Square Footage	0	2,740,000 – 4,800,000
Commercial Office Square Footage	1,547,874*	1,807,874 (260,000 prop.)*
Commercial Retail Square Footage	0	100,000 – 268,500
Total Square Footage	1,547,874*	4,647,874 – 6,876,374*

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

Base Density Allowed	0.40
Residential	1.00
Total FAR Permitted:	1.40
Total FAR Proposed:	0.47 – 0.70*

*A condition has been included in this approval that these numbers need to be verified and calculated correctly on the CSP prior to certification. At time of the processing of the resolution the CSP acreage and gross floor area was modified to include the acreage and gross floor area associated with the hotel property, in accordance with Applicant's Exhibit #9.

3. **Location:** The subject property is located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301), in Planning Area 71B and Council District 4.
4. **Surrounding Uses:** The site is bounded to the north by Sherwood Manor, an existing subdivision of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and a vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Reserved Open Space (R-O-S) Zone, the Patuxent River Park; to the east by the Patuxent River and the U.S. Air Force transmitter station located in Anne Arundel County; to the south by the John Hanson Highway (US 50/301) right-of-way and a small vacant property in the Open Space (O-S) Zone; and to the west by the Crain Highway (MD 3) right-of-way.
5. **Previous Approvals:** On January 25, 1982, the Prince George's County District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the subject property, with ten conditions (Zoning Ordinance 2-1982). The zoning map amendment rezoned the property from the R-A and O-S Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Prince George's County Planning Board decision (PGCPB Resolution No. 86-107), for the Maryland Science and Technology Center, with 27 conditions and two considerations.

The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B* (Bowie and Vicinity Master Plan and SMA) rezoned the property from the E-I-A Zone to the Mixed Use-Transportation Oriented (M-X-T) Zone. The original CSP-06002 was approved by the Planning Board on January 11, 2007 which proposed a mixed-use development consisting of hotel, office, retail, restaurant, research and development, and residential (366 single-family detached and attached units and 500 multifamily units) uses. On May 11, 2009, the District Council approved Conceptual Site Plan CSP-06002 with four modifications and 29 conditions, rejecting the residential component of the proposed development. Over the years, numerous specific design plans (SDPs) and detailed site plans (DSPs) have been approved for the subject property in support of the office, flex, hotel and institutional uses, although not all have been constructed.

On May 6, 2014, the Prince George's County Council approved the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), which created new center designations to replace those found in the 2002 Prince George's County Approved General Plan, and classified the Bowie Town Center, including the subject site, as a "Town Center." The subject site retained its status as an "Employment Area" in the plan.

The site also has an approved City of Bowie Stormwater Management Concept Plan, 01-0114-207NE15, which is valid until March 10, 2017.

6. **Design Features:** The CSP proposes a mixed-use residential, retail, and commercial office development on a large property that currently has some commercial office development. The entire approximately 431-acre Melford property is located in the northeast corner of the intersection of Crain Highway (MD 3) and John Hanson Highway (US 50/301), bordered on the east by the Patuxent River environmental areas, which are now part of a large approximately 96-acre parcel dedicated to M-NCPPC for parkland per previous approvals. The one vehicular entrance to the property is via the existing, developed, public Melford Boulevard, which intersects MD 3 north of US 50/301 at a large controlled intersection. The entire area of the CSP application includes approximately 276 acres located in the central and southern portion of the Melford property and includes multiple dedicated existing public rights-of-way, including Melford Boulevard, which runs east-west, and Curie Drive, which runs north-south. The primary area of revision with the subject application is defined as "Melford Village" by the applicant. This includes the majority of the central portion of the property, surrounding the historic Melford House and cemetery, north of Melford Boulevard, on both sides of existing Curie Drive, and south of an existing stormwater management pond. The remainder of the limits of the CSP includes existing and previously approved commercial office/research and development uses to the south, west, and north that are not being revised with this application.

Melford Village will be organized around two main vehicular boulevards, a new boulevard running east-west, north of Melford House and Melford Boulevard; and the other, Curie Drive, running north-south, which will be modified in the future in regard to alignment and road section as part of this development. Four neighborhoods are created by the two main boulevards: the northwest neighborhood, southwest neighborhood, southeast neighborhood, and northeast neighborhood, along with the commercial district on the west side of Melford Boulevard. Where the two main boulevards intersect, a village plaza is proposed that will include a monumental feature and serve as a focal point to Melford Village. The east-west boulevard is proposed to terminate on the eastern end at an amphitheater adjacent to an existing stormwater pond that is to become an amenity feature.

The 260,000 square feet of commercial office space and 268,500 square feet of commercial retail space is concentrated at the western end of Melford Village, surrounding the new east-west boulevard (just to the east and north of Melford Boulevard), west, north and south of Melford House. A small portion of proposed commercial space is located on the west side of Melford Boulevard near existing office buildings. The remainder of the Melford Village area, to the east of Melford House, surrounding the north-south boulevard and extending to the M-NCPPC parkland to the east, is proposed to include 2,500 residential dwelling units, including multifamily units and a maximum of 20 percent single-family attached units. The CSP also specifies that a minimum of 20 percent of the 2,500 units will be senior housing, although this is an applicant proffer and not required by the Zoning Ordinance.

The CSP application does not include a list of specific proposed private recreational facilities on-site, but rather identifies potential amenity spaces and opportunity areas within each neighborhood area. These include plazas; special facilities, such as fitness centers and pools; resource parks, such as historic and natural areas; pocket parks; waterfront parks around the existing stormwater management ponds; and senior amenities within the senior multifamily buildings.

The CSP application included a 67-page “Melford Village Design Guidelines” book that discusses various design-related standards and plans for the property. Below is a summary of the book’s important items:

Community Principles & Forms

This section includes all of the plans and illustrations for the CSP. It starts with a description of Melford and the region and then provides the CSP map as described above. Organizing patterns of the boulevards, neighborhoods, and natural amenities are mapped that then lead to the illustrative site plan provided with the CSP. A map shows the variety of residential and commercial buildings proposed and discusses the intent to provide retail and commercial uses on the ground level of all buildings along the boulevards. Subsequent maps show the proposed pedestrian network, including sidewalks, trails, and bicycle routes; possible opportunity areas for public spaces or special designs; and the proposed green space network, including plazas, pocket parks, and senior amenities, among others. A street network map designates proposed primary, secondary, and tertiary routes followed by proposed typical street sections. It should be noted that these street sections are conceptual at this stage and subject to final approval with the subsequent required preliminary plan of subdivision when a specific layout is proposed and full adequacy of facilities can be determined. A condition regarding this issue has been included in this approval. The Parking Standards section is discussed further in Finding 7e below. However, it should be noted that this section states that the minimum size for a perpendicular parking space will be 18 by 9 feet, which will require a departure. This statement should be removed as it cannot be presumed that such a departure would be approved at the time of DSP. A condition regarding this issue has been included in this approval.

The Sustainability and Planning section describes the principles of Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) that have been incorporated into the CSP.

Neighborhood Patterns

This section describes the four neighborhoods to be created by the two main boulevards: the northwest neighborhood, southwest neighborhood, southeast neighborhood, and northeast neighborhood, along with the commercial district on the west side of Melford Boulevard. The neighborhood requirements, key features, and the proposed development patterns are described. These aspects of the plan will be further developed in the required preliminary plan and DSP for the site.

Architectural Principles and Forms

This section includes a list of architectural design standards intended to ensure high-quality design and materials on all of the buildings throughout Melford Village. Another section sets forth the minimum frontage build-out requirements along the main east-west boulevard, as well as a description of its cross-section in relation to the building height-to-street width ratio. The final sections describe the various building forms proposed, including multifamily villas, townhomes, wrap buildings, specialty buildings, retail village, and clubhouses and recreation. Descriptions of the building forms are provided along with diagrams specifying setbacks and parking locations.

Melford House Preservation & Rehabilitation

This section details the general site design for the area around the historic Melford House and the intended protection of two view corridors, one between the house and the historic cemetery on-site and one between the house and the lower pond to the east. Ultimately, any work within the environmental settings of the house or cemetery will require and be subject to historic area work permits, which will require review by the Prince George's County Historic Preservation Commission. Additionally, any development in areas adjacent to the environmental settings will be subject to review and comment by Historic Preservation staff for their impacts.

Landscape Principles & Forms

This section details the landscape design standards the applicant proposes for Melford Village. This is discussed further in relation to conformance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual) in Finding 9 below. Additionally, there are sections regarding streetscape design, signage design, and lighting design standards. The street design standards set guidelines for a pedestrian space system including sidewalks, transit facilities, sidewalk cafés, and street furniture. The signage design standards set guidelines for building-mounted and freestanding signage in Melford Village only, and not for other existing and approved development within the limits of the CSP. It also states that all signage shall conform to the Zoning Ordinance. The lighting design standards set guidelines for attractive ornamental lighting that will help ensure safe lighting of the development.

Design Review Committee Policies & Procedures

This section details the Melford Village Design Review Committee (DRC) and its policies and procedures, which the applicant intends to create to enforce the minimum design standards for Melford Village. The applicant intends for the DRC to review proposals prior to seeking approval from the City of Bowie and Prince George's County. While this could be a helpful process for the applicant to maintain their desired quality of development, the Planning Board cannot require or enforce such an arrangement, or its policies or procedures. The DRC will also not replace the official city or county processes required for any new development within the limits of the CSP. Therefore, this section should be moved to an appendix in the book and be clearly labeled as such. Introductory language should be provided stating that this section was created by the applicant for their own use and is not endorsed or required by the Planning Board. A condition regarding this issue has been included in this approval.

Definitions

This section includes two pages of words and definitions, some of which are specific to this CSP, such as "village office," and others that are already defined in the Zoning Ordinance, such as "alley." This section should be moved to an appendix in the book and be clearly labeled as such. Introductory language should be provided stating that this section does not modify Zoning Ordinance definitions and is not endorsed by the Planning Board, but provided by the applicant for clarification purposes only. A condition regarding this issue has been included in this approval.

Appendices

This section includes two parts, one regarding recommended plants and sizes and one regarding parking rationale. The plants and sizes list is conceptually acceptable; however, specific information, in conformance with the Landscape Manual, will have to be provided regarding all plantings at the time of each DSP. The parking rationale issue is discussed further in Finding 7e below.

7. **Zoning Ordinance:** The subject application 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 mixed-use zones.
 - (1) All types of office and research, many types of retail, and eating and drinking establishments are permitted in the M-X-T Zone. The submitted CSP proposes office and retail space and residential development.

Residential uses are permitted in the M-X-T Zone, with the following footnote:

Section 27-547(b), Footnote 7

Except as provided in Section 27-544(b), for development pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, the number of townhouses shall not exceed 20% of the total number of dwelling units in the total development. This townhouse restriction shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000.

Section 27-544(b) does not apply to the subject application, nor is the subject property within one-half mile of an existing or planned Washington Metropolitan Area Transit Authority (WMATA) transit rail station site. Therefore, the 20 percent restriction on townhouses applies to the subject application. The CSP proposes exactly 20 percent townhouses with 500 townhouses of the total 2,500 residential units.

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

Section 27-547(d)

- (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.**

All three use categories are proposed in the subject CSP which exceeds the requirements of Section 27-547(d).

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

(a) **Maximum floor area ratio (FAR):**

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

The applicant has proposed to use the optional method of development. Under the optional method of development, greater densities can be granted in increments up to a maximum floor area ratio (FAR) of eight for each of the uses, improvements, and amenities. The uses, improvements, and amenities proposed in this CSP include:

- **Residential—This will potentially increase the FAR by 1.0 if more than 20 dwelling units are provided with the application. This CSP proposes a total of 2,500 dwelling units and is eligible for this bonus.**

The CSP proposes the use of the optional method of development and has a FAR above 0.40. The proposed FAR is as follows:

Uses	Square footage
Residential	2,740,000 – 4,800,000
Commercial	1,907,874 – 2,076,374
Total	4,647,874 – 6,876,374
Net Site Area: 225.22 Acres	9,810,583
FAR	0.47 – 0.70

The development will need to use the optional method of development, such as the proposed residential units, to achieve the FAR proposed, which is above 0.40.

- (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 CSP proposes more than one building on more than one lot as allowed.

- (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 applicable at the time of the future DSP. The subject CSP application includes a design guidelines book which offers some guidelines for future improvements, but no specific regulations. This is discussed more in Finding 6 above.

- (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 subject development is subject to the requirements of the Landscape Manual. The site's compliance with the requirements of the Landscape Manual will be reviewed at the time of DSP. However, the subject application includes a design guidelines book that lists some regulations for proposed landscaping. This is discussed further in Finding 9 below relative to conformance with the Landscape Manual.

- (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.

This requirement will be reviewed for compliance at the time of DSP when detailed building designs are provided; however, the CSP complies with this requirement.

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

This requirement will be reviewed for compliance at the time of DSP; however, the CSP does not show any private structures above or below public rights-of-way.

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

This requirement will be reviewed at the time of DSP once access and lotting patterns are evaluated and approved with the required preliminary plan. The CSP allows for the possibility of largely private streets throughout the development; this may require variations at the time of preliminary plan, which may or may not be approved. Access to historic sites should be arranged via public streets. Additionally, Subtitle 24 of the Prince George's County Code requires that multifamily dwellings be served by public streets.

- (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 1,800 square feet in size, and shall have at least 60 percent of the full front façades constructed of brick, stone, or stucco...**

The regulations regarding townhouse design will be enforced at the time of preliminary plan and DSP as required. However, the applicant expressed their intent to comply with the requirements of this section.

- (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, or a Mixed-Use Planned Community.**

The CSP does not propose any building higher than 110 feet, but this requirement will be enforced at the time of DSP.

- c. The subject application is in conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires findings in addition to the findings required for the Planning Board to approve a CSP as follows:

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

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

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

The subject site was rezoned from the E-I-A Zone to the M-X-T Zone pursuant to the 2006 Bowie and Vicinity Master Plan and SMA. Page 121 of the master plan recommended M-X-T zoning on the subject site “to promote development and redevelopment of land in the vicinity of a major interchange (US 50 and US 301), with an emphasis on a moderate- to high-density mix of office/employment/retail/hotel, residential, and parkland/open space uses.” The subject proposal is in keeping with the recommendations of the rezoning. The area of the Melford CSP also includes employment uses and proposed residential uses, which will provide desirable employment and living opportunities.

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

The applicant proposed a walkable mixed-use community with a mix of office, commercial, and residential uses and recreational spaces. The proposal implements the recommendations of a town center and employment area as contained in Plan Prince George’s 2035, and implements numerous strategies contained in the Bowie and Vicinity Master Plan, as discussed in the body of this report.

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

The proposal will provide a concentration of uses in an area that is designated as both a town center and employment area, maximizing the development potential of the property.

- (4) **To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

The applicant testifies and the Planning Board finds that the CSP proposes using the principles of LEED ND (Neighborhood Design) to achieve energy efficiencies and neighborhood conservation. By locating residences and jobs proximate to each other, this neighborhood planning concept incorporates sustainable design elements that encourage walking, bicycling, and the future potential for public transportation (i.e. bus service) for daily commuting.

The applicant testified that preliminary discussions have been held between the City of Bowie, the applicant and WMATA regarding the provision of bus service to Melford Village. As the overall development begins to take shape and acquire the requisite density needed for the establishment of public bus service, the applicant states that they will continue dialogue with the City of Bowie and WMATA to facilitate bus service to the development. During subsequent development applications, WMATA will be consulted prior to final road design to determine the logical potential bus route and plan lane widths and bus stop locations accordingly.

While bus service is not necessary for transportation adequacy, future bus service would be a benefit to future residents, employers, and employees. Future bus service, if determined to be feasible, could provide connections between the subject site and other area destinations such as Bowie Town Center, New Carrollton, and Crofton. The Planning Board also finds that at time of preliminary plan of subdivision, the applicant should evaluate the provision of a circulator or shuttle bus throughout Melford that might connect the site area destinations, major employers, commuter bus lots, and/or mass transit.

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

The existing Melford property includes office, research, and development uses only. By adding residential and commercial uses, the CSP encourages a 24-hour environment.

(6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

The applicant testified and the Planning Board finds that the mixed-use proposal would not be possible had not the County determined during the 2006 Bowie and Vicinity SMA that the M-X-T Zone would assist in implementing the envisioned re-positioning of Melford from strictly an employment park to a vibrant mixed-use and pedestrian oriented community.

The area of the CSP revision includes up to 2,500 residential units, 260,000 square feet of office space, and up to 268,500 square feet of retail space. This will be added to 1,547,874 square feet of approved and/or constructed employment uses within the boundary of the CSP. This represents a mix of uses which should operate harmoniously.

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

The functional relationships of the individual uses are established with the subject CSP, and will be further reviewed at the time of DSP. The visual character and identity of the project will be a function of the architecture of the buildings, entrance features, and landscape plantings which will be under close examination at the time of DSP review. Buildings should be designed with high-quality detailing and design variation. They should be appropriate in scale with their location. The architecture, street furniture, landscape treatment, signage, and other elements should be coordinated to give the development a distinctive visual character. The applicant's provided guidelines establish an appropriate standard for the development.

(8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

The proposal has been designed as an energy-efficient multipurpose plan. To further support this finding, the CSP has been designed in accordance with LEED-ND principles.

(9) To permit a flexible response to the market and promote economic vitality and investment; and

The CSP is in general conformance with this purpose of the M-X-T Zone. Melford is currently a somewhat one-dimensional employment area. By adding

uses that do not currently exist on the property, the applicant will be able to respond with more flexibility to the market in the future.

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

As approved with conditions and DSP review, the applicant will be allowed freedom in architectural design to provide a unique and attractive product for the area.

- (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 subject site was rezoned to the M-X-T Zone pursuant to the 2006 Bowie and Vicinity Master Plan and SMA; therefore, this required finding does not apply.

- (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 subject property is located at the intersection of two freeways (MD 3 and US 50/301). To the north of the M-X-T-zoned property is Sherwood Manor, a single-family detached development. To the west of the subject site across MD 3 are the Buckingham at Belair and Kenilworth at Belair subdivisions within the City of Bowie. The CSP shows office, a hotel, and research and development along the perimeter of the adjacent roadways. Due to the size and location of the proposal, it is largely self-contained. Physical integration with neighborhoods outside of Melford is a challenge; nevertheless, the applicant indicates that a pedestrian connection along Melford Boulevard to the adjacent development on the west side of MD 3 will be established (subject to approval by the Maryland State Highway Administration (SHA)) to physically connect Melford to nearby residential neighborhoods. The City of Bowie also recommends a condition to this effect that will be further evaluated at the time of preliminary plan.

The proposed neighborhoods within Melford Village, as represented in the design guidelines, will have an outward orientation and will be well integrated with the existing employment uses on the site. The proposed addition of commercial and residential uses and amenity spaces is intended to catalyze the improvement and rejuvenation of all of Melford.

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

From the time of the rezoning of the subject site to the M-X-T Zone, the Melford property has been planned for a moderate- to high-density mix of office, employment, retail, hotel, residential, and parkland/open space uses, which is currently proposed. The Planning Board found with the approved original Conceptual Site Plan, CSP-06002, that the proposal was in conformance with the applicable purposes. The Planning Board found that, with the subject revision to add residential, commercial, and office uses, the proposal remains compatible with existing and proposed development in the vicinity.

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

The Planning Board finds that the submitted CSP and design guidelines for Melford Village establish the framework for a quality development planned in accordance with LEED-ND principles that is capable of sustaining an independent environment of continuing quality and stability. The arrangement and design of buildings and other improvements will continue to be evaluated with future plan approvals to ensure that the proposal remains consistent with the finding above.

- (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 indicates that the development will be phased according to market conditions. More specific phasing information has not been provided. Phasing information should be provided as available, but no later than the first DSP within Melford Village. This phasing information may be revised with future applications. Each building phase should be designed as a self-sufficient entity while also allowing for effective integration with subsequent construction phases.

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

The CSP is comprehensively designed to encourage pedestrian activity within the development. The development will include sidewalks and connections to a larger trail 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); and

The subject application is a CSP.

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

This requirement is applicable to this CSP as it was rezoned from the E-I-A Zone to the M-X-T Zone by the 2006 Bowie and Vicinity Master Plan and SMA. Consequently, a traffic study is required for this application. The applicant prepared a traffic impact study dated May 30, 2014, in accordance with the methodologies in the "Transportation Review Guidelines, Part 1" (Guidelines). The study was referred to the Prince George's County Department of Public Works and Transportation (DPW&T), SHA, and the City of Bowie. The proposed development generally meets the code requirements, provided that the development does not exceed 4,441 AM and 4,424 PM peak hour trips and that all of the associated improvements proffered are fully implemented.

Additional supporting information is as follows:

- (1) The overall Melford property is approximately 431.55 acres of land in the M-X-T Zone. Based on the mix of uses being proposed, the development would generate a net total (after discounting pass-by trips and internally captured trips) of 1,834 (897 in; 937 out) AM peak hour trips, and 2,516 (1,224 in; 1,292 out) PM peak hour trips. These trip projections were determined using the "Guidelines for the Analysis of the Traffic Impact of Development Proposal," as well as the Trip Generation Manual, 9th Edition (Institute of Transportation Engineers).
- (2) The traffic generated by the proposed conceptual plan would impact the following intersections:
- MD 3 & MD 450-gas station
 - Belair Drive & Ramp from MD 3 southbound
 - Belair Drive & Ramp to/from MD 3 northbound
 - US 301 & Gov. Bridge Road-Harbor Way

- Melford Boulevard & Science Drive (Roundabout)
- Melford Boulevard & Telsa Drive-site entrance
- Melford Boulevard & Telsa Drive-Curie Drive (Roundabout)
- Curie & Science Drive (Roundabout)

- (3) None of the intersections identified in (2) above is programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program (CTP) or the Prince George's County Capital Improvement Program (CIP).
- (4) The subject property is located within Transportation Service Area (TSA) 2, as defined in Plan Prince George's 2035. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

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

Roundabouts: Analyses indicating volume-to-capacity (v/c) ratio that is less than 0.850 are considered to be acceptable.

- (5) The following intersections identified in (2) above, when analyzed with the total future traffic as developed using the Guidelines, were not found to be operating at or better than the policy service level defined in (4) above:
- MD 3 & MD 450-gas station
 - Melford Boulevard & Science Drive (Roundabout)
- (6) The applicant has agreed to provide the following improvements to the intersections, in consideration of the findings in (5) above:

MD 3/MD 450/Gas Station Access intersection

- Provide a fourth northbound and southbound through lane (which is already implemented).

Melford Boulevard & Science Drive

- Convert the existing roundabout to a traditional four-legged signalized intersection.

(7) ALL of the intersections identified in (2) above, when analyzed with the improvements identified in (6) above and total future traffic as developed using the Guidelines, were found to be operating at or better than the policy service level defined in (4) above.

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

This requirement is not applicable to this CSP.

(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.**

A mixed-use planned community is not proposed.

d. As approved with conditions, the CSP is in conformance with the applicable CSP site design guidelines contained in Section 27-274. The following discussion is offered:

(1) Section 27-274(a)(2)(A), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. The subject CSP is in general conformance with this requirement. The illustrative site plan shows that, in general, surface parking is not proposed between buildings and the public rights-of-way. Additionally, the Melford Village

Design Guidelines book specifies that, where practicable, parking shall be located to the rear or sides of buildings.

- (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive. Loading areas are not indicated on the CSP or the provided illustrative site plan. However, the Melford Village Design Guidelines book specifies that service areas, loading docks, and trash dumpsters shall be screened from the public view. At the time of DSP, attention should be paid to the design of loading areas so that they are visually unobtrusive as viewed from public spaces and the public right-of-way.
- (3) In accordance with Section 27-274(a)(5)(A), green areas on-site should be appropriate in size, shape, location, and design. The Melford Village Design Guidelines book provides a green network map that shows a variety of types of green spaces spread throughout all four neighborhoods. At the time of DSP, attention should be paid to the specific design of these areas to make sure they are easily accessible, well-defined, and appropriately scaled for the area they are to serve.
- (4) In accordance with Section 27-274(a)(6)(A), Site and streetscape amenities, the coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture will be required. A comprehensive review of streetscape amenities will occur at the time of DSP. However, the Melford Village Design Guidelines book indicates that these features will be integral elements of the streetscape and will be coordinated throughout Melford Village.
- (5) A public space system should be provided to enhance the commercial and multifamily development areas in accordance with Section 27-274(a)(9), Public spaces. It is specified that these public spaces should incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An attractive mix of design features including focal points, such as public art, sculpture, or fountains; seating areas; specialty landscaping; and specialty paving materials should be provided throughout the spaces. The Melford Village Design Guidelines book indicates that a well-designed public space system will be provided; however, this will be fully evaluated at the time of DSP.
- (6) As discussed in Section 27-274(a)(10), architecture should provide a variety of building forms, with a unified harmonious use of materials and styles. The Melford Village Design Guidelines book includes an extensive list of architectural design standards and indicates approximately six different types of building forms that should help to ensure a quality mix is provided at the time of DSP.
- (7) As discussed in Section 27-274(a)(11)(B), it is noted that groups of townhouses should be arranged at right angles to each other in a courtyard design and units

should front on roadways. The submitted CSP does show such an arrangement in the majority of the townhouse areas, and this should be maintained in the future preliminary plan and DSP.

- e. In accordance with Section 27-574 of the Zoning Ordinance, 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. Detailed information regarding the methodology and procedures to be used in determining the parking requirement is outlined in Section 24-574(b).

The design guidelines book submitted as part of the CSP included parking standards (page 17) and a parking rationale appendix (page 67). The first section includes various guidelines regarding parking location and design, but also includes a specific minimum recommended parking ratio table and a detailed shared parking adjustment table. Not only is this information not required at the time of CSP, it is premature to evaluate it now when exact use types, amounts, and locations, along with other final site improvements, are unknown. Additionally, the parking rationale provided does not follow the methodology prescribed in Section 27-574 for calculating the proposed parking. Therefore, the parking ratio table and shared parking adjustment table were not evaluated for their merits at this time. These tables, in the second column of page 17, shall be moved to an appendix in the design guidelines book, along with the provided parking rationale. Then, it shall be clearly labeled as an appendix and include an opening statement that the provided information is the developer's preferred proposed parking amounts, but that final parking determination will be made at the time of DSP when full methodology, assumptions, and data, per Section 27-574 of the Zoning Ordinance, must be submitted. A condition regarding this issue has been included in this approval.

8. **Conceptual Site Plan CSP-06002:** Conceptual Site Plan CSP-06002 was approved by the District Council on May 11, 2009 for the construction of a mixed-use development consisting of hotel, office, retail, restaurant, research, and development uses. The conditions of CSP-06002 are below, followed by comment. The Planning Board finds that the conditions of the subject approval entirely supersede those contained in CSP-06002.

1. **Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.**

Subsequent to the previous CSP approval, the current applicant has brought to the attention of staff that, during the review and including the previous approval, there were some background developments that were not included in the traffic study that was the basis for the analyses and

subsequent approval of CSP-06002. That omission could have had an impact on the actual trip cap which became a part of the approval by the Planning Board. To address this issue, the applicant has prepared a technical memorandum (September 2013) which included an agreed-upon amount of background developments, as well as a sensitivity analysis, to determine the full effect of the corrected background developments, as well as establishing a new trip cap.

In reviewing this technical memorandum, it was concluded that all of the development contained within the umbrella of approved CSP-06002 would generate 4,498 AM and 4,475 PM peak hour trips. In light of the fact that many of the background developments are in various stages of development, the applicant determined that the actual trip cap of the areas covered by the subject application (CSP-06002-01) would be 4,441 AM and 4,424 PM peak hour trips. It was also demonstrated that the subsequent improvements that were provided by the applicant were sufficient to mitigate at least 150 percent of the new traffic being proposed under CSP-06002. The Planning Board concurred with the findings and conclusions of the applicant's technical memorandum.

The Planning Board finds that the above trip cap condition be replaced with the new trip cap of 4,441 AM and 4,424 PM peak hour trips.

2. **Prior to issuance of any building permits for lots that have not been recorded, except for Lot 3, where the proposed police communication center is to be constructed, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency.**

(A) **At the MD 3/MD 450/gas station access intersection:**

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge and shall extend 2,000 feet south of MD 450. The additional northbound through lane shall begin 2,000 feet south of MD 450 and shall extend to the Patuxent River Bridge, north of MD 450.

(B) **At the US 301/Gov. Bridge Road/Harbor Way intersection:**

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane.

Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the

apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

The above transportation improvements have been constructed. The Planning Board finds that this condition has been satisfied.

- 3. The site plans shall be revised to delineate and note both the Environmental Setting and the Impact Area for Melford, Historic Site 71B-016.**

The applicant shall correct the notations on all site plans to include the following text: "Melford and Cemetery Environmental Setting (Historic Site 71B-016)."

- 4. Applicable detailed site plans that may affect the historic vista of the Melford House shall demonstrate that proposed buildings do not obstruct the vista.**

The Historic Preservation Commission (HPC) recommended the following revised language for existing Condition 4 to clarify what is meant by the historic vista, and how it might be protected, as follows:

"Applicable detailed site plans that may affect the historic vista of the Melford and Cemetery Historic Site shall demonstrate that any portion of a proposed building, either partially or fully within the designated view corridors established in CSP-06002-01, comply with the height requirements for buildings within the view corridors set forth in the design guidelines."

The CSP contains two view corridors. One connects the Melford house and the historic cemetery, within which no building construction should be permitted. Just outside of that primary view corridor, one-story buildings are permitted. The second view corridor is directed east from Melford house to the proposed East-West Boulevard and the amphitheater. Within this second view corridor, the applicant has proffered building height restrictions. The recommended language, which the Planning Board adopts, clarifies which views shall be protected and establishes techniques for the protection of the views within the defined view corridors.

- 5. Before approval of any detailed site plans, the applicant shall demonstrate that plans for new construction within the impact review area follow the guidelines on page 91 of the CDP-8601 document for the former Maryland Science and Technology Center.**

The HPC recommended the following revised language for existing Condition 5 to eliminate the reference to a 1986 comprehensive design plan, which has little current regulatory bearing on the subject site, and is difficult to research due to the age and condition of the CDP document. The content of the referenced language has been evaluated and the language below retains the original intent.

“Prior to approval of any detailed site plans that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.”

6. **Before M-NCPPC accepts a detailed site plan application for this property, the applicant in the historic area work permit process shall present a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford Historic Site. The Historic Preservation Commission and Planning Board shall review and approve the plan and timetable, in the HAWP process, before approval of the first DSP.**

The applicant requests modifications to the above language, which the HPC believe is appropriate, as follows:

“Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood(s) of Melford Village, the applicant in the historic area work permit process shall submit a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery Historic Site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.”

The modified condition clarifies the timing for the submission of a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery historic site. Because the plan and timetable will be approved through the Historic Area Work Permit (HAWP) process, it is appropriate to leave the review and approval under the authority of HPC, and not the Planning Board, in accordance with the standard HAWP process.

7. **In the detailed site plan for the development of the Melford Historic Site, its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal, to minimize adverse impacts to the historic site.**

This condition should be carried forward to all subsequent DSP applications.

8. **Prior to issuance of building permits for any property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and**

outbuildings shall be completed prior to issuance of use and occupancy permits for any future hotel or office uses.

Based on the completion of work associated with HAWP 5-07 and HAWP 45-07, reviewed and approved by HPC, substantial rehabilitation of Melford House and its outbuildings has been completed to a residential standard. This condition is no longer necessary. Any future rehabilitation of the historic site for a nonresidential use will be carried out through another HAWP as recommended by the modified language of Condition 6 (above).

9. **Prior to approval of any preliminary plan or detailed site plan applications, the Historic Preservation Section shall certify that all quarterly reports have been received in a timely manner and that the Melford site is being properly maintained.**

This condition remains in effect, and the Planning Board finds that it be carried forward with the subject approval.

10. **The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required. The project shall be pedestrian-friendly, with keen detail for a walkable community.**

Sidewalks are reflected along both sides of all internal roads in the CSP. Wide sidewalks are provided along commercial areas and other areas of higher density.

11. **Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate, and shall be shown on all affected DSPs.**

Pedestrian safety features, bicycle parking, and other amenities will be addressed at the time of DSP. However, a comprehensive network of sidewalk and trail connections is reflected on the submitted CSP.

12. **Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the Lower Pond. The comprehensive trail network will be evaluated at the time of preliminary plan and should be in conformance with guidelines 29 and 30 of CR-11-2006.**

A trail is proposed along the Patuxent River stream valley, including the area of the lower pond. Two trail connections are reflected on the submitted plans that connect the development site to the stream valley trail. In addition to the trail connections, a comprehensive network of sidewalks is reflected and a partial grid street network is proposed, further enhancing and promoting pedestrian access.

As indicated by the prior conditions of approval, County Council Resolution CR-11-2006 contained a number of design standards and guidelines related to the Melford property. The standards and guidelines pertaining to trail or pedestrian access are copied below:

- (3) **The Conceptual Site Plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.**
- (5) **The community shall contain additional linked open space in the form of squares, greens, parks, and trails that are accessible, safe and comfortable. The open space should provide a variety of visual and physical experiences. Some of these open spaces should be bordered by buildings and be visible from streets and buildings.**
- (29) **Community recreational facilities shall take full advantage of environmental features on and adjacent to the property, and shall include extensive trail and boardwalk systems. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails, boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.**
- (30) **The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.**

The submitted CSP appears to be consistent with the above-referenced standards and guidelines. A comprehensive network of sidewalks is proposed, as is the master plan trail along the Patuxent River and connections to the master plan trail from the proposed development. Additional areas of open space also appear to be provided, as well as various plazas and urban parks, as indicated on the Green Network exhibit. The open space appears to be accessible and visible from adjacent roadways and buildings, and the sidewalk network appears to provide pedestrian access throughout the site and to all of the appropriate destinations.

- 13. **The illustrative plan provided with the CSP is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other Master Plan considerations.**

The applicant has submitted new illustrative plans for Melford. These illustrative plans are for guidance and informational purposes. The above condition remains in effect.

14. **Prior to signature approval of the CSP and TCP I, the TCP I shall be revised as follows:**
- a. **Revise the shading patterns so that the information underneath is legible;**
 - b. **Eliminate the pattern used to depict previously approved limits of disturbance and show only the limit of disturbance needed for the proposed development;**
 - c. **Eliminate all clearing not necessary for the conceptual construction of the features shown;**
 - d. **Revise the existing tree line per Staff Exhibit A (2006 Aerial);**
 - e. **Provide labels on each cleared area, with acreage and land pod identifications; if cleared areas cross pods, divide them up so that the table on Sheet 1 can be checked for correctness;**
 - f. **Revise the worksheet to reflect all cleared areas, preservation areas, etc.;**
 - g. **Revise the table on Sheet 1 to fill in all the boxes;**
 - h. **Add the following note: "This TCP I is associated with the approval of CSP-06002; it is conceptual in nature, and is subject to further revisions with the preliminary plan of subdivision application";**
 - i. **Revise the plans to address all other staff comments of record; and**
 - j. **Have the revised plans signed and dated by the qualified professional who prepared them.**

The above conditions were addressed prior to certification of the original CSP. This condition is not relevant to the subject approval.

15. **Prior to signature approval of the CSP, and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCP I shall be revised to remove all buildings, roads, trails, and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.**

Prior to certification of the CSP, revisions were made for all of the listed features, except for the master-planned trail proposed on park land and two connections from the internal trail system to the master-planned system. These trail connections were allowed per Condition 29b of CSP-06002. The Planning Board adopts the following replacement condition:

At the time of preliminary plan review and subsequent development applications, the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.

16. **Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbance to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested, wherever possible. The TCP I associated with the preliminary plan will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.**

This condition will be addressed at the time of preliminary plan.

17. **During the review of the TCP I associated with the preliminary plan, the linear wetland in the middle of the southeastern portion of the site shall be evaluated, to ensure its protection in a manner consistent with previous approvals.**

This condition will be addressed at the time of preliminary plan.

18. **Prior to approval of any DSP, the applicant shall donate to the M-NCPPC, by donation deed acceptable to the M-NCPPC, 100± acres including but not limited to 100-year floodplain and floodplain buffer, as shown on the Department of Parks and Recreation (DPR) Exhibit "A".**

This condition has been addressed. The CSP indicates that 99.48 acres of land have been donated to M-NCPPC. This land area is no longer included within the CSP boundary. This condition does not need to be brought forward with the subject approval.

19. **Land to be conveyed is subject to conditions 1 through 9, in attached Exhibit "B".**

Conditions 1 through 9 of Exhibit B, "Conditions for Conveyance of Parkland to The Maryland-National Capital Park and Planning Commission," are as follows:

1. **An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the Final Plat.**

2. **The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.**
3. **The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.**
4. **The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by The M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, The M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.**
5. **Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by The M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by The M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.**
6. **All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.**
7. **All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.**
8. **The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.**
9. **No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to The M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.**

Since the land has been conveyed to M-NCPPC, this condition has been satisfied and does not need to be brought forward with the subject CSP revision.

20. **Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:**
- a. **Development plans shall show minimization of impervious surfaces, through all phases of the project, with the use of permeable paving surfaces where soil conditions provide for the use of permeable paving materials. Structured parking should be used to the maximum extent possible.**
 - b. **Streams shall have a 100-foot natural buffer and a 150 foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on community property.**
 - c. **Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**
 - d. **The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.**

The above condition remains in effect and should be brought forward as a condition of the subject application.

21. **Prior to the submission of a preliminary plan of subdivision, the applicant shall provide a plan for evaluating the resource at the Phase II level. In accordance with the Guidelines for Archeological Review, if a Phase II archeological evaluation is necessary, the applicant shall submit a research design for approval by Historic Preservation staff. After the work is completed, and before approval of the preliminary plan, the applicant shall provide a final report detailing the Phase II investigations, and shall ensure that all artifacts are curated to MHT Standards.**

The applicant has complied with the requirements of this condition for the Phase II archeological investigations. As of this date, the artifacts have not been curated, and that portion of the condition should be carried forward. Also, at the time of the Planning Board hearing the applicant stated and planning staff confirmed that documentation has been received verifying that artifacts have been deposited with the Maryland Archeological Conservation Lab.

22. If a site has been identified as significant and potentially eligible to be listed as a Historic Site or determined eligible for the National Register of Historic Places, the applicant shall provide a plan for:

- a. Avoiding and preserving the resource in place; or**
- b. Phase III Data Recovery investigations and interpretation.**

Phase III Data Recovery investigations shall not begin until Historic Preservation staff approves the research design. The Phase III (Treatment/Data Recovery) final report shall be reviewed for compliance with the Guidelines for Archeological Review, before approval of any grading permits within 50 feet of the perimeter of the site.

No significant archeological resources were found outside of the Melford and Cemetery environmental setting. This condition has been satisfied, and does not need to be carried forward with the subject approval.

23. Before approval of a detailed site plan for any retail uses, the plans shall demonstrate that retail uses are designed to:

- a. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining; and providing attractive gateways/entries and public spaces.**
- b. Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.**
- c. Create attractive architecture by using high-quality building materials such as stone, brick, or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes and customized shopfronts, to create a street-like rhythm.**
- d. Provide attractive, quality façades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC, and other unsightly functions.**
- e. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to**

connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for safe and comfortable travel; pedestrian walkways shall be separated from vehicular circulation by planting beds, raised planters, seating walls, and on-street parallel parking or structures; walking distances through parking lots shall be minimized and located to form logical and safe pedestrian crossings; and walkways shall be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.

- f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.**
- g. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.**
- h. Provide a hierarchy of pedestrian-scaled, high-quality, energy-efficient direct and indirect lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.**
- i. Create a signage package for high-quality signs and sign standards, with requirements for all retail and office tenants and owners. The standards shall address size, location, square footage, materials, logos, colors, and lighting. Any revision to existing approved signage plans shall incorporate the previously approved designs.**

Melford has a previously approved signage package that was the subject of Detailed Site Plan DSP-11008. Additionally, the applicant's design guidelines include sign standards. The previously approved sign package is intended to apply to the existing commercial, office, and research properties, and the proposed signage guidelines are intended to apply to Melford Village. The Planning Board finds that one comprehensive signage package shall be created. This could be done through a revision to DSP-11008 to consolidate the signage standards and remove inconsistencies, which may be approved by the Planning Director, as designee of the Planning Board.

- j. Eliminate all temporary signage on the site or attached to the exterior façades of a building.**
- k. Make retail pad sites compatible with the main retail/office/hotel component. If the retail pad sites are located along the street, parking shall be located to the rear of the pad sites.**

Any retail development should be designed compatibly with adjacent office or residential development, as outlined in the design guidelines. Effort should be made to locate parking for retail uses at the rear or sides of the buildings, screened from the street.

- l. Provide green areas or public plazas between pad sites.**
- m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features.**

The above conditions, as modified by the Planning Board, remain in effect and shall be carried forward to the subject application.

- 24. The research and development flex space shown in DSP-07031, if approved by the District Council, shall be the last research and development flex space approved in the M-X-T Zone at Melford.**

Detailed Site Plan DSP-07031 and subsequent revisions have been approved; therefore, no additional research and development flex space is permitted within the M-X-T Zone at Melford. No research and development flex space is proposed with the subject CSP revision. The above condition has been reworded to reflect that DSP-07031 has been approved and no additional research and development flex space is permitted.

- 25. All stream channels on the site should be depicted on all plans in their entirety, with the regulated stream buffer shown as required.**

The width of the stream buffers shown on the Type I tree conservation plan (TCPI) is consistent with the approved natural resources inventory (NRI) for the site. A revised NRI with addendums showing all streams, wetland limits, floodplain limits, plus a forest stand delineation for areas that have yet to be approved for clearing and accounting for clearing that has already occurred, and an update to the specimen tree list will be submitted. Current stream buffer requirements shall be applied on the NRI and at the time of preliminary plan in defining the primary management area for the site.

While the 100-foot natural buffer and the 150-foot wide buffer on the 100-year floodplain have been shown correctly on the TCPI, some sheets of the CSP do not show these buffers correctly, particularly in the southeastern corner of the property. This shall be corrected prior to certificate of approval of the CSP.

- 26. Prior to the approval of a detailed site plan, the following issues shall be addressed:**
 - a. Plans shall show the stormwater management ponds as amenities, with gentle natural slopes and extensive native planting.**

This condition remains in effect.

- b. Appropriate signage should be placed near the historic site, to call attention to the history of the area.**

The applicant installed an interpretive sign near the current entry drive to the Melford and Cemetery historic site, now accessed from Melford Boulevard. The proposed current revisions to CSP-06002 propose the relocation of the entry drive, and this should ultimately require the relocation of the interpretive sign to a location near the new entry drive to Melford House. To fully satisfy this condition, additional signage to address the Duckett Family graveyard should also be provided as part of a future DSP application. While the applicant does not currently own the graveyard property, the applicant does own the property surrounding the graveyard. Appropriate signage should be placed near the cemetery. Therefore, this condition should be carried forward until a DSP application that includes the graveyard is approved. Also, additional public interpretation should be provided on the property, and may take the form of signage, brochures, lectures, or a website.

- c. The proposed lighting system shall use full cut-off lighting systems, with limited light spill-over.**

This condition remains in effect and shall be carried forward as a condition of the subject application.

- 27. Prior to signature approval of the plans, the coversheet shall be revised to clearly indicate the limits of the application.**

The boundary of the subject CSP revision shall be revised to include all of the privately-owned properties that were the subject of CSP-06002. If the subject CSP boundary includes the same properties as the original CSP, then the subject approval may entirely supersede the previous approval, and appropriately update all necessary conditions of approval. Publicly-owned properties not subject to zoning do not need to be included in the CSP boundary.

- 28. Detailed site plans shall provide a minimum 30-foot wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer shall be measured from the public utility easement.**

The above condition remains in effect.

- 29. Recreation Facilities Conditions:**

- a. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.**

The Prince George's County Department of Parks and Recreation (DPR) recommends the following condition language, which eliminates the need for the above existing condition.

“The applicant shall allocate appropriate and developable areas for the private recreational facilities on the Home Owners Association (HOA) land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division for adequacy and property siting, prior to approval of the Detailed Site Plan by the Planning Board.”

The Planning Board concurred with this modification.

- b. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on donated parkland.**

The above condition was addressed prior to certification of the original CSP. The submitted CSP shows the master-planned trail on land that is currently owned by M-NCPPC. It was determined during the approval of Preliminary Plan of Subdivision 4-07055, subsequent to the approval of CSP-06002, that the applicant and the applicant's heirs, successors, and/or assignees shall construct the master plan trail along the Patuxent River in conformance with DPR guidelines and standards.

- c. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of \$250,000 for the design and construction of the Green Branch Athletic Complex.**

The required monetary contribution has been made.

- d. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.**

In a memorandum dated October 20, 2014, DPR stated that this condition has been satisfied.

- e. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.**

This condition has been addressed. The site has a recreational facilities agreement (RFA) that has been recorded at Liber 31304, Folio 145, for the design and construction of the master plan trail and trailhead facilities along the Patuxent River. DPR requests that the RFA be amended to incorporate an asphalt parking lot and an asphalt access road to the park.

- f. **The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits. Upon completion of the trail and trailhead construction, M-NCPPC shall acknowledge the applicant's donation of the trail and trailhead construction by completing the appropriate Federal and State tax forms deemed acceptable by M-NCPPC.**

As an alternative to the above language, DPR requests that the applicant submit a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development.

9. **2010 Prince George's County Landscape Manual:** Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The applicant proposes landscape design guidelines which do not generally amend or supersede the requirements of the Landscape Manual. All landscape design guidelines that contradict the requirements of the Landscape Manual shall be removed from the proposed design guidelines prior to certification.

Conformance with the requirements of the Landscape Manual shall be determined when a more finalized plan of development is submitted for review. The following discussion is offered regarding the applicable provisions of the Landscape Manual, which will be reviewed at the time of DSP.

- a. **Section 4.1—Residential Requirements**, requires a certain number of plants to be provided for residential lots depending on their size and type. The subject development will be evaluated for conformance to Section 4.1 at the time of DSP review when a final lot number and pattern is established.

The landscape design guidelines shall be amended to state that "residential landscaping should be provided in accordance with Section 4.1 of the Prince George's County Landscape Manual."

- b. **Section 4.2—Requirements for Landscape Strips along Streets**, requires a landscaped strip be provided for all nonresidential uses and parking lots abutting all public and private

streets, which will occur within the commercial portions of this development. Conformance to these requirements will be evaluated at the time of DSP review.

- c. **Section 4.3**—Parking Lot Requirements, specifies that proposed parking lots larger than 7,000 square feet will be subject to Section 4.3. Section 4.3 requires that parking lots provide planting islands throughout the parking lot to reduce the impervious area. When these planting islands are planted with shade trees, the heat island effect created by large expanses of pavement may be minimized. The parking compounds will be evaluated for conformance to Section 4.3 at the time of DSP review.
 - d. **Section 4.4**—Screening Requirements, requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets, which will occur within the subject development. Conformance to these requirements will be evaluated at the time of DSP review.
 - e. **Section 4.6**—Compliance with Section 4.6, Buffering Development from Special Roadways, is required for any location where rear yards of single-family attached dwellings are oriented to a street of primary classification or higher. Conformance to Section 4.6 for the residential lots will be evaluated at the time of DSP review when a final lot pattern is established.
 - f. **Section 4.7**—This site will be subject to Section 4.7, Buffering Incompatible Uses. More specific information regarding bufferyard requirements along property lines adjoining other uses will be evaluated at the time of preliminary plan and DSP. A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transitions between moderately incompatible uses.
 - g. **Section 4.9**—This site will be subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants, along with other sustainable practices.
 - h. **Section 4.10**—This site will most likely be subject to Section 4.10, which requires street trees along private streets. The applicability of this requirement will be evaluated further at the time of preliminary plan and DSP review when public and private rights-of-way are established and designed. Nevertheless, the landscape design guidelines shall be revised to reflect that street trees shall be located between the street curb and the sidewalk consistent with Section 4.10. The proposed tree pits along the retail street do not appear consistent with this requirement.
10. **1989 Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This property is subject to the provisions of the 1989 Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland, and there are previously approved tree conservation plans for the site. The application is not subject to the

Woodland and Wildlife Habitat Conservation Ordinance, Subtitle 25, Division 2, which became effective September 1, 2010, because there are previously approved Type I and Type II tree conservation plans (TCPI and TCPII). The site is currently grandfathered from the requirements of Subtitle 27 which became effective on September 1, 2010 and February 1, 2012 by prior approval of the CSP.

The Type I and Type II Tree Conservation Plans (TCPI-044-98 with revisions and TCPII-036-99 with revisions, respectively) are associated with the site based on the Planning Board's previous approvals of Preliminary Plan 4-98076, Comprehensive Design Plan CDP-8601, and several Specific Design Plans (SDP-0201, SDP-0203, SDP-0301, and SDP-0405) when the site was zoned E-I-A, a comprehensive design zone.

Development of the M-X-T-zoned site requires approval of a CSP and DSP. The site was first reviewed under M-X-T requirements with the approval of CSP-06002 and TCPI-044-98-02. The scope of the CSP included a hotel, office, retail, restaurant, research and development space, and residential pods for single and multifamily attached dwellings (townhouses and condominiums, respectively) and single-family detached dwellings. Residential uses were not allowed under the previous zoning of E-I-A.

A Natural Resources Inventory, NRI-054-06, was approved for the site on February 21, 2008 which was valid for five years.

A revision to the TCPI, TCP1-044-98-03, was approved on July 8, 2009 to address future clearing for a master-planned trail on donated parkland. DPR agreed to provide 4.66 acres of off-site woodland conservation on DPR property to address the woodland conservation requirement for the development feature.

The current application is a revision to a CSP, as required for the M-X-T Zone, and a revised TCPI, for the purpose of developing approximately 115 acres located in the center of the overall Melford development to include a mix of residential and office uses, with supporting retail and community amenities to be called "Melford Village." The revised CSP proposes a pedestrian-friendly mixed-use community, which will include 260,000 square feet of office use, 100,000 square feet of retail use, and a mix of 2,500 residential units (500 townhome units, 1,000 market-rate multifamily units, and 1,000 senior age-restricted units).

11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area in tree canopy. The gross tract area for the area of the CSP is 276.68 acres, resulting in a tree canopy coverage requirement of 27 acres. Compliance with this requirement will be evaluated at the time of DSP, and the Planning Board encourages the applicant to provide the required tree canopy within each of the developing parcels within Melford so that the tree canopy provided is evenly distributed.

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

- a. **Historic Preservation**—The Planning Board adopts the following findings related to historic preservation:

The Historic Preservation Commission (HPC) reviewed the subject CSP application at its October 21, 2014 meeting. HPC voted 7-0-1 (the Chairman voted “present”) in favor of the recommendations below:

Findings

- (1) The subject property includes the Melford and Cemetery Historic Site (71B-016). Built in the 1840s, Melford is a two and one-half-story brick plantation house of side-hall-and-double-parlor plan. The house is distinguished by a two-story semicircular bay and a parapetted double chimney at the south gable end. Attached to the north gable end is a lower kitchen wing built of brick and stone. The interior exhibits fine Greek Revival-style trim. The house was built by Richard Duckett and later was home to three generations of the Hardisty family. The bay and chimney configuration makes Melford House unique in Prince George’s County. The associated grounds include several early outbuildings and terraced gardens, and there is a Duckett family burial ground on a nearby knoll to the northwest. The property is also listed in the National Register of Historic Places.

The Melford and Cemetery historic site environmental setting is comprised of two parcels under different ownership. The house and associated outbuildings and gardens are owned by the applicant for CSP-06002-01, MSTC XVI LLC RE, and the cemetery parcel is owned by Marlborough CL Inc., a defunct corporation. Both parcels are within the area covered by the subject CSP application. Taken together, both components of the historic site should be considered to be focal points within the developing community.

- (2) Among those conditions approved by the District Council in its review of CSP-06002, many are applicable to the subject CSP revision application.
- (3) At the October 21, 2014 HPC meeting, HPC received a presentation on the subject application, including a discussion of conditions placed on the development by approval of the previous application. The applicant’s counsel, Mr. Robert Antonetti Esq., discussed the major changes from the original CSP application. Representing the applicant, Mr. Andrew Roud, Vice President, Land Use for St. John Properties, noted that the applicant has made approximately \$800,000 worth of improvements to the Melford house and outbuildings. These

improvements include the replacement of the standing seam metal roof on the main house; installation of gutters and downspouts; repair of the porches; repairing and repointing the masonry on the exterior of the house; replacement of several basement windows; installation of French drains around the house; repair, repainting, and reroofing of the outbuildings; and repair of the interior plaster in the main house. Mr. Mike Rosen, BSB Design Inc., provided a PowerPoint presentation that explained how LEED ND (Neighborhood Development) design principles informed the layout of the proposed development. Based on previous approvals, there has been a longstanding concern for the preservation of the views from the Melford house to the Patuxent River and to the Duckett Family Cemetery. Mr. Rosen described how building heights would be restricted in the viewshed through the design guidelines to be approved through the subject application and to ensure that the historic site would remain a centerpiece of the development. Ms. Kate Kuranda, Senior Vice President, R. Christopher Goodwin & Associates Inc., discussed possible future adaptive reuse of the property and the commitment of the applicant to adhere to the Secretary of Interior's Standards for Rehabilitation. Mr. Antonetti proposed revisions to the existing CSP-06002 conditions to reflect the current conditions at the property and staff was in agreement with the applicant's proposed revisions.

Conclusions

- (1) Conditions 3, 7, 9, and 26b of CSP-06002 should be carried forward with the subject application until they can be met through relevant DSP applications.
- (2) Conditions 4, 5, and 6 of CSP-06002 should be refined to clarify the intent of the impact review area surrounding both components of the Melford and Cemetery environmental setting and to ensure that buildings and features visible from the environmental setting are reviewed for their compatibility of "scale, mass, proportion, and materials with the architectural character of the historic site."

Proposed revised language for Conditions 4, 5, and 6 follows:

4. Applicable detailed site plans that may affect the historic vista of the Melford and Cemetery Historic Site shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.
5. Prior to approval of any detailed site plans that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and

architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relates to the character of the historic site.

6. Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood(s) of Melford Village, the applicant in the historic area work permit process shall submit a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery historic site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.
- (3) The subject application establishes and addresses long vistas/viewsheds from points within the environmental setting of Melford House. The Melford Village Design Guidelines appear to establish arbitrary points of view from Melford House that do not accommodate the full impact of new construction within the developing property. If the concept of long vistas/viewsheds is to be effective, it will require refinement in order to: (1) more fully address the views to and from both elements of the historic site's environmental setting and, (2) more precisely address how view corridor protection is to be carried out, i.e., whether or not the entirety of any building only partially located within a viewshed will be subject to a review, including but not limited to building siting, height, massing, architecture, materials, lighting, and landscaping.
 - (4) Conditions 21 and 22 have been addressed by the applicant. A Phase I archeological survey was conducted on the property in February 2005. Three archeological sites were identified on the property. Site 18PR30 is a late Archaic through Woodland period short-term base camp located adjacent to the Patuxent River floodplain. The portion of the site within the subject property had been extensively disturbed by tree removal and grading. Therefore, the site did not retain its integrity and no further work was recommended.

Site 18PR164 consists of archeological deposits and features associated with the Melford House site. Artifacts recovered date from the late eighteenth century to the present. Four cultural features and a sheet midden were identified around the house. Some of the artifacts may reflect the activities of African American slaves. Phase II investigations were recommended for site 18PR164 to assess its eligibility for inclusion in the National Register of Historic Places.

Site 18PR165 is the Duckett Family Cemetery, located about 650 feet northwest of Melford House. Several shovel test pits were excavated outside of and around the cemetery to determine if there were additional unmarked burials. No evidence

of unmarked burials was found, but staff recommended that a ground penetrating radar survey of the vicinity of the cemetery be completed as part of additional required archeological investigation of the property within the limits of the subject plan.

Both Archeological Sites 18PR164 and 18PR165 are located within the Melford and Cemetery Historic Site (71B-016) environmental setting.

- (5) Phase II archeological investigations were conducted on Sites 18PR164 and 18PR165 between February and October 2008. The final Phase II report was accepted by Historic Preservation staff on June 22, 2009. Intact cultural deposits and features were identified within the Melford and Cemetery historic site environmental setting. Evidence was found of extensive landscape alterations in the early twentieth century. A ground penetrating radar survey was conducted in areas outside of the Duckett family graveyard and its environmental setting, which were proposed for development. No anomalies were identified that indicate the presence of unmarked graves, although the possibility of encountering unmarked graves is always present. Staff concurred with the report's findings that no further work is necessary outside of the Melford and Cemetery Historic Site (71B-016) environmental setting. However, if ground disturbance is proposed within the environmental setting, a Historic Area Work Permit will be required. The applicant should provide proof that all artifacts from the Phase I and II investigations have been properly curated at the Maryland Archaeological Conservation Lab prior to the submission of any preliminary plan.

Prior to approval of any DSP that includes a portion of the Melford and Cemetery environmental setting, in consultation with archeology staff, the applicant should provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures, or a website. The location and wording of any additional signage, brochure text, or website should be subject to approval by the Prince George's County Planning Department staff archeologist.

- (6) At the October 21, 2014 HPC meeting, the applicant's counsel, Mr. Robert Antonetti Esq., briefed HPC on several proposed changes to existing conditions that reflect the current conditions of the historic site. Staff agreed with the proposed changes, as they reflect the substantial rehabilitation of the main house and outbuildings that was completed several years ago and has been monitored and maintained by the applicant since then.

HPC reviewed the language of the proposed revisions as well as a staff generated addition to Finding 1 (above). Commissioner Schneider moved that HPC forward the staff recommendations, as modified by an addition to Finding 1, and the applicant's and staff's proposed revisions to Conditions 4, 5, 6, and 21 to the

Planning Board for its review of CSP-06002-01. Commissioner Pruden seconded the motion and it passed with a vote of 7-0-1 (the Chair voted "present").

Recommendations

- (1) HPC recommends that the existing CSP-06002 Conditions 3, 7, and 9 should be carried forward to subsequent applications.
- (2) HPC also recommends that CSP-06002 Conditions 4, 5, 6, and 21 should be revised as follows:
 4. Applicable detailed site plans that may affect the historic vista of the Melford and Cemetery Historic Site shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.
 5. Prior to approval of any detailed site plans that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relates to the character of the historic site.
 6. Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood(s) of Melford Village, the applicant in the historic area work permit process shall submit a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery Historic Site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.
 21. Prior to the submission of a preliminary plan of subdivision, the applicant shall ensure that all artifacts are curated to Maryland Historical Trust standards. The applicant shall demonstrate that the curated artifact collection and associated documentation have been deposited with the Maryland Archeological Conservation Lab.
- (3) In addition, HPC recommends a new condition for CSP-06002-01 to address the interpretation of archeological findings and the historic features of the property at the center of the development:

Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery environmental setting, in consultation with archeology staff, the applicant shall provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures, or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.

The historic preservation conditions have been included in this approval.

b. **Community Planning**—The Community Planning determinations are as follows:

- This application is not inconsistent with the Plan Prince George's 2035 policies for a town center.
- This application is not inconsistent with the 2006 Bowie and Vicinity Master Plan's policies for Melford, as amended by Plan Prince George's 2035.
- Plan Prince George's 2035 created new center designations to replace those found in the 2002 Prince George's County Approved General Plan, and classified the Bowie Town Center as a "Town Center." Center designations in Plan Prince George's 2035 carry with them general guidelines for:
 - The mix of housing,
 - The average housing density for new development,
 - Floor area ratios for new commercial development, and
 - Characteristics of the transportation system that supersede housing, commercial, and transportation goals and policies found in earlier master, sector, functional, transit district development and town center development plans. Other than in these four areas, the recommendations of an earlier-approved master, sector, functional, transit district development and town center development plan remain in full force and effect.

While the proposed concept is not inconsistent with Plan Prince George's 2035 or the Bowie Master Plan, the applicant should consider providing for future office or employment uses on-site, should the market for such uses improve.

The following summarized information was provided:

Plan Prince George's 2035

The proposed development is part of the Bowie Town Center and is also identified as an employment center. The proposed mix of housing, average housing density, commercial

development, and transportation characteristics support the Plan Prince George's 2035 guidelines for the larger Bowie Town Center.

2006 Bowie and Vicinity Master Plan and Sectional Map Amendment

The 2006 Bowie and Vicinity SMA rezoned the subject property from the E-I-A Zone to the M-X-T Zone. In the discussion of this rezoning, the SMA states that the intent of this rezoning is "to promote development and redevelopment of land in the vicinity of a major interchange (US 50 and US 301), with an emphasis on a moderate- to high-density mix of office/employment/retail/hotel, residential, and parkland/open space uses. The M-X-T Zone will permit a flexible response to the market by allowing for and encouraging a diversity of land uses, provide a source of desirable employment opportunities, and foster a live/work environment..."

The master plan classified Melford as a mixed-use area, intended for mixed use (residential and commercial).

- (1) The amount of residential development proposed at this location makes it attractive for some sort of transit service, as it can be reasonably expected that a number of residents will be commuting to destinations on the Metrorail system and could benefit from direct transit connections to downtown Washington, DC or New Carrollton. At the time of DSP, the applicant should show transit stop locations on each map, and should strive to provide supportive amenities such as benches, shade trees, trash receptacles, and other amenities to serve residents/workers/visitors waiting for transit services. The prototypical bus stop is insufficient in and of itself to accommodate the potential number of transit riders in such a dense development.

The Planning Board finds that if transit or bus service is established in the future, DSPs shall show the locations of the proposed transit stops and provide amenities such as shelters, benches, shade trees, and trash receptacles.

- (2) The discussion of parking on page 67 of the applicant's design guidelines should include an analysis of parking demand. The suggested market demand for parking and the demonstration of Baltimore and Howard Counties' outdated parking requirements as examples are not persuasive. This community is intended to encourage walking, biking, and transit. There should be a thorough analysis that demonstrates a demonstrable measurable demand for parking above the required parking ratios in the Zoning Ordinance.
- (3) Given the master plan's recommendation to "minimize the expanse of parking lots through the use of shared parking, structured parking or decks, and/or landscape islands," the applicant should consider shared parking solutions in surface and structured lots, to reduce single-use parking.

A detailed parking analysis shall be provided at the time of DSP, as required by the Zoning Ordinance, and not at the time of CSP. Specific parking ratios shall not be approved at this time.

- (4) Given Melford’s inclusion in a Plan Prince George’s 2035 employment area and the Master Plan’s vision of Melford as an employment area, the applicant should consider providing for potential office and employment uses within the proposed development, should market conditions support such development in the future.

To satisfy the above request, the proposed retail area west of Melford Boulevard should be designated for retail, institutional, or office uses.

- (5) The applicant should include on the cover page of the CSP more detail under General Note 4 to show how much office/employment, residential, and retail is being proposed.

Item 5 of the recommendations has been brought forward as a condition of approval.

c. **Research**—The Special Projects comments are summarized as follows:

Melford was designated as an employment area in Plan Prince George’s 2035. The chart below provides a conservative estimate of the amount of employees the current and approved office, flex, hotel and retail space can support. A total of 4,558 employees could comfortably be accommodated at Melford representing a significant employment base.

Use	Existing SF/Rooms	Proposed SF/Rooms	Employees per SF/Room	Total Employees
Census	N/A	N/A	N/A	207
IDA	N/A	N/A	N/A	160
Warehouse	N/A	N/A	N/A	70
Call Center	N/A	N/A	N/A	250
Office	469,434 SF	91,720 SF	200 SF	2,805
Flex	320,840 SF	260,730 SF	800 SF	726
Retail	N/A	100,000 SF	400 SF	250
Hotel	N/A	362 Rooms	0.25 Room	90
Total				4,558

The current vacancy rates in the existing office and flex space are above 25 percent and part of the leasing difficulties may be due to the lack of local-serving retail goods and services in the area. The introduction of residential will help support ancillary retail goods and services, thereby improving the attractiveness of the area to potential employers.

The applicant is proposing 2,500 dwelling units in total composed of 1,000 age-restricted senior units, 500 townhomes, and 1,000 multifamily units. Based on the unit mix, the total population of the community will be approximately 5,615 residents. One way to assess

whether or not the area should still be considered an employment area even with the introduction of residents is to look at the area's job to population ratio as compared to the county as a whole. Currently, the countywide job to population ratio is 0.36. After the introduction of 5,615 residents and the potential for 4,558 employees, the Melford area's jobs to population ratio would be 0.81, more than double the current countywide jobs to population ratio of 0.36. Even with the introduction of residential uses, Melford will still be a significant employment area within the county.

- d. **Transportation Planning**—The Planning Board reviewed comments on the CSP application and the traffic impact study report submitted by the applicant, as follows:

The subject property was rezoned to the M-X-T Zone as part of the 2006 Bowie and Vicinity Master Plan and SMA approval process. Consequently, a traffic study is required for this CSP application. The applicant prepared a traffic impact study dated May 30, 2014, in accordance with the methodologies in the "Transportation Review Guidelines, Part 1" (Guidelines). The study was referred to the DPW&T, SHA, and the City of Bowie. The findings outlined below are based upon a review of all of the materials received and analyses conducted by staff, and are consistent with the Guidelines.

Pursuant to the findings of Council Resolution CR-11-2006, and in conjunction with the scoping agreement between the applicant and staff, the traffic impact study identified the following intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
MD 3 & MD 450-Gas Station Access	D/1426	D/1305
Belair Drive & Ramp from MD 3 Southbound	A/512	A/443
Belair Drive & Ramps to/from MD 3 Northbound	A/266	A/497
US 301 & Gov. Bridge Road-Harbor Way	B/1028	B/1114
Melford Boulevard & Science Drive (Roundabout)	A/0.278 (v/c)	A/0.219 (v/c)
Curie Drive & Science Drive (Roundabout)	A/0.117 (v/c)	A/0.061 (v/c)

The traffic study also identified nine background developments whose impact would affect some or all of the study intersections. All of these background developments are built, but are at various levels of occupancy. Those background developments are approved under the following applications:

- Specific Design Plan SDP-0103
- Specific Design Plan SDP-0104

- Specific Design Plan SDP-0201
- Specific Design Plan SDP-0203/01
- Specific Design Plan SDP-0402
- Specific Design Plan SDP-0405
- Detailed Site Plan DSP-06096
- Detailed Site Plan DSP-07072
- Detailed Site Plan DSP-07031

Additionally, a growth rate of one percent per year (for six years) was applied to the existing traffic counts along MD 3/US 301. A second analysis was done to evaluate the impact of the background developments on existing infrastructure. The analysis revealed the following results:

BACKGROUND CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
MD 3 & MD 450-Gas Station Access	F/1758	E/1591
Belair Drive & Ramp from MD 3 Southbound	B/1109	A/775
Belair Drive & Ramps to/from MD 3 Northbound	A/841	D/1338
US 301 & Gov. Bridge Road-Harbor Way	D/1339	D/1318
Melford Boulevard & Science Drive (Roundabout)	F/1.809 (v/c)	F/2.169 (v/c)
Curie Drive & Science Drive (Roundabout)	A/0.547 (v/c)	A/0.278 (v/c)

An analysis of the traffic data under total conditions represents a combination of background traffic and site-generated traffic. The following land uses were used in the study as the basis for computing site-generated traffic:

		AM			PM		
		In	Out	Total	In	Out	Total
Retail							
Retail	268,500 square feet	177	108	285	557	604	1,161
	Less internal trips	27	16	43	61	90	151
	Less pass-by (40%)	60	37	97	198	206	404
Total Retail (new trips)		90	55	145	298	308	606
Residential							
Townhouse	500	70	280	350	260	140	400
Multi-family (apartments)	1,000	104	416	520	390	210	600
Senior Adult Housing	1,000	58	127	185	142	80	222
	Less internal trips	13	49	62	85	50	135

Total Residential (new trips)		219	774	993	707	380	1,087
Commercial/Office							
Office - General	136,520 square feet	246	27	273	48	205	253
Office - Medical	150,000 square feet	345	83	428	180	390	570
Museum	100,000 square feet	32	8	40	8	32	40
Woodland Conservation Parcels		1	1	2	1	1	2
	Less internal trips	36	11	47	18	24	42
Total Commercial/Office (new)		588	108	696	219	604	823
TOTAL NEW TRIPS (off-site)							
		897	937	1,834	1,224	1,292	2,516

Using trip generation rates from the Guidelines, as well as the ITE Trip Generation Manual, 9th Edition, the study has determined that the proposed development, based on the above-mentioned uses, would generate a net total of 1,834 (897 in, 937 out) AM peak hour trips and 2,516 (1,224 in, 1,292 out) PM peak hour trips. Using these site-generated trips, an analysis of total traffic conditions was done, and the following results were determined:

TOTAL CONDITIONS		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
MD 3 & MD 450-Gas Station Access	F/1693	E/1547
Belair Drive & Ramp from MD 3 Southbound	A/960	A/790
Belair Drive & Ramps to/from MD 3 Northbound	A/670	C/1216
US 301 & Gov. Bridge Road-Harbor Way	C/1264	C/1277
Melford Boulevard & Science Drive (Signalized)	B/1077	D/1389
Melford Boulevard & Science Drive (Roundabout)	C/0.892	F/1.396
Melford Boulevard & Telsa Drive-Site entrance (Roundabout)	C/0.852 (v/c)	A/0.751 (v/c)
Melford Boulevard & Telsa Drive-Curie Drive (Roundabout)	A/0.643 (v/c)	B/0.568 (v/c)
Curie Drive & Science Drive (Roundabout)	A/0.400 (v/c)	A/0.243 (v/c)

The results shown in the table above have indicated that there are two intersections that would operate unacceptably under total traffic conditions. One of these intersections is located within the MD 3/US 301 corridor, where the use of mitigation (CR-29-1994) is allowed. To that end, the applicant has evaluated an option where specific improvements were tested based on the mitigation guidelines. Specifically, the applicant has proposed the following lane configurations:

MD 3/MD 450/Gas Station Access intersection

- Provide a fourth northbound and southbound through lane (Note: This improvement has already been constructed by the applicant).

Melford Boulevard & Science Drive

- Convert the existing roundabout to a traditional four-legged signalized intersection.

With these improvements in place, the MD 3/MD 450 intersection was found to operate adequately within the boundaries established by CR-29-1994. The intersection of Melford Boulevard/Science Drive will also operate adequately.

The traffic study concludes that the provision of a second left-turn lane on the west leg of the intersection of US 301/Governor Bridge Road/Harbor Way will mitigate the site impact by more than 150 percent (NOTE: This improvement has already been constructed by the applicant). It further indicates that, with all of the improvements identified, the roadway system can accommodate the proposed development.

Based on the preceding findings, the Transportation Planning Section determines that the plan conforms to the required findings for approval of the CSP from the standpoint of transportation if the application is approved with the following conditions:

- (1) The proposed development should be limited to a mix of uses where the net new trips shall not exceed 4,441 AM and 4,424 PM peak hour trips. Any development with an impact beyond that identified herein above shall require a revision to the CSP with a new determination of the adequacy of transportation facilities.
- (2) At the time of the preliminary plan, the applicant should reevaluate the intersection of Melford Boulevard/Science Drive to determine what improvements will be needed at various phases of the proposed development.

e. **Subdivision Review**—The Subdivision Review analysis of the subject application is as follows:

- (1) **Previous Preliminary Plan Approvals:** Preliminary Plan of Subdivision 4-98076 for 153.20 acres, including a portion of the subject site, was approved by the Planning Board on September 28, 2000 (PGCPB Resolution No. 99-28(A)). The resolution contains 17 conditions, and Condition 17 states the following:

- 17. Any further development of the subject site that would generate more than 2,200 AM and 2,605 PM trips will require the submission of a new preliminary plat with a new traffic impact study.**

Preliminary Plan 4-07055 for 176.19 acres, including a portion of the subject site, was approved by the Planning Board on June 19, 2008 (PGCPB Resolution No. 08-86). Preliminary Plan 4-07055 approved no residential uses on the property. The resolution contains 34 conditions, and Conditions 4 and 32 relate to the review of this application.

4. **Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.**
32. **Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of detailed site plans.**

The two trip caps above apply to the entire subject property for land that is the subject of Preliminary Plans 4-98076 and 4-07055. A new preliminary plan is required to address the alteration and the required findings of Subtitle 24 of the County Code, which include adequate transportation facilities. Residential uses were not contemplated on the property with the approval of 4-98076 and 4-07055.

- (2) **Consistency with Record Plats:** The applicant has submitted survey information to verify the legal configuration of the parcels within the CSP.
- (3) **Private Roads and Easements:** Section 24-128, Private roads and easements, of the Subdivision Regulations discuss road layouts for a subdivision. Specifically, in this instance, the property is subject to Section 24-128(b)(7)(A) which provides:
 - (7) **In Comprehensive Design and Mixed Use Zones:**
 - (A) **For land in the V-L, V-M, R-L, R-S, R-M, R-U, M-U-I, L-A-C, M A C, M-X-C, M-U-TC, and M-X-T Zones, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve attached single-family dwellings, two-family dwellings, and three-family dwellings, but not single-family detached or multifamily dwellings, in accordance with the requirements of Subsections (e) and (f) of Section 27-433 of the Zoning Ordinance, except as hereinafter provided. In all of the above zones, and in the R-R Zone when developed as a cluster**

subdivision, the Planning Board may approve a subdivision with alleys to serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. The District Council may disapprove the inclusion of alleys during the consideration of the detailed site plan for a cluster subdivision. For the purposes of this Section, an “alley” shall mean a road providing vehicular access to the rear or side of abutting lots, and which is not intended for general traffic circulation.

- (i) The pavement width of private roads may be reduced to not less than a minimum of twenty-two (22) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, hierarchical street system for a development.**
- (ii) The pavement width of private alleys shall be not less than eighteen (18) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, vehicular access to individual lots. Since alleys only provide vehicular access to lots with frontage on a public street, alleys shall not be required to be improved with street trees or curb and gutter, unless a drainage problem has been identified by the Department of Environmental Resources or the Department of Public Works and Transportation.**

The CSP proposes 2,000 multifamily dwelling units and shows many multifamily buildings throughout the site. Sheet 6 of the CSP shows a street network of primary routes (boulevards), secondary routes (streets), and tertiary routes (alleys/access drives). The applicant has indicated that the primary routes will be public rights-of-way and the secondary and alley streets will be private rights-of-way. Based on the development layout, it appears that many of the multifamily buildings will have frontage and access to private streets. Pursuant to Section 24-128(b)(7)(A), a private street is not permitted to serve the multifamily parcels.

The CSP proposes 500 townhouse units, and the proposed townhouse layout shows that the majority of the townhouse lots will have frontage on secondary routes (private streets) and access by the private alleys. Sheet 9 of the CSP shows the street cross section and indicates that the neighborhood streets will be 62 feet wide and the residential alleys will be 24 feet wide. Pursuant to Section 24-128(b)(7)(A), a residential subdivision can utilize alleys if lots have frontage on and pedestrian access to a public right-of-way. A variation request to

Section 24-128(b)(7)(A) would be required at the time of the preliminary plan to allow the fronting of townhouses on a private street rather than public street for the use of alleys. The design of the alleys will be reviewed and the applicant should anticipate modifications to the layout.

The Street Sections section on pages 18 and 19 of the Melford Village Design Guidelines provides a concept of different features within the proposed private and public rights-of-way. The Street Sections section should be revised to include the property line and the public utility easement. The CSP does not provide any conceptual layout of how the public utilities will be accommodated within the proposed development site. Pursuant to Section 24-122(a) for public road and Section 24-128(b)(12) for private road, a ten-foot-wide public utility easement should be adjacent to all rights-of-way. A color coded utility plan should be submitted with the preliminary plan application for review and conceptual approval by all of the affected utilities.

A more detailed review of the lot and parcel layout, circulation, and the relationship of land uses will occur at the time of preliminary plan review.

The entire subject property as shown on the CSP should be filed under one preliminary plan. Pursuant to Section 27-270 (Order of Approvals) of the Zoning Ordinance, CSP-06002-01 will need to be approved prior to approval of the preliminary plan.

f. **Trails**—The trails analysis of the subject application is as follows:

- (1) **Master Plan:** The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the area master plan identify two master plan trail corridors that impact the subject site, as shown on the plan maps for the MPOT and area master plan. A trail is shown along the Patuxent River corridor that will potentially connect to existing and planned parkland both to the north and south, and a connector trail is shown linking the future development on the Melford site with the stream valley trail along the Patuxent River.

The MPOT also includes a complete streets element that contains several policies related to accommodations for bicyclists and pedestrians along new road construction. The Complete Streets section includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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

POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation.

Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

The area master plan and MPOT recommend two master plan trails that impact the subject property. As noted above, a stream valley trail is recommended along the Patuxent River, and one trail connection is shown linking the Melford site with the trail along the Patuxent River. The submitted CSP includes the stream valley trail along much of the length of the Patuxent River along the subject site, and two trail connections are included that link the proposed development with the master plan trail. The conceptual pedestrian network plan shows the stream valley trail extending south through the site to Marconi Drive, where it apparently continues as a sidewalk to the southern property edge. The extension of the trail the entire length of the stream valley is recommended.

The subject application includes sidewalks on both sides of the internal roads and several internal trail/bicycle connections, in addition to the master plan trail. The trail along the Patuxent River corridor is shown as two connections from both the north and south ends of the development. These connections appear to meet the intent of the master plan recommendations. A modified grid road network is being proposed which appears to accommodate relatively small block sizes and include sufficient crossing opportunities for pedestrians. In addition to the proposed network of sidewalks, pedestrian access is further supplemented by the stream valley trail, the trail around the pond, and the proposed trail/bicycle routes. The trail limits and alignment are acceptable as shown on the submitted trail construction plans and fulfill the master plan recommendation for a trail along the stream valley.

- (2) **Conceptual Site Plan Review:** Although an extensive network of sidewalks and trails is proposed, on-road bicycle facilities do not appear to be included on most roads, although shared lane markings appear to be indicated on Melford Boulevard. The applicant worked with the City of Bowie to develop the road cross sections, and the overall vision for the subject site is for an urban street network where traffic is relatively slow, traffic patterns are dispersed across a “grid” street network, and bicycles share the travel lane with automobiles. In this regard, the applicant is proposing shared lane markings and “Bikes May Use Full Lane” signs along some roads. Full separated bicycle lanes may be warranted along major roads to better accommodate bicyclists, given the density and number of dwelling units being proposed on the site. The need for additional dedication and full bicycle lanes can be explored with the applicant and the City of Bowie at the time of preliminary plan. Pending discussions with the City of Bowie, it may be appropriate to include designated bicycle lanes along some of the major internal roads or boulevards. Bicycle lanes may be most appropriate along the primary routes through the site (the boulevards) and/or the designated bicycle routes.

The site is within the Bowie regional center and will be subject to the requirements of Council Bill CB-2-2012 and the “Transportation Review Guidelines, Part 2” at the time of preliminary plan. A finding of bicycle and pedestrian adequacy and compliance with the guidelines will be made at the time of preliminary plan.

From the standpoint of non-motorized transportation, it is determined that this plan is acceptable, fulfills the intent of applicable master plans and functional plans, and meets the findings required for a CSP. The need for additional dedication and designated bicycle lanes will be evaluated at the time of preliminary plan in consultation with the City of Bowie.

On October 24, 2014, staff met with the applicant and the City of Bowie’s Planning Director to discuss the applicant’s proposal for on-road bicycle facilities. The design guidelines propose shared lane markings, or “sharrows,” along Melford Boulevard only. No designated on-road bicycle facilities are shown along the neighborhood streets or the east-west and north-south boulevards. The City of Bowie fully supports the proposal, including the proposal of sharrows instead of bicycle lanes along Melford Boulevard. During the City’s review of the plans, it was discussed that the sharrows facilitate a more compact street section. The City believes it is preferable to retain the existing right-of-way width for all improvements along Melford Boulevard.

The appropriateness of the applicant’s planned street section will be evaluated in detail at the time of preliminary plan.

- g. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated October 20, 2014, DPR provided the following summarized comments:

The applicant fulfilled the requirements of Condition 29b, c, d, and e of Conceptual Site Plan CSP-06002, which includes donation of 96.5 acres of parkland along the Patuxent River; entering into a public recreational facilities agreements (RFA), recorded at Liber 31304, Folio 145, for the design and construction of the master plan trail and trailhead facilities along the Patuxent River; and making a monetary contribution of \$250,000 for the design and construction of the Green Branch Athletic Complex, which is located in close proximity to the subject development.

In addition, the applicant proposes on-site private recreational amenities, including open plazas, courtyards, pocket parks, three clubhouses with outdoor pools, and an amphitheater. With this CSP, the applicant shows planned recreational areas including open plazas, courtyards, pocket parks, waterfront parks, an amphitheater, and clubhouses. The details for development of these recreational areas will be refined at the time of the DSP. DPR recommends that these recreational areas should include playgrounds for children of all ages.

The public RFA recorded at Liber 31304, Folio 145, requires the applicant to construct public recreational facilities on dedicated parkland prior to issuance of 50 percent of the building permits in Pod 7 and submission of the performance bond prior to issuance of any building permit in Pod 7 on Preliminary Plan 4-07055. DPR evaluated the boundaries of the CSP-06002-01 application and Pod 7 and determined that approximately 1,007 residential dwelling units will be located within Pod 7. DPR and the applicant agreed that the timing for the construction of public recreational facilities on dedicated parkland should be refined from prior to issuance of 50 percent of the building permits in Pod 7 to prior to issuance of a building permit for the 500th residential dwelling unit within the Melford development. In addition, DPR agreed that the applicant should submit the performance bond, letter of credit, or other suitable financial guarantee for the construction of public recreational facilities on dedicated parkland prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development.

DPR concludes that, with the recommended modification to the proposed package of private and public recreational facilities as described in the recommendation section below, the applicant will fulfill the recreational needs of the future Melford residents and the surrounding community.

DPR recommends to the Planning Board that approval of Conceptual Site Plan CSP-06002-01 be subject to the following conditions:

- (1) The applicant shall complete construction of a ten-foot-wide asphalt surface hiker/bicycler/equestrian trail, four boardwalks, a 15-space asphalt parking lot, an asphalt access road, and trailhead facilities on the adjacent Patuxent River Park prior to issuance of a building permit for the 500th residential dwelling unit within the Melford development.
- (2) Prior to the first residential building permit, the applicant shall submit to DPR for review and approval revised construction drawings for public recreational facilities. These drawings shall include the details for construction of the planned asphalt parking lot and asphalt access road.
- (3) The applicant shall construct at least two eight-foot-wide asphalt trail connectors from the residential neighborhood to the master-planned trail on dedicated parkland. The location of the trail connectors shall be established at the time of DSP review and approval.
- (4) The applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DPR, within at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development.

- (5) Prior to submission of any final plat of subdivision for the residential component of the Melford development, the public recreational facilities agreement (RFA) recorded at Liber 34304, Folio 145, shall be amended to incorporate an asphalt parking lot, an asphalt access road to the park, timing of construction, and bonding of the recreational facilities. Upon DPR approval, the RFA shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.
 - (6) The applicant shall allocate appropriate and developable areas for the private recreational facilities on the homeowners association land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division for adequacy and proper siting, prior to approval of the DSP by the Planning Board.
- h. **Environmental Planning**—The Planning Board reviewed an analysis of the application's conformance with the Woodland and Wildlife Habitat Conservation Ordinance (WCO), along with the following summarized comments:
- (1) A Natural Resource Inventory, NRI-056-08, was approved for the subject property on February 21, 2008 and was submitted with the current application. A revised NRI is not required at this time, but will be submitted for approval prior to preliminary plan.
 - (2) The Maryland Department of Natural Resources (MDNR), Wildlife and Heritage Division, issued a letter dated May 18, 2001 that states that there are no records of rare, threatened or endangered (RTE) plants or animals within this project site. A MDNR database indicates that there are recent records of species of concern known to occur within the vicinity of the site; however, the portions of the subject property currently under review would not be likely to support the species listed. Much of the subject property currently under review, while presently wooded, has been disturbed over the course of the last few decades as indicated by the presence of Virginia pine and the small diameter of the trees on-site. If any regulated species are present on the site, they would most likely be located within the areas proposed for preservation: the streams, wetlands, floodplain, and their associated buffers. An updated letter from MDNR regarding the presence of RTE on the site shall be submitted as an amendment to the NRI.
 - (3) Prior to grading of the site, the county requires approval of an erosion and sediment control plan. The TCP must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including erosion and sediment control measures. A copy of the erosion and sediment control concept plan must be submitted at the

time of preliminary plan so that the ultimate limits of disturbance for the project can be verified and shown on the TCP.

The environmental conditions have been included in this approval.

- i. **Prince George's County Fire/EMS Department**—No response was received from the Fire/EMS Department. The Fire/EMS Department will have an opportunity to comment on future detailed applications within Melford.
- j. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 16, 2014, DPIE provided comments on the CSP. DPIE notes that coordination with the City of Bowie will be necessary for on-site grading, storm drain, and stormwater management. The applicant shall acquire concept and permit approvals from Prince George's County and SHA for any off-site road improvements that are required as a part of the traffic impact study. The stormwater management plan is to be approved by the City of Bowie.
- k. **Prince George's County Police Department**—In a memorandum dated June 19, 2014, the Police Department indicated that there are no crime prevention through environmental design (CPTED) related issues with the subject application.
- l. **Prince George's County Health Department**—In a memorandum dated October 24, 2014, the Health Department provided the following comments:
 - (1) Due to proximity to two major highway arterials, numerous residential and office units are potentially to be sited within the 65 dBA Ldn zones. Noise can be detrimental to health with respect to hearing impairment, sleep disturbance, cardiovascular effects, psycho-physiologic effects, psychiatric symptoms, and fetal development. Sleep disturbances have been associated with a variety of health problems, such as functional impairment, medical disability, and increased use of medical services even among those with no previous health problems. Future plans should include the 65 dBA Ldn impact zone in order to properly assess and minimize the potential adverse health impacts of noise on any susceptible populations.

The future preliminary plan and DSP will have to address noise issues as more detailed site design is determined.

- (2) Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes.

The submitted CSP proposes to have sidewalks along both sides of all public and private roads along with multiple trails, which will contribute to a high-quality pedestrian environment.

- (3) Research shows that access to public transportation can have major health benefits. It can be good for connectedness and walkability. There were observed proposed bus stops for future mass transit identified on page 20 of the Melford Village Design Guidelines.

This is noted. Bus facilities will have to be further analyzed at the time of preliminary plan and DSP when final road locations are determined.

- (4) Living in proximity to green space is associated with reduced self-reported health symptoms, better self-rated health, and higher scores on general health questionnaires. The site proposes a ten percent tree canopy coverage area; this will be an added health benefit to the surrounding community.

This is noted. Future plans will have to continue to show conformance to the Tree Canopy Coverage Ordinance.

- (5) There are no existing carryout/convenience store food facilities located within a one-half mile radius of this location. However, there are 14 existing carryout/convenience store food facilities within a one- to two-mile radius of the proposed Melford community. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. Future plans should include the number of proposed carryout and convenience stores that will be present within the community.

This is noted. The Planning Board encourages the applicant to be considerate in their choices of tenants to ensure that there are high-quality healthy food choices for the future residents.

- (6) There are ten market/grocery store options within a one- to two-mile radius of this location. A 2008 report by the University of California, Los Angeles, Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity.

The Planning Board encourages the applicant to target a grocery store tenant, or other uses, that might provide high-quality healthy food choices, as they continue to develop the proposed commercial-retail portion of the subject property.

- (7) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

Future DSPs for the property should indicate the applicant's intent to conform to the mentioned requirements.

- (8) During the construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Future plans should indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the County Code.

Future DSPs for the property should indicate the applicant's intent to conform to the mentioned requirements.

- m. **Maryland State Highway Administration (SHA)**—In a memorandum dated July 15, 2014, SHA requested that the applicant provide revisions to the prepared traffic impact study and submit those revisions with a point-by-point response.

The referral is preliminary in nature and did not indicate the need for dedication or reservation, nor did it specify frontage improvements for the subject proposal. Through referral comments and correspondence with SHA and Lenhart Traffic Consulting, the Transportation Planning Section was able to determine that existing transportation facilities will be adequate to carry anticipated traffic for the proposed development. The transportation network will be reviewed in detail at the time of preliminary plan, and a traffic impact study will be referred to SHA for evaluation at that time.

- n. **Washington Suburban Sanitary Commission (WSSC)**—In a comments dated June 18, 2014, WSSC expressed the inability to provide comments on the CSP due to the lack of water and sewer pipeline information on the plans. Such information would need to be provided at the time of DSP, when the exact locations of proposed buildings and proposed water and sewer easements will be reviewed. The location of the buildings and structures in relation to WSSC easements will be required to meet WSSC standards.

- o. **Verizon**—In an e-mail dated June 19, 2014, Verizon indicated that the subject application will need to provide a suitable public utility easement parallel, contiguous, and adjacent to all public and private road and alley rights-of-way, free and clear of all obstructions, at no greater than a 4:1 slope.

The applicant aims to provide a nonstandard public utility easement arrangement. This issue will be reviewed in depth at the time of preliminary plan.

- p. **The City of Bowie**—In a letter dated June 20, 2014 (Robinson to Hewlett), the City of Bowie provided comment on the CSP, as follows:

At its meeting on April 21, 2014, the Bowie City Council conducted a public hearing on the proposed revision to CSP-06002 for the Melford property. As originally proposed to the City, the CSP revision included up to 100,000 square feet of retail; up to 260,000 square feet of employment; 126,520 square feet of research space; and up to 2,500 dwelling units (including up to 500 senior adult multifamily units, 1,500 non-senior multifamily units, and 500 townhome units). After hearing from 14 speakers who expressed their views on the proposal, the City Council voted to approve the CSP for Melford Village, but determined that the residential component should be revised to include up to 1,000 senior multifamily units (which may include assisted living facility units), up to 1,000 non-senior multifamily units, and up to 500 townhome units. The Council believes that this change will provide more opportunities for seniors, reduce the high number of market rate multifamily units, and generate less traffic overall. With the conditions set forth below, the City Council finds that the CSP for Melford Village will meet the findings for approval set forth in the Prince George's County Zoning Ordinance.

The City Council recommends APPROVAL of the CSP revision submitted by St. John Properties on December 12, 2013 (and amended through subsequent revisions dated April 1, 2014) and the April 15, 2014 Design Guidelines revision, with the following conditions:

- (1) A development agreement shall be executed to ensure the provision of both market rate workforce and affordable senior housing units in the project, prior to acceptance of the CSP by Prince George's County. The statement in St. John Properties' March 31st transmittal that the Affordable Dwelling Units (ADUs) will be provided prior to the issuance of the 1,500th building permit shall be replaced with a statement in the development agreement that guarantees that the units will be provided in each of the defined project residential phases of the project.

The above condition is a private agreement that was reached between the applicant and the City of Bowie. This condition was met prior to submission of the subject CSP. No Planning Board action regarding the above condition is necessary.

- (2) A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.

The site will be subject to Council Bill CB-2-2012 at the time of preliminary plan. At that time, the applicant will be required to submit a bicycle and pedestrian impact statement (BPIS), and the applicant's responsibility for off-site improvements will be determined.

Nevertheless, as the applicant has agreed to this City of Bowie condition, the CSP and the design guidelines shall be revised to graphically show the conceptual location of the envisioned pedestrian connection. Also the provision of this connection and the timing of its implementation has been brought forward as a condition of approval.

- (3) An analysis of the levels of service associated with the Melford Boulevard/ Science Drive traffic roundabout shall be submitted by the applicant, their successors or assigns, prior to the issuance of a building permit for the 1,500th dwelling unit and that the applicant, its successors and/or assigns is responsible for making all related improvements.

At the time of the preliminary plan, the applicant shall reevaluate the intersection of Melford Boulevard/Science Drive to determine what improvements will be needed at various phases of the proposed development. Timing for the construction of those necessary improvements will be evaluated at that time.

- (4) St. John Properties shall implement traffic calming measures along Belair Drive between MD 3 and Kenhill Drive, including four (4) or more locations for traffic calming devices, prior to the issuance of any residential building permits for Melford Village. The applicant, its successors and/or assigns shall be made responsible for all traffic calming improvements noted above.

The above-described portion of Belair Drive is a City of Bowie roadway that is approximately 1.15 miles in length and is located on the west side of Crain Highway (MD 3), across MD 3 from the subject property. The applicant has stated on the record that they intend to fully comply with the above recommendation. They have preferred to do this improvement. This is an agreement between the applicant and the City of Bowie.

- (5) To ensure that the residential component is balanced, the number of townhouse units included in the development shall be restricted to a maximum of 20%. The developer may exceed the 20% limitation subject to approval of any required variance to Section 27-547, footnote 7, at the time of Detailed Site Plan review.

The Planning Board concurs with the intent of the above recommendation. However, the townhouse restriction is a requirement of Section 27-547(b), Footnote 7, of the Zoning Ordinance. Because the townhouse restriction applies to the subject site and is required by the Zoning Ordinance, the Planning Board found that a finding to this effect is sufficient and no further condition is necessary.

13. As required by Section 27-276(b)(1) of the Zoning Ordinance, the conceptual site plan will, as approved with the conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a conceptual site plan:

(4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on consistency with the limits of disturbance shown on the previously approved CSP-06002 and TCPI-044-98-02. The impacts proposed on the current application are consistent with prior approved impacts.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI-44-98-04), and further APPROVED Conceptual Site Plan CSP-06002-01 for the above-described land, subject to the following conditions:

1. The proposed development shall be limited to a mix of uses where the trip cap associated with the uses within the boundary of CSP-06002-01 shall not exceed 4,441 AM and 4,424 PM peak hour trips. Any development with an impact beyond that identified hereinabove shall require a revision to the conceptual site plan with a new determination of the adequacy of transportation facilities.
2. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
 - a. Verify the square footages of the existing development within the area of the CSP. Correctly note the existing and proposed square footages and floor area ratio based on the net tract area.
 - b. Add a note to the Site Data chart on Sheet 4 that all detailed site plans must show conformance to the specific allowed floor area ratios.
 - c. Revise the CSP to graphically show the conceptual location of the proposed pedestrian connection between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section of Bowie.
 - d. Revise General Note 4 and the CSP to clearly indicate the range of square footage for each use within the boundary of the CSP.

- e. Designate the retail area west of Melford Boulevard for retail, institutional, or office uses.
 - f. Correct the notations on the CSP to include the following text “Melford and Cemetery Environmental Setting (Historic Site 71B-016).”
 - g. Revise CSP Sheets 4, 5, 6, 7, 8, and 9 of 13 to show the 150-foot-wide floodplain buffer correctly.
 - h. Indicate the location of a “conservation easement” that is required for the 150-foot-wide floodplain buffer on Sheet 13 of 13.
 - i. Revise the subject CSP boundary to include all of the properties that were the subject of Conceptual Site Plan CSP-06002. Publicly-owned properties not subject to zoning do not need to be included in the boundary of CSP-06002-01.
3. Prior to certificate of approval of the conceptual site plan (CSP), the Melford Village Design Guidelines (Guidelines) shall be revised as follows:
- a. References to departures, variances, or variations should be modified or clarified, as necessary, to avoid conflicts with Zoning Ordinance procedures.
 - b. Label each appendix section clearly as an appendix.
 - c. Move the parking ratio table and shared parking adjustment table, and all associated language, to an appendix. Add an opening statement regarding the purpose, as described in Finding 7e above, to be reviewed by the Urban Design Section as designee of the Planning Board.
 - d. Move the Definitions section to an appendix and add an opening statement regarding the purpose, as described in Finding 6 above, to be reviewed by the Urban Design Section as designee of the Planning Board.
 - e. Move the Design Review Committee Policies & Procedures section to an appendix and add an opening statement regarding the purpose, as described in Finding 6 above, to be reviewed by the Urban Design Section as designee of the Planning Board.
 - f. A note shall be added to the Street Sections section (page 19) indicating that it shows conceptual street sections that are subject to final approval with the preliminary plan of subdivision.
 - g. Provide language at the bottom of the Street Sections section on page 19 to state that the appropriateness of shared lane markings (sharrows) will be evaluated at the time of preliminary plan of subdivision subject to the approval of the City of Bowie.

- h. Remove the reference to a parking space size in the Parking Standards section.
 - i. Revise the maps within the Guidelines to maintain consistency with the CSP, as necessary.
 - j. Amend the landscape design guidelines to state that "Residential landscaping shall be provided in accordance with Section 4.1 of the Prince George's County Landscape Manual."
 - k. Amend the landscape design guidelines to reflect that street trees along private streets should be located between the street curb and the sidewalk in conformance with the Prince George's County Landscape Manual, and meet the minimum soil surface area requirements contained in the Prince George's County Landscape Manual.
 - l. Amend the landscape design guidelines on page 51 to reflect that landscaping in parking areas should be designed to conform to the Prince Georges County Landscape Manual.
4. At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:
- a. Reevaluate the intersection of Melford Boulevard and Science Drive to determine what improvements will be needed at various phases of the proposed development.
 - b. Provide an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare, threatened, and/or endangered species on the site as an amendment to the updated natural resources inventory (NRI) prior to approval.
 - c. If impacts to regulated environmental features are proposed at the time of preliminary plan, over and above those previously approved by the Planning Board, a statement of justification shall be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification shall address how each impact has been avoided and/or minimized and shall include 8.5 by 11 exhibits of the proposed disturbance.
 - d. The preliminary plan application package shall contain a copy of the erosion and sediment control concept plan.
 - e. Evaluate the provision of a circulator shuttle bus service or route throughout Melford, to/from adjacent or nearby employers, commuter bus lots, and future stations and/or mass transit.
5. Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbances to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested wherever

possible. The Type I tree conservation plan associated with the preliminary plan of subdivision will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.

6. During the review of the Type I tree conservation plan associated with the preliminary plan of subdivision, the linear wetland in the middle of the southeastern portion of the site shall be evaluated to ensure its protection in a manner consistent with previous approvals.
7. Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:
 - a. The development plans shall show minimization of impervious surfaces, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.
 - b. The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.
 - c. Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.
 - d. The open space system, including but not limited to environmentally-sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.
8. All stream channels on the site shall be depicted on all plans in their entirety, with the regulated stream buffer shown as required.
9. At the time of detailed site plan (DSP), the following design issues shall be addressed:
 - a. The plans shall show the stormwater management ponds as amenities, with gentle natural slopes and extensive native planting.
 - b. Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery Environmental Setting, in consultation with archeology staff, the applicant shall provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a

printed brochure, public lectures or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.

- c. The proposed lighting system shall use full cut-off lighting systems, with limited light spill-over.
 - d. Applicable DSPs that may affect the historic vista of the Melford and Cemetery Historic Site (71B-016) shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in Conceptual Site Plan CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.
 - e. Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.
10. Detailed site plans shall provide a minimum 30-foot-wide landscaped buffer between the development and John Hanson Highway (US 50/301) if research and development flex space is proposed. The buffer shall be measured from the public utility easement.
11. At the time of detailed site plan, the private on-site recreational facilities within the area of each DSP shall be reviewed. The following issues shall be addressed:
- a. The applicant shall provide a final list of proposed private recreational facilities and their cost estimates. The list of facilities provided on page 15 of the conceptual site plan design guidelines shall initially be viewed as the types of facilities required. The appropriateness of the number and size of the facilities will be reviewed at DSP.
 - b. The minimum size of the proposed private recreational facilities and the timing of their construction shall be determined.
 - c. The developer and the developer's heirs, successors, and/or assignees shall satisfy the Prince George's County Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.
12. Before approval of a detailed site plan for any retail uses, the plans shall demonstrate that the retail uses are designed to:
- a. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational

opportunities, entertainment and cultural activities, public services, and dining; and providing attractive gateways/entries and public spaces.

- b. Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.
- c. Create attractive architecture by using high-quality building materials such as stone, brick, or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes, and customized shopfronts to create a street-like rhythm.
- d. Provide attractive quality façades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC (heating, ventilating, and air conditioning), and other unsightly functions.
- e. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for safe and comfortable travel; pedestrian walkways shall be separated from vehicular circulation by planting beds, raised planters, seating walls, and on-street parallel parking or structures; walking distances through parking lots shall be minimized and located to form logical and safe pedestrian crossings; and walkways shall be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.
- f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.
- g. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.
- h. Provide a hierarchy of pedestrian-scaled, high-quality, energy-efficient, direct and indirect lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.
- i. Provide a comprehensive sign package for signs and sign standards that integrate the signage guidelines within Conceptual Site Plan CSP-06002-01 and the previously approved sign standards contained in Detailed Site Plan DSP-11008. The standards shall address size, location, square footage, materials, and lighting. Any revision to existing approved signage plans shall incorporate the previously approved designs. The revised signage plan to consolidate the signage standards and remove inconsistencies may be approved by the Planning Director, as designee of the Planning Board.

- j. Eliminate all temporary signage on the site or attached to the exterior façades of a building.
 - k. Make retail pad sites compatible with the main retail/office/hotel/residential component. If the retail pad sites are located along the street, all off-street parking shall be located to the rear or side of the pad sites. Parking provided on the side of pad sites shall be buffered with appropriate screening and/or landscape features.
 - l. Provide green areas or public plazas between pad sites, where reasonably practicable.
 - m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.
13. All plans shall delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016.
14. Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood of Melford Village, the applicant in the historic area work permit process shall submit a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery Historic Site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.
15. In the detailed site plan for the development of the Melford Historic Site (71B-016), its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.
16. Prior to approval of any preliminary plan of subdivision or detailed site plan applications, the Historic Preservation Section shall certify that all quarterly reports have been received in a timely manner and that the Melford site is being properly maintained.
17. The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with Guideline 3 of Prince George's County Council Resolution CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required where reasonably appropriate, unless modified by the City of Bowie for portions of sidewalk within the public right-of-way.
18. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate, and shall be shown on all affected detailed site plans.

19. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the lower pond. The comprehensive trail network will be evaluated at the time of preliminary plan of subdivision and should be in conformance with Guidelines 29 and 30 of Prince George's County Council Resolution CR-11-2006.
20. The illustrative plan provided with the conceptual site plan (CSP) is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other master plan considerations.
21. No additional research and development flex space is permitted in the Mixed Use-Transportation Oriented (M-X-T) Zone at Melford.
22. Recreation Facilities Conditions:
 - a. The applicant shall complete construction of a ten-foot-wide asphalt surface hiker/bicyclist/equestrian trail, four boardwalks, a 15-space asphalt parking lot, an asphalt access road, and trailhead facilities on adjacent Patuxent River Park prior to issuance of a building permit for the 500th residential dwelling unit within the Melford development.
 - b. Prior to the first residential building permit, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) for review and approval revised construction drawings for public recreational facilities. These drawings shall include details for construction of the planned asphalt parking lot and asphalt access road.
 - c. The applicant shall construct at least two eight-foot-wide asphalt trail connectors from the residential neighborhood to the master-planned trail on dedicated parkland. The location of the trail connectors shall be established at the time of detailed site plan review and approval.
 - d. The applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development.
 - e. Prior to a submission of any final plat of subdivision for the residential component of Melford, the public Recreational Facilities Agreement (RFA) recorded at Liber 34304, Folio 145 shall be amended to incorporate an asphalt parking lot and asphalt access road to the park, timing of construction, and bonding of the recreational facilities. Upon DPR approval, the RFA shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.

- f. The applicant shall allocate appropriate and developable areas for the private recreational facilities on the homeowners association land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.
- 23. A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.

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 Washington, Geraldo and Bailey voting in favor of the motion, with Commissioner Shoaff opposing the motion, and with Commissioner Hewlett recused at its regular meeting held on Thursday, November 13, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of December 2014.

Patricia Colihan Barney
Executive Director

Jessica Jones
By Jessica Jones
Planning Board Administrator

PCB:JJ:MF/JK:arj

APPROVED AS TO LEGAL SUFFICIENCY.

Matthew Miller
M-NCPPC Legal Department

Date 11/18/14

 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

June 24, 2008

St. John Properties
2560 Lord Baltimore Drive
Windor Mill, Maryland 21244

Re: Notification of Planning Board Action on
Preliminary Plan 4-07055
Melford Phase II

Dear Applicant:

This is to advise you that on **June 19, 2008** referenced Preliminary Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Article 28, Section 7-116(g) of the Maryland Annotated Code, an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) calendar days after the date of the final notice **June 24, 2008**.

Very truly yours,
Arie Stouten, Chief
Development Review Division

By: 
Reviewer

c: Persons of Record

PGCPB No. **08-86**



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

PGCPB No. 08-86

File No. 4-07055

RESOLUTION

WHEREAS, St. John Properties is the owner of a 176.19-acre parcel of land known as Parcels 1 (two), 2, 4, 5, 7, 32, 77, 80, and 81 located on Tax Map 48 in Grid A-3, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned M-X-T; and

WHEREAS, on January 10, 2008, St. John Properties filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 29 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-07055 for Melford, Phase 2 was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on May 29, 2008, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on May 29, 2008, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/44/98-03), and further APPROVED Preliminary Plan of Subdivision 4-07055, Melford, Phase 2, for Parcels 1-29 with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Provide current property descriptions, based on the tax map descriptions.
 - b. Conform to DPR Exhibit A-4-07055.
 - c. Indicate that office-warehouse or warehouse refer to accessory uses only.
2. A Type II tree conservation plan shall be approved in conjunction with detailed site plans.
3. Development of this site shall be in conformance with the Stormwater Management Concept Plan #01-0907-207NE15, issued by the City of Bowie and any subsequent revisions.

4. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.
5. Prior to the issuance of any building permits within the subject property (with the exception of Pod 1), the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

(A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

(B) At US 301/Governor Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane. Governor Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW &T.

6. Prior to signature approval of the preliminary plan, the plan shall be revised to provide a public street network as shown on the approved Conceptual Site Plan CSP-06002 for Pod 1, which shall include access from the public street to the Duckett family cemetery.
7. At the time of detailed site plan review for any land within Pod 1, the roadways, building layout and scale shall be as depicted on the approved CSP-06002. The character of the buildings fronting the roadways adjoining the historic site shall be complementary and architecturally compatible with the historic Melford structure, and evaluated at the time of review of the detailed site plan(s).
8. Prior to certificate approval of DSP-07072, the applicant, the applicant's heirs, successors and/or assignees shall convey to the M-NCPPC 96.5± acres as delineated in DPR Exhibit A, Preliminary Plan 4-07055. Land to be conveyed shall be subject to the following:
 - a. At the time of final plat, the applicant shall submit an original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor) to the

Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.

- b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
- c. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
- e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
- h. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.
- i. No stormwater management facilities, tree conservation or utility easements shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

9. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.
11. Detailed site plans for the development shall include a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.
12. The DSP shall demonstrate the use of full cut-off optics for all commercial and industrial lighting fixtures and for the proposed street lighting.
13. Prior to signature approval of the preliminary plan, Sheet 5 of the TCPI shall be revised to preserve the trees within the 150-foot, 100-year floodplain buffer on the west side of Preservation Area 4A.
14. Prior to signature approval of the preliminary plan, an inventory of all disturbances to the 100-foot natural buffer and the 150-foot floodplain buffer shall be submitted. The inventory shall be in table form with each area labeled for reference with the acreage of impact needing mitigation. The table shall be added to the TCPI. The TCPI shall also identify conceptually where the "natural buffer alternatives" will be provided as mitigation so that each subsequent DSP can meet its portion of the overall requirement. The TCPI shall receive signature approval at least 30 days prior to any Planning Board hearings on the first DSP associated with this approval so that this issue is fully addressed on any future plans to be brought before the Planning Board.
15. Prior to signature approval of the preliminary plan, the TCPI shall be revised to delineate the area of land to be dedicated to the Department of Parks and Recreation (DPR Exhibit A, Preliminary Plan 4-07055), and if permission for woodland conservation on the dedicated land has not been granted by DPR in writing, the TCPI shall be revised to eliminate all woodland conservation on land to be dedicated.
16. Prior to signature approval of the preliminary plan, the TCPI shall be revised to show the required 10-foot public utility easements for the site. No woodland conservation shall be placed within these easements.
17. Development of this subdivision shall be in conformance with the approved Type I Tree Conservation Plan (TCPI/44/98-03). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan, TCPI/44/98-03, 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 Georges County, Planning Department.”

18. Prior to approval of the first Detailed Site Plan for Pod 7 the TCP shall be revised to show only one outfall for the proposed stormwater management control in the area associated with proposed Impact #3, unless the applicant demonstrates to staff that two impacts are necessary to support development. If the existing outfall is to be removed, it shall be labeled as such and the area shall be shown as reforestation.
19. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Preservation Area and adjacent conservation areas, adjacent planting areas, the 100-foot natural stream buffer, and the 150-foot floodplain buffer, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. 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 M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
20. Prior to the issuance of any permits which impact jurisdictional 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.
21. The first detailed site plan for Pod 1 shall be for the Melford Historic Site (Lot 1 Block A) and shall include the evaluation of the impact review area. The purpose of the detailed site plan is to ensure compliance with Conditions 4, 5 and 7 of CSP-06002 as approved by the District Council. In particular, the detailed site plan shall ensure the retention of viewshed between Melford House and the Duckett family cemetery (Condition 4) and address the guidelines for new construction approved by the District Council through CDP-8601 and again through CSP-06002 (Condition 5).
22. Prior to approval of the detailed site plan for the Melford Historic Site, plans and a timetable for the long-term maintenance and restoration of the Duckett family cemetery shall be developed and approved.
23. Prior to signature approval of the preliminary plan, the applicant shall submit the final report detailing the Phase II investigations of 18PR164 and 18PR165.

24. Prior to approval of the detailed site plan for the Melford Historic Site, if an archeological site has been identified as significant and potentially eligible to be listed as a historic site or determined eligible to the National Register of Historic Places, the applicant shall provide a plan for:
- a. Avoiding and preserving the resource in place; or
 - b. Phase III Data Recovery investigations and interpretation.

Phase III Data Recovery investigations shall not begin until Historic Preservation staff approves the research design. The Phase III (Treatment/Data Recovery) final report shall be reviewed for compliance with the *Guidelines for Archeological Review*, before any ground disturbance and approval of any grading permits within 50 feet of the perimeter of the site.

25. Prior to the approval of the detailed site plan for the Melford Historic Site, the applicant shall:
- a. Ensure that all artifacts are curated to MHT standards. The curated artifact collection and associated documentation shall be deposited with the Maryland Archeological Conservation Lab,
 - b. In consultation with archeology staff, provide for public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures or a website. The location and wording of any signage, the text of a brochure or website shall be subject to approval by the staff archeologist.
26. Prior to signature approval of Preliminary Plan 4-07055 and the TCPI, the applicant shall revise both to show the parkland dedication of 96.5[±] acres as shown on DPR Exhibit A, Preliminary Plan 4-07055. Land shall be conveyed to M-NCPPC as required by Condition 18 of CSP-06002.
27. The applicant, the applicant's heirs, successors and/or assignees shall submit to the Park Planning and Development Division three (3) original Recreational Facilities Agreements (RFA) for construction of recreational trail facilities on park property. The RFA shall be approved prior to the approval of final plats. Upon approval by the PP&D, the RFA shall be recorded among the County land records and noted on the final plat of subdivision. The RFA shall establish the timing for the construction of the master plan trail on park property.
28. The applicant, the applicant's heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on park property prior to the approval of building permits.

29. The applicant shall construct a 10-foot-wide asphalt surface hiker/biker/equestrian trail along the Patuxent River, an access road, and a gravel parking lot at the public access/trailhead.
30. The applicant shall submit construction drawings for the master plan 10-foot-wide asphalt surface hiker/biker/equestrian trail, an access road, and a gravel parking lot at the public access/trailhead to DPR for review and approval at the time of the submission of first DSP in Pod 7. Prior to issuance of the 50 percent of the building permits in Pod 7, the recreational facilities shall be constructed.
31. In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, prior approvals for the Maryland Science and Technology Center, and CR-11, the applicant, the applicant's heirs, successors, and/or assignees shall provide the following:
 - a. Construct the master plan trail along the Patuxent River in conformance with Department of Parks and Recreation guidelines and standards. Connections from development Pod 7 to the master plan trail will be evaluated at the time of detailed site plan.
 - b. Parkland dedication shall be in conformance with the Department of Parks and Recreation Exhibit A to accommodate the ultimate extension of the master plan trail to the north and the south.
 - c. Provide standard sidewalks along both sides of all internal roads, in keeping with Development Guideline 3 of the Adopted and Approved Bowie and Vicinity Master Plan (Master Plan, page 13). In areas of high pedestrian activity, wide sidewalks shall be considered at the time of detailed site plan.
 - d. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features will be evaluated at the time of DSP.
 - e. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the Lower Pond. Trail connections necessary to supplement the sidewalk network will be evaluated at the time of detailed site plan.
32. Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of detailed site plans.
33. Prior to signature approval of the preliminary plan the applicant shall revise the plan to show a minimum of 70-foot wide street rights-of-ways in order to accommodate commercial traffic or obtain a design waiver from the City of Bowie.
34. "Share the Road" with a bike signs shall be provided along Melford Boulevard frontage at the time of Detailed Site Plan.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The subject property is located in the northeast quadrant of the intersection of Crain Highway (US 301/MD 3) and John Hanson Highway (US 50).
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use(s)	Commercial/Residential	Mixed-Use Commercial
Acreage	176.19	176.19
Parcels	10	29
Dwelling Units:		
Detached	1 to remain (Melford Historic Site)	1 to remain (Melford Historic Site)
Public Safety Mitigation Fee		No

4. **Environmental**—The Environmental Planning Section has reviewed plans for Preliminary Plan of Subdivision 4-07055 and Type I Tree Conservation Plan TCPI/44/98-03, for the Melford site, stamped as received on April 4, 2008.

The Environmental Planning Section previously reviewed plans for this site when it was zoned E-I-A and known as the University of Maryland Science and Technology Center. The site was rezoned to M-X-T in the Bowie and vicinity planning area sectional map amendment (SMA). The District Council's action in the SMA for this site is found in CR-11-2006, and was evaluated for the review of the preliminary plan for environmental issues.

Type I and Type II Tree Conservation Plans (TCPI/44/98 and TCPII/36/99, respectively) are associated with the site based on previous approvals by the Planning Board of Preliminary Plan of Subdivision 4-98076, Comprehensive Design Plan CDP-8601, and several Specific Design Plans (SDP-0201, SDP-0203, SDP-0301 and SDP-0405) when the site was zoned E-I-A, a comprehensive design zone.

A Conceptual Site Plan CSP-06002 was approved for development in the M-X-T Zone in conjunction with Type I Tree Conservation Plan TCPI/44/98-02. The CSP has received certificate approval. This application will represent a -03 revision to the TCPI. The proposal is for 29 parcels in the M-X-T Zone that will consist of office, warehouse, and retail space.

Site Description

A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on this property. The predominant soils found to occur, according to the *Prince George's County Soil Survey*, include Adelphia, Collington, Mixed alluvial land, Ochlockonee and Shrewsbury. The Mixed alluvial land and the Adelphia soils have limitations with respect to high water tables and impeded drainage. The other soil series pose few difficulties to development. According to available information, Marlboro clay is not found to occur in the vicinity of this property. US 50 (John Hanson Highway) is an existing freeway and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources, Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property; however, there are records of 'species of concern' known to occur within the vicinity of the site. There are no designated scenic and historic roads in the vicinity of this property. According to the *Approved Countywide Green Infrastructure Plan*, all three network features (Regulated Areas, Evaluation Areas and Network Gaps) are present on the site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River, and is located in the Developing Tier in the adopted General Plan.

Conformance with Bowie and Vicinity Master Plan

The following text describes how the proposed development is in conformance with the master plan's policies and strategies. The text in BOLD is the text from the master plan and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve and enhance the green infrastructure network
Strategy 2, Primary Corridors

The Patuxent River is a designated Primary Corridor in the master plan. The subject property abuts the Patuxent River and run-off created is deposited directly into the river channel. Strategy 2 reads as follows:

Protect primary corridors (Patuxent River and Collington Branch) during the development review process to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements.

"Essential development elements" include road crossings of streams to access otherwise landlocked portions of sites and the construction of utilities which are limited to stormwater outfalls, sewer lines, electrical lines, gas lines and phone lines (although the last three can usually be designed to eliminate the impacts). This definition does not include grading for buildings, roads, stormwater management ponds or any other feature where the design could be changed to eliminate the impact.

Comment: As part of the approval of CSP-06002, buffers were established in order to protect the Primary Corridor and its associated tributaries. These undisturbed buffers extend beyond the regulated Patuxent River Primary Management Area (PMA) in most areas. The PMA definition includes "...Specific areas of rare or sensitive wildlife habitat, as determined by the Planning Board." The buffers adjacent to a designated Primary Corridor are sensitive habitat that should be protected in a natural state to the fullest extent possible.

Conditions of approval in the final action of the District Council for Conceptual Site Plan CSP-06002, restricts all development within 100-foot-wide natural stream buffers and a 150-foot-wide floodplain buffer. Although this area is not included in the PMA, these areas will be afforded the same level of protection as the PMA, through their inclusion in the final conservation easement.

Policy 2: Water quality
Strategy 4

Ensure the use of low-impact development techniques to the extent possible during the development process.

Comment: Each detailed site plan should address the use of low impact development techniques, also known as "environmentally sensitive design." Because of this sensitive location abutting the Patuxent River to the east, a variety of water quality and quantity controls should be considered.

As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques, such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or justification as to why these techniques cannot be implemented on this project shall be submitted.

Policy 3: Tree cover
Strategy 4

Establish tree planting adjacent to and within areas of impervious surfaces. Ensure an even distribution of tree planting to provide shade to the maximum amount of impervious areas possible.

Comment: The DSP will be reviewed for conformance with the distribution of tree cover throughout impervious surface areas.

Policy 4: Green buildings and alternative energy sources

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

Comment: The DSP will be evaluated for the implementation of green building techniques and alternative energy sources. Prior to acceptance of detailed site plans for the development of the land south and east of the southern on-site traffic circle, the package should be evaluated to ensure that it includes a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.

Policy 5: Light pollution

Comment: The DSP will be evaluated for the use of alternative lighting technologies and full cut-off optics.

Policy 6: Noise pollution

Comment: There are no residential uses proposed with this application.

The final action of the District Council for CSP-06002, dated September 19, 2007, included 29 conditions, six of which are environmentally-related, are to be addressed at the time of preliminary plan review or prior to the issuance of permits. The respective conditions are in **bold** typeface, the associated comments are in standard typeface.

CSP-06002 Melford, Notice of Final Decision of the District Council

14. Prior to signature approval of the CSP and TCPI, the TCPI shall be revised as follows:

- a. Revise the shading patterns so that the information underneath is legible;**
- b. Eliminate the pattern used to depict previously approved limits of disturbance and show only that limit of disturbance needed for the proposed development;**
- c. Eliminate all clearing not necessary for the conceptual construction of the features shown;**
- d. Revise the existing tree line per Staff Exhibit A (2006 Aerial);**
- e. Provide labels on each cleared area with the acreage and pod identifications; if cleared areas cross pods, divide them up so that the table on sheet 1 can be checked for correctness;**
- f. Revise the worksheet to reflect all cleared areas, preservation areas, etc.;**
- g. Revise the table on Sheet 1 to fill in all the boxes;**

Comment: The above conditions have been addressed on the current plan.

15. **Prior to signature approval of the CSP, and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCPI shall be revised to remove all buildings, roads, trails and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.**

Comment: This condition has been addressed. Because the trail shown within the 150-foot floodplain buffer is a master-planned trail on proposed M-NCPPC parkland, and is in accordance with an exhibit approved by the District Council, the trail is not subject to this condition. No other buildings, parking or other amenities are shown on the TCPI submitted for review.

16. **Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbance to the stream and floodplain buffers shall be eliminated. Where these buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The TCPI associated with the preliminary plan will be evaluated for impacts to these buffers for the installation of stormwater management outfalls as necessary. The 150-foot building setback shall be shown on the plans and shall be honored.**

Comment: The 150-foot-wide floodplain buffer is correctly shown on the plan. The disturbance to the referenced buffers has been limited to necessary impacts and the proposed trail with the exception of one area. On Sheet 5 of the TCPI, on the west side of Preservation Area 4A, it appears as though disturbance is proposed within the 150-foot, 100-year floodplain buffer based on the location of the limits of disturbance; however, no grading or structures are shown within this area. The limits of disturbance in this area need to be revised to preserve the existing woodland.

17. **During the review of the TCPI associated with the preliminary plan, the linear wetland in the middle of the southeastern portion of the site shall be evaluated to ensure its protection in a manner consistent with previous approvals.**

Comment: Prior to and during the review of the Natural Resources Inventory (NRI/054/06) for the site, the linear wetland was evaluated. Although this feature was determined to be a wetland, it is still afforded protection under 24-130 for the Patuxent River Primary Management Area (PMA).

20. **Prior to the approval of the Preliminary Plan and Detailed Site Plan, the applicant shall demonstrate:**
 - a. **Development plans shall show the minimization of impervious surfaces through various phases of the project. Structured parking shall be used to the maximum extent possible.**

Comment: Because the pods on the site will be developed through future separate phases of development in detailed site plan applications, this condition will be addressed with each individual DSP application.

- b. Streams shall have a 100-foot natural buffer and a 150-foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, than an equal area of natural buffer alternative shall be retained on the community property.**

Comment: The 100-foot natural buffer, 150-foot-wide building and parking setback, and 150-foot floodplain buffer are shown correctly on the TCPI, stamped as received on April 4, 2008. Information regarding the natural buffer alternative was not provided, and the acreages that require the “natural buffer alternative” have not been provided.

- c. Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested in cooperation with the appropriate utility.**

Comment: This condition is addressed in the evaluation of the letter of justification for impacts to the PMA, which provides more information on the proposed impacts for the development.

- 25. All stream channels on the site should be depicted on all plans in their entirety, with the regulated stream buffer shown as required.**

Comment: This condition has been addressed on the preliminary plan and the Type I tree conservation plan.

Environmental Review

This site has a signed Natural Resources Inventory (NRI/054/06-01). The information regarding the forest stand delineation and wetland delineation was found to be sufficient and the information was correctly reflected on the NRI, TCPI, and preliminary plan. All of the required buffers and setbacks are also reflected on the NRI. Although the site has been cleared in some areas, the NRI reflects the original tree line subject to woodland conservation. No further information is required with regard to the NRI.

This property is subject to the provisions of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the site has previously approved Type I and Type II tree conservation plans. A revised Type I Tree Conservation Plan (TCPI/044/98-03) has been

submitted and reviewed. The TCPI for this project covers the entire site that was certified under CSP-06002 (431.55 acres). There is also an overall TCPII that is amended as each phase is built.

The 431.55 acre site contains 175.55 acres of woodland on the net tract and 89.26 acres of woodland within the 100-year floodplain. The TCPI proposes to clear 122.80 acres of upland woodland and 0.13 acre of woodland within the floodplain. The total requirement, including the 15 percent woodland conservation threshold, is 75.29 acres. The requirement is proposed to be met with 51.75 acres of on-site preservation, 2.03 acres of on-site reforestation, 6.72 acres of on-site afforestation, and 14.79 acres of off-site mitigation. The woodland conservation threshold of 44.38 acres is being met on-site. Woodland conservation is primarily focused in and adjacent to sensitive environmental features where preservation has the highest priority.

The TCPI does not delineate the area of land to be dedicated to the Department of Parks and Recreation (DPR). This information is necessary because written permission is required to place woodland conservation on land to be dedicated to DPR. The TCPI also does not show the 10-foot public utility easement, and this feature should be shown on the plan.

Extensive areas of the Patuxent River Primary Management Area (PMA) are located on the site because of its location abutting the Patuxent River. The PMA as well as all regulated features on the site are shown correctly on the plans. Section 24-130 of the Subdivision Regulations requires that when a property is partially or totally within the Patuxent River watershed, that the preliminary plan and tree conservation plan should demonstrate that the PMA has been preserved in a natural state to the fullest extent possible. If impacts are proposed to the PMA, a letter of justification is required to be submitted describing the impacts proposed, and justifying why they are unavoidable.

The plan shows impacts to the PMA for a sewer line and storm drain outfalls that were previously approved with prior applications for the site. A letter of justification has been submitted for new impacts. The following is an analysis of the three new proposed impacts.

Impacts #1 and #2

Proposed impacts #1 and #2 are both for the connection to an existing sanitary sewer that is necessary to service the development. The proposed impacts are located on Pod 7 and total 3,753 square feet. Staff has evaluated these impacts and believes that they have been reduced to the fullest extent possible and staff supports these impacts.

Impact #3

Proposed impact #3 is for a storm drain outfall to safely convey stormwater from the site. There is currently an outfall in this area. The submitted letter of justification states that this outfall is needed to provide a suitable outfall that minimizes future erosion on the site; however, it provides no explanation of the future disposition of the current outfall. Because only one outfall appears to be necessary in this area, either the proposed impact for the new outfall should be eliminated, or the current outfall must be labeled “to be removed” and shown as a reforestation area.

At the Planning Board hearing the applicant indicated that they had additional information that may demonstrate to staff that both impacts are necessary. The applicant requested the opportunity; at the time of the first detailed site plan for Pod 7, to demonstrate to staff that both impacts are necessary. If the applicant can not demonstrate that to staff, one of the impacts will be removed.

The Maryland Department of Natural Resources, Wildlife and Heritage Division, issued a letter dated May 18, 2001, that states that there are no records of rare, threatened or endangered plants or animals within this project site. A MDNR database indicates that there are recent records of species of concern known to occur within the vicinity of the site; however, the portions of the subject property currently under review would not be likely to support the species listed. Much of the subject property, has been disturbed over the course of the last few decades as indicated by the presence of Virginia pine and the small diameter of the trees on-site. The site that is “in the vicinity” is likely the Nash Woods property located west of the subject property across US 301. If any regulated species are present on the site, they would be located within the areas proposed for preservation: the streams, wetlands, floodplain and their associated buffers. No additional information is required with regard to rare, threatened or endangered species.

Copies of the stormwater management concept approval letter and plan were included in the application. The approval letter was issued by the City of Bowie and dated September 20, 2007. The submitted plan does not show the storm drains or inlets that are proposed for the site, nor are they reflected on the TCPI. This information is necessary to evaluate the proposed limits of disturbance and to determine if the impacts are necessary for the proposed development. Further evaluation of the SWM approval will occur at the time of detailed site plan review.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3, according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and the site will therefore be served by public systems.

5. **Community Planning**—The property is located within the 2006 Bowie and vicinity master plan, in Planning area 71B in the City of Bowie. The master plan recommendation for the property is for mixed-use development. The 2002 General Plan located the property in the Developing Tier. One of the visions for the Developing Tier is to maintain a pattern of distinct commercial centers and

employment areas that are ever increasingly transit serviceable. The 2006 Bowie and vicinity sectional map amendment rezoned the property from the E-I-A Zone to the M-X-T Zone in support of the master plan and General Plan recommendations. The proposed preliminary plan is consistent with the M-X-T Zone and the General Plan by developing a district employment center.

The site is the subject of an approved Conceptual Site Plan (CSP-06006) as set forth in the District Council's order dated September 11, 2007, which establishes the land uses and finds conformance to the master plan. This preliminary plan is consistent with the approved conceptual site plan. The land uses proposed with this preliminary plan are consistent with the uses as approved with the CSP. The specific locations within the limit of the site are the subject of the DSP review. This preliminary plan does not propose development on land in the M-X-T Zone, which is not the subject of an approved conceptual site plan.

6. **Parks and Recreation**—The staff of the Department of Parks and Recreation has reviewed the above referenced preliminary plan for conformance with the requirements of the Conceptual Site Plan CSP-06002, the approved master plan and sectional map amendment for Bowie and vicinity, the Land Preservation and Recreation Program for Prince George's County and current subdivision regulations as they pertain to public parks and recreation.

Findings:

At the time of approval of the Conceptual Site Plan (CSP-06002, Condition 18), it was required that the applicant dedicate 108[±] acres including, but not limited to the 100-year floodplain and floodplain buffer to M-NCPPC as shown on DPR Exhibit A for CSP-06002 to serve as a continuation of Patuxent River Stream Valley Park and for the future construction of a master-planned trail and trailhead facility.

The CSP requires 108[±] acres of parkland dedication as shown on DPR Exhibit A; however, subsequent to the approval of the CSP, staff has recalculated the area shown on this exhibit and found that it is approximately 96 acres. DPR staff believes that at the time of the conceptual site plan stage, the area was miscalculated.

The Council required with the approval of the CSP that the applicant convey the property to M-NCPPC prior to the approval of any DSP in the project area. One area (74.4 acres) of the parkland to be dedicated is outside the limits of this preliminary plan, and the second area (20.5 acres) is within the limits of this preliminary plan.

Two Melford DSP applications (DSP-06096 and DSP-07072) have been approved by the Planning Board and are awaiting certification. Condition 16 of DSP-07072, PGCPB Resolution 08-42 approved by the Planning Board, requires that "six weeks prior to the submission of the plans for certification of any DSP in the land area covered by Detailed Site Plan DSP-07072 an original, special warranty deed along with a metes and bounds description for the 100-year floodplain and floodplain buffer to be conveyed to M-NCPPC

(signed by the WSSC Assessment Supervisor) shall be submitted to DPR for their review. Upon approval by DPR, the deeds shall be recorded in the land records of Prince George's County."

On April 11, 2008, the applicant submitted deeds to the DPR for 95-acres to be conveyed to M-NCPPC. The parkland deed was for the conveyance of the park outside and inside the area of this preliminary plan. Part of the area within the preliminary plan is depicted on the preliminary plan as Parcel 6 and Lot 1, Block D, Pod 7. DPR staff evaluated the shape and size of the proposed parkland dedication area and determined that it is in general conformance with DPR Exhibit A in CSP-06002, with the exception of one acre at the main entrance to the parkland. This area is currently being used as a stormwater management facility by the applicant.

Condition 29b of approved CSP-06002 states, "Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the Master Plan trail on dedicated parkland." The applicant has provided a plan showing a conceptual trail layout. DPR staff has evaluated this plan and found that the trail is located primarily on the edge of steep slopes providing no buffer from erosion, no room for future trail maintenance and a potential safety hazard for future trail users. In one location (along Pod 7, Lot, 1, Block 1), there is not adequate space to accommodate the trail itself between the steep slopes and park property line as proposed by the applicant. In order to provide an adequate area for the future master planned trail, additional land should be provided. DPR staff adjusted the park boundaries to provide enough space for a trail in the future. DPR Exhibit A, Preliminary Plan 4-07055, shows an adjusted area to be dedicated M-NCPPC from approximately 95 acres to approximately 96.5 acres.

DPR met with the applicant on March 17, 2008 to discuss this conceptual trail layout and parkland dedication area. At that meeting, the applicant explained that they had prepared a metes and bounds description to reflect the same parkland boundaries of the conceptual trail exhibit. As a result, the applicant requested that instead of adjusting the metes and bounds description at this time, a preference to dedicate additional parkland later in the development process. After consulting with MNCPPC legal staff, DPR can not deviate from the requirements of the County Council resolution for CSP-06002 and the approved Planning Board Resolution PGCPB No. 08-42, for the timing of the conveyance of the area of parkland dedication.

Dedication to M-NCPPC should be in accordance with DPR Exhibit A, Preliminary Plan 4-07055, which incorporates DPR Exhibit A, CSP-06002. This would include the land both inside and outside the limits of the subject preliminary plan, and require that the conveyance occur at one time and prior to certificate approval for the first detailed site plan for this project, in accordance with Condition 16 of PGCPB Resolution 08-42, file DSP-07072. Condition 16 requires that six weeks prior to submission of the plans for certification of any DSP in the land area covered by Detailed Site Plan DSP-07072, an original, special warranty deed along with a metes and bounds description for the 100-year floodplain and floodplain buffer to be conveyed to M-NCPPC.

At the Planning Board hearing on April 24, 2008 for DSP-06096, which occurred subsequent to the hearing for DSP-07072 (March 13, 2008), the Planning Board determined that a duplicate condition, to Condition 16, which had been placed on DSP-07072, was not necessary for DSP-06096. It was also determined that Condition 18 of CSP-06002 would be satisfied based on Condition 16 placed on DSP-07072, which required the conveyance of the parkland occur prior to certification of DSP-07072. The Planning Board found that it was not necessary to burden each property owner with a duplicative condition for the dedication of the same land. The resolution of approval for DSP-06096 (PGCPB Resolution 08-61) did not include a condition for the conveyance based on that Planning Board finding.

However, in this case the configuration of land has been slightly modified from DPR Exhibit A, approved as part of CSP-06002, and conditioned in Condition 16 of DSP-07072. Two adjustments are recommended from the CSP exhibit with this preliminary plan. Minor adjustments to the area of parkland dedication often occurs from a conceptual plan to a more detailed plan, as which occurred with this preliminary plan from the CSP plan.

The first is to adjust the dedication line to give “back” to the applicant land that would allow the applicant to construct a stormwater management (SWM) facility on land that was to be conveyed to M-NCPPC. The second adjustment is to provide a linear strip of land along the park boundary to ensure that the master plan trail can be constructed. Over all, the land area requested (DPR Exhibit A-4-07055) with this preliminary plan has been adjusted to be less than that originally calculated with the CSP (108± acres) or 96.5 acres.

7. **Trails**—The subject site is within the area covered by the Adopted and Approved Bowie and Vicinity Master Plan. The property is also formerly a portion of the Maryland Science and Technology Center. M-NCPPC, Department of Parks and Recreation (DPR), owns numerous parcels of land along the Patuxent River, including both to the north and south of the subject site. DPR has implemented natural surface trails on several parcels of the publicly-owned land along the Patuxent River. To the south of the subject property, the Governor Bridge Park to the south of US 50, includes numerous natural surface trails to the river and around various ponds and wetland areas. To the north of the site, M-NCPPC owns the stream valley land behind the Sherwood Manor subdivision. Staff has also worked with the Queen Anne community to implement hiker-equestrian trails in the public land along the Patuxent River near MD 214.

Prior approvals for the subject site reflected the ultimate desire to develop a trail along the Patuxent River to connect to existing and planned trails along the river. Approved SDP-0301 (SDP for stormwater management ponds, blocks 5 and 6) included a recommendation for a public use easement to accommodate the future provision of this trail. This condition reads:

3. Prior to final plat approval, a 30-foot-wide trail easement shall be recorded for the master-planned trail construction, maintenance and public use.

Land outside the floodplain and environmental buffers will be necessary to accommodate this trail. The trail should be run north-south parallel to the Patuxent River and be designed to accommodate future extensions to both the north and south. The conceptual trail plan submitted by the applicant confirms that the trail will be located largely outside the PMA. It also indicates that the trail will be within land dedicated to M-NCPPC. It will be incorporated into the area adjacent to and around the stormwater management ponds. The trail should be constructed in conformance with Department of Parks and Recreation (DPR) standards and the location should be approved by DPR. Land dedication should be in conformance with the Department of Parks and Recreation Exhibit "A".

Approved CSP-06002 and CR-11-2006 (Bowie and vicinity master plan) included numerous conditions regarding a trail and pedestrian facility on the site. The Bowie and vicinity master plan reiterated these conditions and include specific recommendations regarding the Melford property, including the following development guidelines on pages 12 through 16:

28. Community recreational facilities shall take full advantage of environmental features on and adjacent to the property, and shall include extensive trail and boardwalk systems. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails, boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.
29. The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.

Access to the open space, educational opportunities, and observation points will be evaluated at the time of detailed site plan in keeping with these development standards.

The master plan also includes Development Guideline 3 for the Melford site that recommends the following regarding sidewalk facilities:

3. The Conceptual Site Plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.

Development Guideline 14 recommends the following regarding stormwater management facilities:

14. The design of the stormwater management ponds shall show them as amenities with gentle natural slopes and extensive native plantings.

The master plan trail and stormwater management ponds should be designed to meet the intent of Development Guideline 14 of the master plan. The design and location of the trail, as well as the

interface of the trail and adjacent stormwater management ponds, will be reviewed by the Department of Parks and Recreation.

The Council Resolution for CSP-06002 (dated September 11, 2007) also includes the following recommendations regarding the master plan trail along the Patuxent River.

- 29b. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on dedicated parkland.
- 29e. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval three weeks prior to submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

- 8. **Transportation**—Transportation has been reviewed regarding the development of the subject site and the larger Maryland Science & Technology Center (total of 466 acres) in conjunction with A-9401, CDP-8601, Preliminary Plan of Subdivision 4-88030, and CSP-06002. Since those plans were approved, there has been considerable development within the Maryland Science and Technology Center. The preliminary plan and CDP approvals established a square footage cap for the initial phase of 1.95 million square feet. Preliminary Plan of Subdivision 4-98076, affirmed a trip cap of 2,200 AM and 2,605 PM peak-hour vehicle trips for all remaining development on the site within phase 1.

There are a number of transportation-related conditions on earlier development review stages; these are reviewed in detail below:

CDP-8601:

Condition 3: Required upgrading of MD 3/Belair Drive/Melford Boulevard prior to development, up to a maximum of 400,000 square feet. The intersection has been replaced with an interchange.

Condition 4: Required an interchange at MD 3/Belair Drive/Melford Boulevard for development beyond 400,000 square feet and up to 1,950,000 square feet. The interchange is complete and open to traffic.

Condition 5: Required a new traffic study after 1991 or after completion of improvements to US 50. A new traffic study was prepared in 1998 and reviewed in conjunction with Preliminary Plan of Subdivision 4-98076.

Condition 6: Established dedication widths for internal streets. All streets have been dedicated in accordance with this condition.

Condition 7: Required that the impact of development along Belair Drive be minimized. This has been done by limiting access to Melford Boulevard.

Condition 8: Required the completion of documents establishing legal access to the property. This was done prior to the initial development on the property.

Condition 9: Required setbacks to accommodate planned US 50 improvements. All improvements to US 50 have been constructed.

Condition 20: Established requirement for a new traffic study prior to Stage 2 development. A portion of the subject development is within Stage 1, as well as stage II, and therefore this condition is still relevant.

Condition 21: Restricted the Beech Tree Lane access to a right-in, right-out. This condition is complete.

Preliminary Plan of Subdivision 4-98076:

Condition 17: Established a trip cap for remaining development, based upon roadway improvements that existed in 1998 and 240,000 square feet of then-existing development, of 2,200 AM and 2,605 PM peak-hour trips. Since that time, the following approvals have occurred:

Table 1

SDP	Development Quantity	Status	AM Trip Generation	PM Trip Generation
SDP-0103	153,250 sq. ft.	Built	112	115
SDP-0104	300,000 sq. ft.	Approved	600	555
SDP-0201	83,680 sq. ft.	Built	127	118
SDP-0203/01	81,600 sq. ft.	Approved	163	151
SDP-0402	62,440 sq. ft.	Approved	103	095
SDP-0405	234,000 sq. ft.	Approved	300	284
DSP-06096	253,289 sq. ft.	Under Const.	235	290
DSP-07072	24,375 sq. ft.	Under Const.	168	122
	164,750 (Pod 1)	Pending	392	875
Total	1,357,384 sq. ft.		2200	2605

In the transportation referral dated April 28, 2008, staff made a finding that the subject application was eligible for 574 AM trips and 988 PM peak trips for Pods 5, 6, 7B and P2 combined. That finding was based on the premise that the trips assigned to SDP-0401 (Table 1) were included in the overall trip cap for CSP-06002. The fact is they were not covered under the overall CSP trip cap and consequently, the remaining trips available under the CSP trip is 874 AM and 1272 PM peak hour trips

CSP-06002:

At a public hearing on January 11, 2007, the Planning Board approved CSP-06002 (PGCPB 07-09), which included parcels encompassing phases I and II. The CSP was approved with a new trip cap of 2,774 AM or 3,593 PM peak-hour vehicle trips. This trip cap was based on the results from a new traffic study that was done in 2006. In addition to the trip cap, the Planning Board also imposed the following transportation conditions:

1. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. Any development with an impact beyond that, identified herein above, shall require a revision to the CSP with a new determination of the adequacy of transportation facilities.
2. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

(A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to Maryland State Highway Administration (SHA) requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

(B) At US 301/Governor Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for *this approach shall be two left turn lanes and a shared left-through-right lane.*

At a public hearing held by the District Council on September 11, 2007, the Council affirmed action taken by the Planning Board as outlined in PGCPB Resolution 07-09. In addition to its affirmance, the District Council added the following language to condition 2B above:

Governor Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW &T.

The subject application reflects a preliminary plan which encompasses Pods 1, 5, 6,7B and P2. The area designated as proposed Pod 1, is located in the section of the site that is covered under approved Preliminary Plan of 4-98076 and the trip cap of **2,200 AM and 2,605 PM** peak-hour vehicle trips. Based on the trips that have been allotted for either approved and/or existing developments, the remaining trips that can be utilized for proposed Pod 1 shall be the **392 AM trips and 875 PM** trips as shown in Table 1 above.

Regarding the remaining pods (5, 6, 7B and P2), those pods would be required to be develop with a trip generation that does not exceed the difference between the trip caps established by Preliminary Plan 4-98076 and CSP-06002. That difference is reflected in Table 2 below:

Table 2

	AM Trip Generation	PM Trip Generation
CSP-06002	2774	3593
4-98076	2200	2605
Difference	574	988

Approved CSP-06002 showed an internal street network that provided an adequate internal circulation of traffic. Staff is recommending that a similar internal street layout be proposed for the subject application.

Based on the preceding findings, the development conforms to the required findings for approval of the preliminary plan of subdivision pursuant to Section 24-124 with conditions.

9. **Schools**—There are no residential dwelling units proposed; therefore, no anticipated impacts on schools.
10. **Fire and Rescue**— The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan application for a combination of office, warehouse and retail uses on a

176.19 acre tract in the M-X-T Zone for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

Fire and Rescue Findings

The existing fire engine service at Bowie Fire Station, Company 43 located at 16408 Pointer Ridge Road, has a service travel time of 4.60 minutes, which is beyond the 3.25-minutes travel time guideline.

The existing paramedic service at Bowie Fire Station, Company 43 located at 16408 Pointer Ridge Drive, has a service travel time of 4.60 minutes, which is within the 7.25-minutes travel time guideline.

The existing ladder truck service at Glenn Dale Fire Station, Company 18 located at 11900 Glenn Dale Boulevard, has a service travel time of 9.09 minutes, which is beyond the 4.25-minutes travel time guideline.

The existing ladder truck and engine services are beyond recommended travel time guidelines. However there is a proposed station that will address the response time deficiencies to the property in question. This proposed station, the Bowie Fire and EMS facility, is located in the vicinity of Northview Drive and Health Center Drive and will be within 2.27 minutes of the Melford property. The proposed station is included as a fully funded project in the 2007-2012 Capital Improvement Program. The construction of this station is proposed to begin this fiscal year in October 2008.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan, 1990* and the Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.

11. **Police Facilities**—The approved 2002 General Plan addresses the provision of public facilities that will be needed to serve existing and future county residents. The Plan includes planning guidelines for police facilities and they are:

Station space per capita: 141 square feet per 1,000 county residents

The police facilities test is done on a countywide basis in accordance with the policies of the Planning Board. There are 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the latest population estimate is 825,520. Using the standard of 141 square feet per 1,000 residents, 116,398 square feet of space for police facilities are needed. The current amount of space available, 267,660 square feet, is above the guideline. The proposed development is within the service area for **Police District II, Bowie**.

12. **Health Department**—The Environmental Engineering Program section notes that any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
13. **Stormwater Management**—The City of Bowie, Department of Public Works, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 01-0907-207NE15, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with the approved plan to ensure that development of this site does not result in on-site or downstream flooding.
14. **Historic**—The developing property is subject to a number of conditions associated with previous approvals by the Planning Board and District Council. Among those, conditions approved by the District Council in its review of CSP-06002 are applicable to the subject preliminary plan application.

The subject property includes the Melford Historic Site (#71B-016). Built in the 1840s, Melford is a 2½-story brick plantation house of side-hall-and-double-parlor plan. The house is distinguished by a two-story, semicircular bay and a parapetted, double chimney at the south gable end. Attached to the north gable end is a lower kitchen wing built of brick and stone. The interior exhibits fine Greek Revival-style trim. The house was built by Richard Duckett and later was home to three generations of the Hardisty family. The grounds include several early outbuildings and terraced gardens, and there is a Duckett family burial ground on the adjoining knoll to the northwest. The bay and chimney configuration makes Melford unique in Prince George's County. The property is also listed in the National Register of Historic Places.

The Duckett family cemetery, although a part of the Melford Historic Site environmental setting (#71B-016), is not included within the subject preliminary plan application. In addition, the Duckett family cemetery is not owned by the applicant, and there is an apparent tax lien on the property. The Duckett family cemetery is currently in a deteriorated condition and there is no plan for regular maintenance or restoration of the gravestones and other features of the site. Moreover, the subject application will impact the adjacent cemetery.

CSP-06002

The CSP approval requires that all plans of development delineate and note both the Melford Historic Site environmental setting that includes the house site, adjacent outbuildings and gardens, and the cemetery on a separate parcel, and the impact review area surrounding these features on the subject plan and all subsequent plans (Condition 3). Conditions 4, 5 and 7 ensure the retention of the historic vista from the Melford House to the cemetery and will be addressed at the time of detailed site plan for the development within Pod 1. Review will evaluate development within the impact review area where preservation and enhancement of the historic vista can occur.

The first detailed site plan for Pod 1, within the subject property, should address the Melford Historic Site environmental setting and its impact review area. The purpose of the detailed site plan is to ensure compliance with Conditions 4, 5 and 7 of CSP-06002. In particular, the detailed site plan should ensure the retention of the viewshed between Melford House and the Duckett family cemetery (Condition 4), and address the guidelines for new construction approved by the District Council through CDP-8601 and again through CSP-06002 (Condition 5). The first detailed site plan filed within Pod 1 should be for the Melford Historic Site (Lot 1, Block A), which will include the review of the impact review area.

The applicant has revised the subject preliminary plan to identify both the Melford Historic Site environmental setting (including the house site, adjacent outbuildings and gardens, and the cemetery on a separate parcel), and the impact review area that establishes the vista between them, in compliance with Condition 3 of CSP-06002. Further evaluation will occur with the review of the detailed site plans within Pod 1.

Through the review of the detailed site plan for Melford House, the ownership of the Duckett family cemetery should be clarified and plans developed that provide for the long term maintenance and restoration of this important feature of the Melford Historic Site. The applicant should submit a plan and timetable for the protection, stabilization, restoration and planned adaptive use for the Melford Historic Site through the historic area work permit process, as required in Condition 6 of CSP-06002. The plan, timetable and HAWP are to be reviewed by the Historic Preservation Commission, and should be filed with the detailed site plan for Melford House. Condition 8 of CSP-06002 requires that prior to the issuance of building permits, the applicant will initiate the restoration of the historic site through the historic area work permit process.

The applicant has complied with CSP-06002 Conditions 6 and 8 through the submittal of a Historic Area Work Permit application (HAWP #45-07) that addresses the exterior rehabilitation of the historic site in anticipation of its use as a single-family dwelling. However, a detailed site plan application must be submitted for the Melford Historic Site prior to the issuance of a use and occupancy permit for the property. That detailed site plan application should demonstrate compliance with all relevant approved conditions of CSP-06002.

The applicant is in compliance with the requirement of Condition 9 to submit regular quarterly condition reports on the condition of the Melford Historic Site and associated outbuildings and their ongoing maintenance. These quarterly reports will be required until a permanent use for the building is identified and established. The most recent quarterly report was submitted by the applicant on February 7, 2008; the next report is therefore due on or about May 7, 2008.

The applicant has revised the subject application to provide access from a public street to Melford House within the larger portion of the Melford Historic Site environmental setting that also includes the outbuildings and gardens. The applicant has not provided access from a public street

for the Duckett family cemetery (also part of the Melford Historic Site environmental setting) that is adjacent to and outside the limits of this preliminary plan. However, conditions will address this issue by requiring that the preliminary plan be revised to provide two additional public streets within the limit of Pod 1 prior to signature approval.

Archeology

A Phase I archeological survey was conducted on the property in February 2005. Three archeological sites were identified on the property. Site 18PR30 is a Late Archaic through Woodland period short-term base camp located adjacent to the Patuxent River floodplain. The portion of the site within the subject property had been extensively disturbed by tree removal and grading. Therefore, the site did not retain its integrity and no further work was recommended.

Site 18PR164 consists of archeological deposits and features associated with the Melford Historic Site (#71B-016). Artifacts recovered date from the late 18th century to the present. Four cultural features and a sheet midden were identified around the house. Some of the artifacts may reflect the activities of African American slaves. Phase II investigations were recommended for site 18PR164 to assess its eligibility for inclusion in the National Register of Historic Places.

Site 18PR165 is the Duckett family cemetery, located about 650 feet northwest of the Melford House, and not a part of this application, but is a part of the historic site. Development plans placed a buffer area around the cemetery. Several shovel test pits were excavated outside of and around the cemetery to determine if there were additional unmarked burials. No evidence of unmarked burials was found; however, ground penetrating radar survey of the vicinity of the cemetery should be completed as part of additional required archeological investigation of the property within the limits of Pod 1, which will be submitted with the detailed site plan for the Melford historic house.

Archeological sites 18PR164 and 18PR165 are located within the Melford Historic Site environmental setting (#71B-016). Staff concurs with the Phase I archeological report's findings that no further work is necessary on site 18PR30. Staff also concurs that Phase II investigations are necessary on sites 18PR164 and 18PR165. A Phase II work plan was submitted to Historic Preservation staff on January 14, 2008, and was approved on January 18, 2008. The applicant should submit the findings of the Phase II investigations in the form of a draft report to be reviewed before a final report for the work can be accepted. Condition 21 of CSP-06002 requires that prior to the approval of the preliminary plan the applicant shall provide a final report detailing the Phase II investigations. The applicant has not provided that information and should be required prior to signature approval of the preliminary plan. The report should also be submitted with the detailed site plan for the Melford historic house, where the recommendations will be more appropriately considered within the property associated with Melford House and in the vicinity of the family cemetery with the detailed site plan.

Prior to the approval of the detailed site plan for the Melford Historic Site, the applicant should ensure that all artifacts are curated to MHT standards. The curated artifact collection and associated documentation should be deposited with the Maryland Archeological Conservation Lab.

15. **Urban Design**—The following excerpt is from the District Council decision in the review and approval of Conceptual Site Plan CSP-06002, approved September 11, 2007:

MODIFIED, and, as modified, AFFIRMED, for the reasons stated by the Planning Board, whose decision in PGCPB No. 07-09 is hereby adopted as the findings of fact and conclusions of law of the District Council, with the following modifications and additions:

- “A. The footprints for all "commercial uses," such as the commercial hotel, commercial retail, commercial office, and commercial office-warehouse (“flex”) uses shown in the CSP, including those in existence, those under construction, and those proposed in this plan, are hereby approved. These commercial and flex-warehouse uses are consistent with the principal goals and objectives of the Bowie and Vicinity Master Plan, approved in February 2006, in Council Resolution 11-2006. The uses also conform with the vision for development of this site in the employment center plans and employment center zoning (E-I-A) approved in 1982, when the residential zoning (R-R and O-S) for the subject property was first changed.
- B. Residential development on the subject property was not contemplated after the E-I-A Zone and basic plan were approved in 1982. In 1986 the CDP (comprehensive design plan) was first approved for the subject tract, and it also showed no residential uses. The Master Plan in 2006 suggested residential uses at Melford for the first time, as part of the employment center. It is not clear how the residential development proposed in this CSP application will conform to the vision of the employment center, and the residential development is not clearly integrated with, nor does it promote, the well-conceived employment center development that the Master Plan and adopted County plans and policies call for, on the subject tract.
- C. The 2006 Master Plan, in its goals, objectives, and recommendations, calls for development of primarily high-quality, class A, office-employment uses on the subject property. This property, originally over 400 acres in size, lies at the intersection of two central arteries in Prince George's County, US 50 and US 301/MD 3. It includes land proposed for technology-oriented employment uses, primarily office, and land areas devoted to transportation and open space. Both US 50 and US 301/MD 3 are planned to be expanded and upgraded, in the State's five-year needs assessment and construction program, and office and employment uses will be needed at this location, before the next Master Plan and Sectional Map Amendment updates are scheduled for this area.
- D. Residential development as currently shown in this CSP cannot be approved. The high-density residential uses proposed by the applicant are not well integrated with employment

and office uses elsewhere on the site. Under Master Plan recommendations and the District Council's approved policies for the subject property, commercial office and employment development should be primary and preferred, in all development pods, and any residential development should complement and support the office and employment uses. The residential development shown in this application does not meet that objective.”

The findings above directed that the CSP was to be modified to remove the residential component. Prior to certification of the plans the references to the residential uses was eliminated. Therefore, where the proposed pods of development were previously listed as solely residential; the pod of development was left blank. The District Council’s order indicated that “commercial office and employment development should be primary and preferred, in all development pods.” Therefore, with the review of the detailed site plan for pods previously shown as purely residential the question of conformance to the conceptual site plan may be raised. The preliminary plan proposes uses that are permitted by the CSP. The specific use distribution will be the subject of the subsequent detailed site plans.

The plan has been compared to the layout of the Conceptual Site Plan CSP-06002, for conformance. Preliminary Plan 4-07055 does not provide for a public street layout within Pod 1 and should be revised prior to signature approval. The conceptual site plan provides a layout for the development surrounding the historic site (which includes both the Melford House and the Duckett family cemetery). This layout protected the historic site and addressed many issues, including the street layout and connections, protection of the historic vista between the Melford House and the Duckett family cemetery (via the provision of an open space component), the scale of buildings along the street system surrounding the historic site, and provision of public access to the cemetery.

This roadway system is an important element of the development of Pod 1 and is shown on the conceptual site plan skirting the outer edge of the Melford environmental setting of both the house and the cemetery. These roadways provided connections to Melford Boulevard and Curie Drive. A third roadway connected the two streets along one side of an open space element, which was designed to protect the historic vista between the house and the cemetery, and will be further evaluated with the review of the detailed site plan.

Since the deletion of the residential component by the District Council through the review and approval of Conceptual Site Plan CSP-06002, there is no longer a homeowners association to own and maintain a street system. It is reasonable that the roadways be public roads that will serve commercial uses, either retail or office uses, or some combination. Private streets are not permitted in the M-X-T Zone for non-residential development and are required for public dedication. In this case the public streets will be under the authority of the City of Bowie. The preliminary plan lotting pattern clearly attempts to recoup land area that was previously shown as roadways for the development of commercial uses.

The following conditions of the CSP apply to review of the preliminary plan:

- 1. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.**

Comment: Any revision to the traffic analysis referenced above requires the applicant to submit a revision to the conceptual site plan for review by the Planning Board and the District Council, and as discussed in the Transportation section of this report.

- 9. Prior to approval of any preliminary plan or detailed site plan applications, the Historic Preservation Section shall certify that all quarterly reports have been received in a timely manner and that the Melford site is being properly maintained.**

Comment: This condition requires timely submission of the required report pertaining to the restoration of the Melford House located on the subject site, and as discussed in the Historic section of this report.

- 12. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the Lower Pond. The comprehensive trail network will be evaluated at the time of preliminary plan and should be in conformance with guidelines 29 and 30 of CR-11-2006.**

Comment: The trails coordinator should provide an analysis of this issue.

- 13. The illustrative plan provided with the CSP is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other Master Plan considerations.**

Comment: This condition was generated by the Environmental Planning Section at the time of the review of the CSP and provided some flexibility in the review of subsequent planning tools in order to protect natural features of the site.

- 15. Prior to signature approval of the CSP, and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCPI shall be revised to remove all buildings,**

roads, trails, and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.

Comment: The CSP and TCPI plans have been revised in accordance with the requirement above and have obtained signature approval on March 20, 2008.

- 17. During the review of the TCPI associated with the preliminary plan, the linear wetland in the middle of the southeastern portion of the site shall be evaluated, to ensure its protection in a manner consistent with previous approvals.**

Comment: This condition was generated by the Environmental Planning Section at the time of the review of the CSP and requires protection of the on-site wetland area.

- 20. Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:**
- a. Development plans shall show minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.**

Comment: This issue is best addressed at the time of DSP review.

- b. Streams shall have a 100-foot natural buffer and a 150 foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on community property.**
- c. Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**

Comment: Both conditions above have been addressed by the Environmental Planning Section in the review of the preliminary plan.

- d. The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.**

Comment: This issue is best addressed at the time of the DSP. The CSP should be the guide to the open space component of the project.

21. **Prior to the submission of a preliminary plan of subdivision, the applicant shall provide a plan for evaluating the resource at the Phase II level. In accordance with the *Guidelines for Archeological Review*, if a Phase II archeological evaluation is necessary, the applicant shall submit a research design for approval by Historic Preservation staff. After the work is completed, and before approval of the preliminary plan, the applicant shall provide a final report detailing the Phase II investigations, and shall ensure that all artifacts are curated to MHT Standards.**
22. **If a site has been identified as significant and potentially eligible to be listed as a Historic Site or determined eligible for the National Register of Historic Places, the applicant shall provide a plan for:**
 - a. **Avoiding and preserving the resource in place; or**
 - b. **Phase III Data Recovery investigations and interpretation.**

Phase III Data Recovery investigations shall not begin until Historic Preservation staff approves the research design. The Phase III (Treatment/Data Recovery) final report shall be reviewed for compliance with the *Guidelines for Archeological Review*, before approval of any grading permits within 50 feet of the perimeter of the site.

Comment: Both of the conditions above have been addressed in the Historic Preservation Section (HPS) memo by the archeologist.

16. **Part of Parcel 4 (Zehner Property)**—Immediately south of the subject property (Pods 6 & 7) is part of Parcel 4 known as the Zehner property, zoned O-S, and extends south of US 50. In total, Parcel 4 is 111± acres and is divided by the right-of-way of US 50. The SHA has acquired the access controls from the property owner of Parcel 4 along US 50. Therefore, the part of Parcel 4 immediately south of Melford is prohibited from direct access to US 50, unless otherwise approved by the State Roads Commission.

Section 24-104 of the Subdivision Regulations establishes the purposes of Subtitle 24 and specifically (a)(3) states in part “[t]o facilitate public and private actions in order to provide adequate and efficient transportation.” Based on the circulation pattern that is proposed for Pod 6, staff finds that access to Parcel 4 from the internal public street across Pod 6 would be an appropriate location to provide adequate access to Parcel 4. Access across Pod 7 would not be appropriate due to the location of the stormwater management pond and existing environmental features on the Melford property, which abut the northern property line of Parcel 4. The specific location of a possible future access easement should be located on the detailed site plan for proper siting, if an agreement can be reached between the property owners.

The applicant in this case has indicated that they should not be required to provide access to the adjoining property, in part because that property owner has frontage on a public street (US 50) and previously negotiated away the right of access to the State Highway Administration. The M-NCPPC Associated General Council in discussions with staff agrees with the applicant's position. However, we acknowledge that the two private parties could negotiate an access easement to serve that part of Parcel 4 located on the north side of US 50.

17. **Residential Conversion**—The subject property is zoned M-X-T. While the subject application is not proposing any residential development, if the conceptual site plan would permit such a land use, a new preliminary plan should be approved. Because there exists different adequate public facility tests, and there are considerations for recreational components for residential subdivision, a new preliminary plan should be required if residential development is to be considered.
18. **Background**— On January 25, 1982, the District Council approved Zoning Map Amendment Application and Basic Plan A-9401 for the subject property (Zoning Ordinance No. 2-1982). This zoning map amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision, PGCPB Resolution No. 86-107, for the Maryland Science and Technology Center. The preliminary plan was approved by the Planning Board on September 28, 2000, PGCPB Resolution No. 99-28(A).

The property was included in the *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* and the property was rezoned from the E-I-A Zone to the M-X-T Zone through the approval of CR-11-2006 on February 6, 2006. On February 15, 2007, the Planning Board approved Conceptual Site Plan CSP-06002, which proposed a mixed-use development consisting of hotel, office, retail, restaurant, research and development, and residential (366 single-family detached and attached units and 500 multifamily units) uses. On September 11, 2007, the District Council approved CSP-06002, rejecting the residential component of the proposed development. The preliminary plan is consistent with the District Council's action on the CSP and proposes no residential uses.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, May 29, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of June 2008.

Oscar S. Rodriguez
Executive Director



By Frances J. Guertin
Planning Board Administrator

OSR:FJG:WC:bjs

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department

Date 6/20/08

CASE NAME: MELFORD, PHASE 2
CASE NO: 4-07055_PORL
APPLICANT: ST. JOHNS PROPERTIES
STAFF PERSON: CHELLIS
P.B. DATE: 5/29/08
PARTIES OF RECORD:

06/06/07
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BOWIE MD 20715

06/07/07
SEAN F BRUCE
702 H STREET NW SUITE 400
WASHINGTON DC 20001

6/21/07
ELIZABETH CHAISSON
CITY OF BOWIE
2614 KENHILL DRIVE
BOWIE MD 20715

7/23/07
BRUCE D PLETSCHI PRESIDENT
SHERWOOD MANOR CIVIC ASSOCIATION
16520 ABBEY DRIVE
BOWIE MD 20715

7/31/07
WILLIAM H WILSON
5810 PARK DRIVE
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7/31/07
DAVID L JUDY
5800 AVONDALE DRIVE
BOWIE MD 20715

7/31/07
MARTHA AINSWORTH
16500 ABBEY DRIVE
BOWIE MD 20715

8/8/07
ACCOKEEK MATAWOMAN
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11/5/07
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BOWIE MD 20715

1/31/08
ST. JOHN PROPERTIES
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WINDSOR MILL MD 21244

1/31/08
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5/15/2008
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5/29/2008
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5/29/2008
DEBORAH A SELL
2705 BIRDSEYE LANE
BOWIE MD 20715

Sy/ce

RESOLUTION ROUTING SLIP DRD - SUBDIVISION SECTION

PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT - M-NCPPC
DEVELOPMENT REVIEW DIVISION

PROJECT TITLE: Melford Phase II
 FILE NO: A-07055 RESOLUTION NO. 08-86
 BOARD APPROVAL DATE: 5-29-08
 BOARD ADOPTION DATE: 6/19
 STAFF WRITER: Chellis

Please review or process as indicated and send to the next office in sequence.

TASK	OFFICE	DATE		SIGN OFF
		IN	OUT	
RESOLUTION DRAFTED	ADMIN. AIDE		6/2	bip
PROOF DRAFT/ OK FOR FINAL	REVIEWER			
	ADMIN. AIDE	6/3	6/3	bip
	REVIEWER	6/3	6/3	SW
REVIEW FINAL	TECHNICAL HRG. WRITER	6/3	6/3	gal
	DRD ADMIN. AIDE			
	TECHNICAL HRG. WRITER			
REVIEW FINAL	LEGAL DEPT.	6/3	6/5	JS
	DRD ADMIN. AIDE			
	LEGAL DEPT.			
SUBMIT FINAL	TECHNICAL HRG. WRITER			
FINAL FOR SIGNATURE	P.B. ADMINISTR..	6/23	6/23	gal
COVER SHEET FOR SIGNATURE	REVIEWER	6/23	6/23	SW
FINAL XEROX/MAILED	ADMIN. AIDE	6/23	6/23	SW
FILE ORIGINAL *	TECHNICAL HRG. WRITER	6/24	6/24	JL

* ORIGINAL RESOLUTION PLUS ONE COPY IS FILED WITH RECORDING SPECIALIST WHO WILL SIGN OFF AND RETURN ROUTING SLIP TO DIVISION

1. O.K. for Final.

YES

NO

Initials

DC

2. *see changes*
O.K. for Final

~~YES~~

NO

Initials

DC

3. O.K. for Final

YES

NO

Initials

~~Acc Co's Staff report~~

~~6.7.08. Acc additional insert + corrections.
Thank you~~

RESOLUTION

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 July 24, 2008 regarding Detailed Site Plan DSP-07031 for Melford, Pod 6, Lots 1-6, the Planning Board finds:

1. **Request:** The subject application is for approval of 134,480 square feet of office in four buildings on proposed Lots 1 and 3, and 248,820 square feet of research and development in seven buildings on proposed Lots 2, 4 and 5 within the existing Melford development. Lot 6 is proposed for stormwater management.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Office/research and development
Acreage	38.56	38.56
Lots/parcels	2 parcels	6 lots
Square Footage/GFA	0	133,680 square feet of office 248,820 square feet of research and development

Parking Data

	PARKING REQUIRED PER TENANT SPACE	TOTAL PARKING REQUIRED	TOTAL PARKING PROPOSED
LOT 1		250	258
Building A 42,000 SF 3-story Office (Max. 5 tenant spaces/floor)	10		
Building B 25,840 SF 1-story Office (Max. 10 tenant spaces)	10		
Handicap Spaces		7	8
Loading Spaces		1	1
LOT 2	10	160	217
Buildings C & D 80,160 SF 1-story R&D			
Handicap Spaces		7	7
Loading Spaces		1	22
LOT 3		203	235
Building E 40,000 SF 1-story Office (Single Tenant)			
Building G 25,840 SF 1-story Office (Max. 10 tenant spaces)	10		
Handicap Spaces		7	10
Loading Spaces		1	2
LOT 4		140	140
Building H & I 70,080 SF 1-story R&D			
Handicap Spaces		5	8
Loading Spaces		1	18
LOT 5		197	212
Buildings J, K & L 98,580 SF 1-story R&D			
Handicap Spaces		7	9

Loading Spaces		1	22
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3. **Location:** The subject property is located on the north side of US 50 and southeast of the intersection of Melford Boulevard and Telsa Drive.
4. **Surroundings and Use:** To the north of Pod 6 is vacant undeveloped acreage within Pod 2, to the east is more undeveloped acreage in Pod 7, to the south is US 50/US 301, and to the west are Lots 3 and 4 of Block 4, developed as an office building and research and development.
5. **Previous Approvals:** On January 25, 1982, the District Council approved Zoning Map Amendment Application and Basic Plan No. A-9401 for the subject property with ten conditions (Zoning Ordinance No. 2-1982). This zoning map amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision (PGCPB Resolution No. 86-107), for the Maryland Science and Technology Center with 27 conditions and two considerations. The preliminary plan was approved by the Planning Board on September 28, 2000 (PGCPB Resolution No. 99-28(A)). Specific Design Plan SDP-0103 was approved by the Planning Board on April 26, 2001. A final plat of subdivision was approved on December 24, 2003 for the subject property.

The property was included in the *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B*. On February 7, 2006, the property was rezoned from the E-I-A Zone to the M-X-T Zone through the approval of CR-11-2006. On February 15, 2007 the Planning Board approved CSP-06002, which proposed a mixed-use development consisting of a hotel, office, retail, restaurant, research and development, and residential (366 single-family detached and attached units, and 500 multifamily units).

On September 11, 2007, the District Council approved Conceptual Site Plan CSP-06002, rejecting the residential component of the proposed development.

On April 3, 2008, the Planning Board approved Detailed Site Plan, DSP-07072 for the development of three retail buildings located within Lots 1 and 2, Block 3, where a 136,000-square-foot office building exists and a 150,000-square-foot office building is currently under construction.

On April 17, 2008, the Planning Board approved the Marriott Hotels at Bowie, Detailed Site Plan DSP-06069, for three hotels including the Courtyard Marriott, the Residence Inn and Springhill Suites.

On May 29 2008, the Planning Board reviewed Preliminary Plan of Subdivision, 4-07055 for 176.2 acres of land, including the subject property.

6. **Design Features:** The detailed site plan for Pod 6 proposes research and development, office, and stormwater management on the site, on six separate lots. Also included in the application, Lot 3,

is a proposed Prince George's County public office use. The following summarizes development proposed on a lot by lot basis:

Lot 1—	4.35 acres	Building A Building B	42,000 square feet of office 25,840 square feet of office
Lot 2—	7.21 acres	Building C Building D	40,080 square feet of research and development 40,080 square feet of research and development
Lot 3—	5.80 acres	Building E Building G	40,000 square feet of office 25,840 square feet of office
Lot 4—	6.31 acres	Building H Building I	35,040 square feet of research and development 35,040 square feet of research and development
Lot 5—	9.05 acres	Building J Building K Building L	32,040 square feet of research and development 30,420 square feet of research and development 36,120 square feet of research and development
Lot 6—	Stormwater management pond only		

The subject site has approximately 1,280 linear feet of frontage on US 50/US 301 and is served by the internal street system within the Melford development. The site is roughly rectangular in shape and consists of 38.56 acres of land. The site was previously graded and contains little or no woodland.

The architectural elevations of the three-story building proposed on Lot 1, at the intersection of Melford Drive and Telsa Drive, include a pink and beige colored brick covering the entire structure with a green colored standing seam roof. The architectural detailing of the building appears to be satisfactory and the standing seam roofing material proposed provides a high level of quality.

The architectural elevations for the one-story, 40,000-square-foot office building located on Lot 3, is proposed as coppertone and buff colored brick covering the entire structure, with a metal panel equipment screen shown as a parapet. The architectural detailing consists of recessed door entries and tri-pane windows.

The remaining buildings proposed are called out on the architectural elevations as either office or research and development. These buildings are simple rectangular shaped buildings. The 15-foot-high office buildings are designed with a double face, with doors regularly placed on each side of the building and no loading doors are proposed. The exterior materials are brick with one color scheme combining coppertone and buff.

The 18.5-foot-high research and development buildings are also simple rectangular shaped buildings. One side of each building is similar in design to the office buildings with doors regularly placed along the façade of that side of the building. The opposite side of the building is lined with loading doors placed approximately four feet above grade, raised entrances with stairs and double pane windows.

Signage for the project includes free standing campus identification signs, building identification, tenant monument signage, directional signage and building-mounted signage. The materials are brick in a “pearl grey” color with a painted metal panel insert and metal letters with the St. John Property logo.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The Requirements of the Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the M-X-T Zone and has been found acceptable.
8. **Section 27-548:** Section 27-548 includes regulations for the M-X-T Zone. The requirements relevant to the subject project are included in bold faced type below and are followed by staff’s comment:
 - (a) **Maximum floor area (FAR):**
 - (1) **Without the use of the optional method of development—0.40 FAR; and**
 - (2) **With the use of the optional method of development—0.80 FAR.**

Comment: Section 27-548(a) limits the development within the M-X-T Zone to a maximum floor area ratio (FAR) of 0.40, unless an applicant proposes use of a specified optional method of development, which would increase it to a maximum of 8.00. Further, Section 27-548(e) indicates that the floor area ratio shall be applied to the entire property that is the subject of the conceptual site plan. The following chart lists all development within the Melford development for use in calculating floor area ratio:

SDP/DSP	Development Quantity	Status
Pre-1998	240,000 sq. ft.	Built
SDP-0103	153,250 sq. ft.	Built
SDP-0104	300,000 sq. ft.	Under construction
SDP-0201	83,680 sq. ft.	Built
SDP-0203/01	81,600 sq. ft.	Approved
SDP-0405	136,957 sq. ft.	Approved
DSP-07072	24,375 sq. ft.	Approved
DSP-06096	362 room hotel 253,289 sq. ft.	Approved
DSP-07031	383,300	This Plan
Total	1,656,451 sq. ft.	

The floor area ratio, including all approved and pending development on the 244.84 net tract acreage of the Melford site and reflected on the chart above, is 0.16, well within the M-X-T Zone 0.40 maximum floor area ratio requirement. Future detailed site plans for the Melford development should include an updated FAR development chart and a recalculation as necessary of the floor area ratio to demonstrate conformance to Section 27-548. A condition of approval requiring such information is included in the recommendation section of this report.

9. **M-X-T Zone:** The proposed mixed-use development is a permitted use in the M-X-T Zone. The detailed site plan must also comply with the following findings listed in **Section 27-546(d)** for development in the M-X-T Zone:

1. **The proposed development is in conformance with the purposes and other provisions of this division;**

Section 27-542(a)(1)—To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

The development of Lots 1–6 will provide for modest expansion of employment for the citizens of the county because the development provides for 383,300 square feet of office and research and development. Increased employment opportunities could be provided with multi-story office buildings (as are called for in the ultimate build-out of this pod) as opposed to the predominant single-story buildings proposed in the subject application.

Section 27-542(a)(2)—To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

The review of the CSP for this case implemented the master plan as a regulatory tool for the development of the property. Pursuant to various provisions of the master plan, certain conditions were attached to the approval of the CSP that must be fulfilled at the time of the DSP. See Finding No. 10 for those conditions that have either been fulfilled or need revisions to the DSP prior to being considered fulfilled. If the proposed conditions of approval are adopted, the plans will conform to the CSP and thus, to the master plan and general plan.

Section 27-542(a)(3)—To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;

The development of the property located within Pod 6 does not maximize the public investment and the private development potential of the subject property. Specifically, the use of single-story, single-use, flex buildings and expansive asphalt surface parking and loading compounds on proposed Lots 2, 4 and 5 does not maximize the development potential of the site. Condition No. 24 of approved CSP-06002 suggests that the development on proposed Lots 2, 4 and 5 be considered as interim uses, as described in the master plan, and that in the future, these uses should be superseded by more intense development. Also, staff recommended that the development of these lots be phased to the later phases of the project in order to leave the land vacant, in case more intense uses are demanded by the market in the near future. However, the Planning Board disagrees with the staff and did not adopt the recommended condition of staff to phase the project

Section 27-542(a)(4)—To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;

The site is not located in close proximity to a metro station. Residential development is not proposed within the subject application and was previously eliminated from the CSP through District Council action. Therefore, the finding above does not apply.

Section 27-542(a)(5)—To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;

The proposed development has the potential to encourage a 24-hour environment with the mix of office and retail uses within the overall development. Office uses will generate activity on the site from 6:00 a.m.–7:00 p.m. The retail component is expected to generate activity all day with uses open from 10:00 a.m.–9:00 p.m.

Section 27-542(a)(6)—To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

The plan proposes a clear horizontal separation of uses of office and research and development. The design of the materials of the buildings blends harmoniously together.

Section 27-542(a)(7)—To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;

The proposed architectural design of the buildings should blend together based on the consistent approach to the design of the buildings in regard to exterior finish materials and color palette. Outdoor storage of materials should be discouraged for the research and development buildings.

Section 27-542(a)(8)—To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

The application proposes single-purpose office buildings and research and development. Optimum use of the site is not expected until the site is redeveloped as required by Condition No. 24 of CSP-06002.

Section 27-542(a)(9)—To permit a flexible response to the market and promote economic vitality and investment; and

Comment: CSP-06002 allows flexibility in response to the market per Condition No. 24.

Section 27-542(a)(10)—To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

Comment: By recognizing that the research and development buildings are interim uses, it allows the developer the choice to achieve excellence in planning and design in the future.

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

Comment: The project is designed with an outward orientation toward Melford Circle and Telsa Drive to the west. The project will also be highly visible, even with a 30-foot landscape strip, from the US 50 corridor. Unlike the existing research and development structures along US 50 which are located above the grade of the adjacent lanes of the highway, the majority of this portion of the site will be highly visible, particularly development on Lots 2 and 4. The change in grade from the site to the highway is only slight. The issue of outward orientation is an important one at this location in the county. This property is the first property entering Prince George's County from Anne Arundel County, located directly east of the subject site. Landmark buildings at this location would be preferable to the single-story buildings proposed. The appearance of development on the property should be of the highest quality, particularly on Lots 2 and 4, where the views into the site are not obscured through vegetation. Even though the CSP recognized research and development buildings as interim uses, in the meantime, as a measure to protect the views from the highway into the loading areas, staff recommends the incorporation of walls similar in size and style as those erected along Telsa Drive to screen the research and development loading areas from US 50.

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

Comment: The office uses complement the existing uses in the vicinity including the future hotel uses and proposed retail in the larger Melford development.

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

Comment: The mix of uses, as proposed by the subject application and the previously approved applications, will provide for the arrangement and design of buildings in order to reflect a cohesive development capable of sustaining an independent environment of quality and stability. A condition of approval recommends that the landscape plans use native plant materials which will contribute to a sustainable environment.

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

Comment: It is anticipated that the first building to be built will be Building E on Lot 3. Staff recommends that the project be phased to reserve the land adjacent to US 50 for a landmark building should the market for such a building develop, rather than the one-story flex type buildings proposed.

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

- 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 types and textures of materials, landscaping and screening, street furniture, and lighting;**

Comment: The trails coordinator reviewed the plans for the two conditions above and made the following comments in regard to the pedestrian systems proposed for the development:

“The subject application includes standard sidewalks along both Melford Boulevard and Telsa Drive. The subject application also reflects sidewalks around the perimeter of the proposed buildings; however, no sidewalks are included along the internal street accessing the office buildings. Furthermore, no connections are shown from the proposed buildings to the existing sidewalk along Melford Boulevard. Given the conditions noted above, staff recommends that sidewalks be provided along both sides of the planned access road and that connections be provided from the buildings to the sidewalk along this road and Melford Boulevard.”

The Planning Board adopts the staff recommendation.

10. **Conceptual Site Plan CSP-06002:** Conformance of the detailed site plan to the underlying conceptual site plan is required by the Zoning Ordinance. The following finding is taken from the District Council’s action on the conceptual site plan for Melford:

Finding C. The 2006 Master Plan, in its goals, objectives, and recommendations, calls for development of primarily high-quality, Class A, office-employment uses on the subject property. This property, originally over 400 acres in size, lies at the intersection of two central arteries in Prince George's County, US 50 and US 301/MD 3. It includes land proposed for technology-oriented employment uses, primarily office, and land areas devoted to transportation and open space. Both US 50 and US 301/MD 3 are planned to be expanded and upgraded, in the State's five-year needs assessment and construction program, and office and employment uses will be needed at this location, before the next Master Plan and Sectional Map Amendment updates are scheduled for this area.

Comment: The finding above states “The 2006 Master Plan, in its goals, objectives, and recommendations, calls for development of primarily high-quality, Class A, office-employment uses on the subject property. The following definition from the Wikipedia encyclopedia defines Class A office space:

“Class A Office Space describes the highest quality office space locally available. The architecture of Class A office structures always prioritizes design and visual appeal over cost, and sometimes over practicality - a Class A building can be considered a monument

and a testament to the success and power of its tenants. In most areas, Class A office space is built in multi-story (usually 3 floors or more) buildings using structural steel and composite concrete construction. Cost for the structure alone (excluding land purchase and site improvements) is typically greater than \$150 per square foot, and often rises to several hundred per square foot depending on the tenant's preferences for interior finishes.

“Office buildings are classified according to a combination of location and physical characteristics. Class B and Class C buildings are always defined in reference to the qualities of ‘Class A’ buildings. There is no formula by which buildings can be placed into classes; judgment is always involved. A fair number of the Class C office spaces in the inventory are not truly office buildings but rather walk-up office spaces above retail or service businesses.”

“The Urban Land Institute, a noted authority on commercial land uses, says the following about these classifications in its Office Development Handbook. Class A space can be characterized as buildings that have excellent location and access, attract high quality tenants, and are managed professionally. Building materials are high quality and rents are competitive with other new buildings. Class B buildings have good locations, management, and construction, and tenant standards are high. Buildings should have very little functional obsolescence and deterioration. Class C buildings are typically 15 to 25 years old, but are maintaining steady occupancy. Tenants filter from Class B to Class A and from Class C to Class B.

“In a normal market, Class A rents are higher than Class B, which are above Class C. This makes sense because Class A buildings offer higher quality to the tenants and cost more to provide.”

Comment: The proposed buildings, which are the subject of this case, are not of the Class A building type referred to in the order of approval. The subject plans include a majority of the development as research and development flex space, which Condition No. 24 of CSP-06002 defined as interim uses. See Condition No. 24 below for further discussion on this issue.

The conceptual site plan was approved by the District Council on September 11, 2007, with the following conditions applicable to the review of the proposed detailed site plan:

- 1. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.**

Comment: This condition is carried over to the approval of this plan.

2. **Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency.**

(A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

(B) At US 301/Gov. Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane.

Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

Comment: The condition above should be carried over as a condition of approval for the DSP. The two conditions above relate to the overall land area contained within Conceptual Site Plan, CSP-06002.

4. **Applicable detailed site plans that may affect the historic vista of the Melford House shall demonstrate that proposed buildings do not obstruct the vista.**

Comment: The subject application is not within the immediate vicinity of the Melford Historic Site.

8. **Prior to issuance of building permits for any property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and**

outbuildings shall be completed prior to issuance of use and occupancy permits for any future hotel or office uses.

Comment: The owner of the Melford historic property, St. John Properties, is currently proceeding forward with the improvements to the historic site.

- 9. Prior to approval of any preliminary plan or detailed site plan applications, the Historic Preservation Section shall certify that all quarterly reports have been received in a timely manner and that the Melford site is being properly maintained.**

Comment: The applicant is in compliance with the requirement above to submit regular quarterly condition reports for the historic site, and is expected to continue to do so until a permanent use for the building is identified.

- 10. The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required. The project shall be pedestrian-friendly, with keen detail for a walkable community.**
- 11. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate, and shall be shown on all affected DSPs.**

Comment: The subject application includes standard sidewalks along both Melford Boulevard and Telsa Drive. The subject application also reflects sidewalks around the perimeter of the proposed buildings. However, no sidewalks are included along the internal street accessing the office buildings. Furthermore, no connections are shown from the proposed buildings to the existing sidewalk along Melford Boulevard. Given the conditions noted above, sidewalks should be provided along both sides of the planned access road, and that connections be provided from the buildings to the sidewalk along this road and Melford Boulevard.

The Bowie and Vicinity Master Plan also recommends that trails be provided along publicly-owned land within the Patuxent River corridor (Master Plan, page 52). The trail along the Patuxent River is beyond the scope of the subject application and has been addressed via approved Preliminary Plan 4-07055.

The Master Plan also designates Melford Boulevard as a designated bikeway. Melford Boulevard is within the City of Bowie and will be operated and maintained by the city. The City of Bowie has been implementing a comprehensive bikeway and trails plan for the city that includes bikeway signage along designated roadways. Melford Boulevard is designated as a master plan bikeway in both the City of Bowie Trails Plan and the Adopted and Approved Bowie and Vicinity Master Plan. Staff does not make a specific recommendation regarding the provision of the signage as this agreement can be developed directly between the applicant and the City.

However, staff supported the implementation of the bikeway along Melford Boulevard and will support an agreement between the applicant and the City for the provision of appropriate bikeway signage along this road. Staff also supported including a condition of approval for this bikeway signage, if proposed by the City. Staff recommended the following condition of approval:

In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, the applicant, the applicant's heirs, successors and/or assignees shall provide the following:

- a. Provide standard sidewalks along both sides of the internal road, within Pod 6, from Telsa Drive to the eastern most building on Lot 5 and Melford Boulevard.
- b. Provide sidewalk connections from the perimeter walkways around the proposed buildings to the existing or planned sidewalks along Melford Boulevard and the internal roadway for Pod 6.

The Planning Board adopts the staff recommendation.

- 15. Prior to signature approval of the CSP, and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCPI shall be revised to remove all buildings, roads, trails, and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.**

Comment: The current DSP does not include portions of the site subject to this condition.

- 16. Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbance to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested, wherever possible. The TCPI associated with the preliminary plan will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.**

Comment: There are no disturbances to the floodplain buffer associated with this application.

- 18. Prior to approval of any DSP, the applicant shall dedicate to the M-NCPPC 108±, acres including but not limited to 100-year floodplain and floodplain buffer, as shown on the Department of Parks and Recreation (DPR) Exhibit "A".**

Comment: The applicant has not conveyed the 100-year floodplain and floodplain buffer to M-NCPPC. The Department of Parks and Recreation staff recommends conveyance of the parkland prior to certificate approval of DSP-07031.

19. Land to be conveyed is subject to conditions 1 through 9, in attached Exhibit "B".

Comment: This condition should be carried over to the approval of the subject DSP.

20. Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:

- a. Development plans shall show minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.**

Comment: The submitted TCPII and DSP propose surface parking and paved loading areas throughout the site within this application. According to the DSP, there are 112 parking spaces proposed over the minimum spaces required. No structured parking is shown on the plans. The design, as shown on the TCPII, DSP and landscape plans, does not allow for the micromanagement of stormwater through natural infiltration. The parking spaces in excess of the minimum requirement should be designed with permeable paving or other applicable design method that will allow natural infiltration on the site.

Condition: Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of permeable paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to all parking spaces above the minimum required number of spaces.

- b. Streams shall have a 100-foot natural buffer and a 150 foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on the community property.**

Comment: There are no disturbances to the stream or floodplain buffers associated with this application.

- c. Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested in cooperation with the appropriate utility.**

Comment: The TCPII shows the clearing of 28.81 of on-site woodland. This clearing is consistent with the TCPI approved with the CSP and previous TCPII approvals. The TCPII must be revised for the overall site prior to certification.

24. Detailed site plans for new research and development "flex space" shall not exceed

10 percent of total space (excluding existing research and development) within the M-X-T Zone. Generally this flex space is intended as an interim use, which shall be redeveloped predominantly with office use, as market conditions permit. When an area is initially developed as research/development, flex space or warehouses, that area should be the first considered for redevelopment, when market conditions permit new office development. The applicant shall demonstrate that its long-term goal is to have all flex space uses converted to commercial office, with supporting retail (including a main street) and hotel uses, within a reasonable time period.

Comment: Condition 24 of the District Council order refers to “research and development ‘flex space.’” The Zoning Ordinance does not define any of these terms. The St. John Properties internet site (www.stjohnpropertiesinc.com/property_portfolio/property_flex.aspx) describes “flex/office” as follows:

“The typical St. John Properties flex/office building offers 30-foot-wide bay spacing and 16-foot-high ceilings for maximum tenant flexibility.”

In regard to the buildings labeled “research and development” on the plans, the product type features office fronts on one side of the building and loading areas on the rear of the building. This product type is described as “flex space” in an on-line article entitled “*Flex Space is Future of Office, Storage Needs*,” by Edward A. St. John, an excerpt is provided below:

“Throughout the country, flex space is on the rise. While flex buildings do not contend for profiles in Architectural Digest, they do attract companies in a wide variety of industries.

“Just what are flex buildings and how do companies utilize the space?”

“Flex buildings evolved from industrial buildings that prevailed in the 1970s. These were geared to trucks that transported goods to and from the properties, and usually had front loading docks. Employees and visitors had to position themselves around the trucks to enter the buildings.

“As the ‘80’s approached, everything seemed to get flashier and sleeker, including industrial parks. At the same time, the demand for office space increased.

“Thus came the emergence of flex space as we know it: one-story buildings with high ceilings, rear loading docks, surface parking and generous landscaping.

“The building shells are designed to accommodate companies needing office, light manufacturing and/or warehouse space.”

As mentioned, the Zoning Ordinance does not define “research and development” or “flex” buildings, but the two terms appear to be more or less interchangeable in common usage. The

previously approved SDPs for the subject property also listed research and development as the proposed use on the property. However, a site investigation revealed that the uses currently occupying the space previously approved as research and development, may actually be other categories of use.

The specific design plans approved under the previous E-I-A Zone associated with the previously built structures that are specified as flex buildings were initially approved as research and development and office. However, the tenant mix for the two different designations is actually quite similar, and includes such uses as contractor services, private schools, churches and general office. The difference between office flex and research and development flex space is the use of loading facilities at the rear of the research and development buildings and the lack thereof on the office buildings. Both the research and development and some of the office products built within Melford are considered “flex” type construction (See the attached advertisements for the project taken from the web).

The term “flex” buildings is generally known in the industry as buildings that are flexible as to the tenant leasing. The buildings are basically a shell construction and the interior space and finishing for tenants are simply designed so that a single tenant could lease an entire building or multiple tenants could lease pre-determined segments of the building with a minimal amount of construction cost associated with the interior alteration of the buildings.

The following specific design plans have been approved for the Melford development as research and development “flex” buildings:

SDP	Lot/block	Building designation	GFA of building(s)	Type of flex building	Status
SDP-0103	Lot 1 block 4	Building A	33,120	R&D flex	existing
	Lot 1 block 4	Building B	28,560	R&D flex	existing
	Lot 2 block 4	Building C	29,560	R&D flex	existing
	Lot 2 block 4	Building D	31,560	R&D flex	existing
SDP-0201	Lot 3 block 4	Building E	32,560	R&D flex	existing
	Lot 3 block 4	Building F	26,560	R&D flex	existing
	Lot 3 block 4	Building G	25,560	R&D flex	existing
SDP-0402	Lot 5 block 4		40,440	R&D flex	existing
Total			247,920		existing

In regard to conformance to Condition No. 24 above, it could be argued that “total space...within the M-X-T Zone” should apply only to property within the subject CSP, however, staff conceded that “M-X-T Zone” can as easily be interpreted to include all of the contiguous M-X-T zoned property, as the applicant contends, which would include the existing Census Bureau, the IDA building and the Masonry Institute.

The Planning Board accepted this as a reasonable assumption, but does not accept the applicant’s

assumption that “total space...within the M-X-T Zone” refers to the overall projected ultimate build-out of the site as approved on the CSP, which was 4,837,060 square feet of GFA. Total build-out of the site, up to the maximum square footage of the CSP, may never come to fruition due to numerous hurdles that could stand in the way, such as the current traffic study not supporting the projected maximum density of the development shown on the CSP. In addition, the type of development shown on the subject detailed site plan may consume so much land area that it would not be feasible to achieve the maximum development shown on the CSP because of reduced land availability. Furthermore, basing the ten percent calculation on this very large and probably unrealistic number would provide no practical brake on construction of flex space. The Planning Board believed that it is more consistent with the intent of the condition to base the ten percent limitation on existing development, i.e. built, permitted or under construction on the site at the time of the application for building permit for additional flex space.

The intent of the condition is clearly to restrict the amount of future development of flex buildings in order to hasten the day when “all flex space uses are converted to commercial office with supporting retail (including a main street) and hotel uses within a reasonable period of time.”

Staff believed that the only way to insure that the intent of the condition is fulfilled, and that the site is in conformance at all times, is to require that every future building permit for a “flex” or “research and development” building should demonstrate conformance with the ten percent limitation. In order to find conformance with the condition above, the following calculation should be performed at the time of each building permit in order to determine the amount of additional flex space allowed at Melford based on the amount of existing development:

[(Total GFA within the M-X-T Zone either built or permitted at the time of application for a new permit for R&D]	– Existing R&D as of 2008 (274,456 sq. ft.)	+ GFA of R&D] flex building for which permit is requested	x .10 =	Cumulative total of GFA of additional R&D flex space for which permit may be approved subsequent to approval of DSP-07031
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The Planning Board agreed with the staff’s conclusions and adopted the formula above as a condition to be enforced at the time of building permit.

The following chart defines the total square feet of GFA within the M-X-T Zone either built or permitted as of this date:

	GFA	AREA	SDP/DSP	Status
Lot 2 block 2	40,800	10.51	SDP-0203/01	existing

Lot 3 Block 2	40,800	9.14	SDP-0203/01	existing
Lot 4 block 2	30,450	3.74	SDP-0103	existing
Lot 1 block 3	150,000	10.88	SDP-0104	existing
Lot 1 block 4	61,680	7.18	SDP-0103	existing
Lot 2 block 4	61,120	5.97	SDP-0103	existing
Lot 3 block 4	83,690	9.07	SDP-0201	existing
Lot 5 block 4	67,966	6.36	SDP-0402	existing
Masonry school	234,000	25.19	SDP-0405	existing
Census Bureau	120,560	9.00	N/A	existing
IDA	87,500	14.21	N/A	existing
Lot 2 block 3	150,000	10.88	SDP-0103	existing
Total	1,916,066			

The following chart defines the total square feet of existing research and development as of this date:

	GFA	AREA	SDP/DSP	Status
Lot 1 block 4	61,680	7.18	SDP-0103	existing
Lot 2 block 4	61,120	5.97	SDP-0103	existing
Lot 3 block 4	83,690	9.07	SDP-0201	existing
Lot 5 block 4	67,966	6.36	SDP-0402	existing
Total	274,456			

25. All stream channels on the site should be depicted on all plans in their entirety, with the regulated stream buffer shown as required.

Comment: There are no stream channels on this portion of the site that have not been shown. Staff recommends that the amount of future research and development be restricted as stated above in the formula, at the time of building permit.

26. Prior to the approval of a detailed site plan, the following issues shall be addressed:

a. Plans shall show the stormwater management ponds as amenities, with gentle natural slopes and extensive native planting.

Comment: There is one stormwater management pond located on the site, on lot 6. Landscaping of the area is not proposed on the plans. The landscape plan should be revised prior to signature approval to reflect an abundant amount of landscaping with native plant material.

27. Detailed site plans shall provide a minimum 30-foot-wide landscape buffer between the development and US 50, if research and development flex space is proposed. The

buffer shall be measured from the public utility easement.

Comment: Additional landscaping is recommended to screen the development from US 50.

28. Recreation Facilities Conditions:

- a. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.**

Comment: This condition appears to be a carryover from the original CSP that included a residential component. That plan was approved with a condition to remove the residential component from the plans; however, it appears that the condition relating to the development of residential units still remains on the plans. No recreational facilities are proposed for the site.

- c. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of \$250,000 for the design and construction of the Green Branch Athletic Complex.**

Comment: Since the proposed lots are subject to a final plat of subdivision, the above condition should be carried over to the approval of this plan.

- d. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.**

Comment: Currently there are no roads extending to the future parkland. Since the applicant is required to dedicate 108± acres to M-NCPPC prior to approval of any DSP, public access to the parkland will not be available at this time. However, DPR staff recommends that temporary public access should be provided from the public street to the parkland at the location agreeable to DPR and the applicant.

- e. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.**
- f. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits.**

Comment: This condition appears to be a carryover from the original CSP that included a residential component. These conditions do not apply to the subject project.

11. **Landscape Manual:** The plans are subject to Sections 4.2, 4.3(a) and (c), 4.4 and 4.7 of the *Landscape Manual*. The plans have attempted to demonstrate conformance; however, they should be revised to incorporate a 4.7 schedule of the *Landscape Manual* to demonstrate adequate buffering of the subject property to the adjacent O-S zoned property, and the plans should be revised accordingly. In addition, Sections 4.2 and 4.3(a) require additional shrub plantings and the schedules and plans should be revised accordingly. Section 4.4 requires screening of loading areas from US 50. A condition has been included to incorporate screening walls. Conditions of approval require the plans to be revised prior to certificate of approval.
12. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it has previously approved tree conservation plans. The most recently approved plan, TCPI/44/98-03, was in conjunction with Preliminary Plan 4-07055. The preliminary plan and the TCPI have not yet been submitted for signature approval. Most of the woodland on this site was cleared in conjunction with the first TCPII approval, TCPII/036/99.

A revised Type II Tree Conservation Plan (TCPII/36/99-08) has been submitted. The TCPII indicates that the site within the area of this application contained 30.68 acres of woodland and that 28.81 acres was cleared in a previous phase of development. The remaining 1.87 acres, located within the existing wetland on the east portion of the site, is proposed for preservation. The clearing and preservation are consistent with the detailed site plan.

The worksheet shows information for other phases of development (TCPII/36/99-06 and TCPII/36/99/07) that have been approved by the Planning Board, but have not yet received certification. If the final approvals for those applications do not occur prior to certification of this application, those phases must be removed from the worksheet prior to the TCP signature approval.

The DSP shows proposed grading outside the limits of disturbance (LOD). Revise the LOD on the TCPII and DSP to include all proposed grading for this site. The site contains a wetland on the east portion of the site; however, this is not shown on the DSP. Revise the DSP to show the wetland and wetland buffer of the site in accordance with the signed Natural Resource Inventory (NRI/054/06-01).

Under the signature approval block, add the following note: "The -08 revision to this TCPII is associated with the approval of DSP-07031."

Condition: Prior to certification of the detailed site plan, the limits of disturbance on the DSP and TCPII shall be revised to reflect all proposed grading necessary for the development of this site.

Condition: Prior to certification of the detailed site plan, the DSP shall be revised to show the

wetland and wetland buffer in accordance with the Natural Resource Inventory (NRI/054/06-01).

Condition: Prior to certification of the detailed site plan, the TCPII shall be revised as follows:

- a. Remove the calculations for phases of development that have not yet received certification and signature approval.
- b. Show the required easement for the stormwater management outfall on Sheet 12.
- c. Add the following note under the signature approval block on the coversheet:

“The -08 revision to this TCPII is associated with the approval of DSP-07031.”
- d. Have the plans signed and dated by the qualified professional who prepared the plan.

REFERRALS

13. **Subdivision:** The ultimate right-of-way should be labeled on the site plan (27-282(e)(6)). The width of the right-of-way has not been determined by the City of Bowie. Provide bearings and distances on all property lines (27-282(e)(2)).
14. **Archeology:** A Phase I archeological survey is not recommended on the subject property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. Aerial photographs indicate that this 48.19-acre tract has been previously impacted by grading and the construction of a pond in the southeastern part of the tract. It is unlikely that intact archeological deposits will be found on this site. The subject property does not lie within the impact review area for the Melford Historic Site (#71B-016) and will have no impact on the viewshed from the property.

However, Section 106 review may require an archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

15. **Community Planning:** In a memorandum dated December 4, 2007, the Community Planning North Division stated that the application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and conforms to the 2006 Bowie and vicinity master plan’s recommendation for mixed-use development. They also pointed out, however, that the application does not meet certain guidelines of the master plan. More specifically:
 - a. Detailed site plans shall provide a minimum 30-foot-wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer

shall be measured from the public utility easement.

Comment: This plan does show the minimum requirement of a 30-foot-wide landscape buffer between the development and US 50.

- b. The applicant shall provide standard sidewalks along both sides of all internal roads in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required. The project shall be pedestrian-friendly.
- e. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate, and shall be shown on all affected detailed site plans.
- f. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the Lower Pond. The comprehensive trail network will be evaluated at the time of preliminary plan and should be in conformance with guidelines 29 and 30 of CR-11-2006.

Comment: Conditions have been included to improve the pedestrian systems as stated above.

- g. Development plans shall show minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.

Comment: The plan does not show efforts to minimize any impervious surfaces with this detailed site plan. See Finding No. 10, Condition 20(a) above for additional information on this subject.

16. **Transportation:** Transportation staff has reviewed issues regarding the development of the subject site and the larger Maryland Science and Technology Center (total of 466 acres) in conjunction with A-9401, CDP-8601, Preliminary Plan of Subdivision 4-88030 and CSP-06002. Since those plans were approved, there has been considerable development within the Maryland Science and Technology Center. The preliminary plan and CDP approvals established a square footage cap for the initial phase of 1.95 million square feet. Preliminary Plan of Subdivision 4-98076 affirmed a trip cap of 2,200 AM and 2,605 PM peak hour vehicle trips for all remaining development on the site within phase 1.

The subject application reflects Pod 6, which is one of five development pods (Pods 1, 5, 6, 7B and P2) that are part of the approved Preliminary Plan of Subdivision (4-07055) for the subject property. The area designated as proposed Pod 1, is located in the section of the site that is covered under approved Preliminary Plan 4-98076 and the trip cap of 2,200 AM and 2,605 PM peak hour vehicle trips. Based on the trips that have been allotted for either approved and/or existing developments, the remaining trips that can be utilized for proposed Pod 1 shall be the 392 AM trips and 875 PM trips as shown in Table 1 below.

Table 1

SDP	Development Quantity	Status	AM Trip Generation	PM Trip Generation
SDP-0103	153,250 sq. ft.	Built	112	115
SDP-0104	300,000 sq. ft.	Approved	600	555
SDP-0201	83,680 sq. ft.	Built	127	118
SDP-0203/01	81,600 sq. ft.	Approved	163	151
SDP-0402	62,440 sq. ft.	Approved	103	095
DSP-06096	253,289 sq. ft.	Under Const.	235	290
DSP-07072	24,375 sq. ft.	Under Const.	168	122
4-07055 (partial)	164,750 sq. ft. (Pod 1)	Approved	392	875
Total development and traffic to date	1,357,384 sq. ft.		1900	2321

Regarding the remaining Pods 5, 6, 7B and P2, those pods would be required to be developed with a trip generation that does not exceed the difference between the trip caps established by 4-98076 and CSP-06002. That difference is reflected in Table 2 below:

Table 2

	AM Trip Generation	PM Trip Generation
CSP-06002	2774	3593
4-98076	1900	2321
Difference (Pods 5, 6, 7B and P2)	874	1272

The approved CSP-06002 showed an internal street network that provided an adequate internal circulation of traffic. Staff is recommending that a similar internal street layout be proposed for the subject application.

Immediately south of the subject property (Pods 6 and 7) is the northern section of parcel 4, The Zehner Property. That portion of parcel 4 is sandwiched between Pods 6, 7 and US 50. Given the fact that the State Highway Administration (SHA) has acquired the access controls along US 50, parcel 4 is prohibited from direct access to US 50. Consequently, without access from either Pod 6 or Pod 7, parcel 4 will be considered land-locked. Based on the circulation pattern that is proposed for Pod 6, staff finds that access to parcel 4 from Pod 6 would be more desirable than from Pod 7.

Parking Analysis

Pursuant to the requirements for parking as outlined in Section 27-574 of the county code, the seven proposed buildings require 950 parking spaces, while 1,062, a *surplus* of 112 spaces, have been proposed. Section 27-574(b)(4)(A) through (C) provides conditions under which the base requirements may be minimized. Since the applicant is proposing more than the minimum, and from the perspective of traffic circulation, staff has no issue with the excess parking.

TRANSPORTATION STAFF CONCLUSIONS

Based on the preceding findings, the Transportation Planning Section determined that the plan conforms to the approved CSP-06002 and finds the proposed DSP to be acceptable if the application is approved with the following conditions:

- a. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7B and P2 **combined**. Any development with an impact beyond that identified herein above shall require a revision to the CSP with a new determination of the adequacy of transportation facilities.
- b. Prior to the issuance of any building permits within the subject property (with the exception of Pod 1), the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- (1) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450 and extend to the Patuxent River Bridge, north of MD 450.

- (2) At US 301/Gov. Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane.

Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped to provide two outbound lanes for approximately 250 feet, all as recommended by DPW &T.

- c. Prior to approval of the detail site plan for the Pod 6 (DSP-07031), the site plan shall be revised to provide access to the northern portion of parcel 4.

Comment: Conditions A and B above have been included in the recommendation section of this report. Additionally, the trip cap for approved Conceptual Site Plan, CSP-06002, is a condition of approval as well because both trip caps apply to the subject property. This will require the M-NCPPC to track building permits for each trip cap.

In regard to proposed Condition C above, the following is Finding 16 from PGCPB Resolution No. 08-86, 4-07055:

“Part of Parcel 4 (Zehner Property)—Immediately south of the subject property (Pods 6 & 7) is part of Parcel 4 known as the Zehner property, zoned O-S, and extends south of US 50. In total, Parcel 4 is 111± acres and is divided by the right-of-way of US 50. The SHA has acquired the access controls from the property owner of Parcel 4 along US 50. Therefore, the part of Parcel 4 immediately south of Melford is prohibited from direct access to US 50, unless otherwise approved by the State Roads Commission.

“Section 24-104 of the Subdivision Regulations establishes the purposes of Subtitle 24 and specifically (a)(3) states in part “[t]o facilitate public and private actions in order to provide adequate and efficient transportation.” Based on the circulation pattern that is proposed for Pod 6, staff finds that access to Parcel 4 from the internal public street across Pod 6 would be an appropriate location to provide adequate access to Parcel 4. Access across Pod 7 would not be appropriate due to the location of the stormwater management pond and existing environmental features on the Melford property, which abut the northern property line of Parcel 4. The specific location of a possible future access easement should be located on the detailed site plan for proper siting, if an agreement can be reached between the property owners.

“The applicant in this case indicated that they should not be required to provide access to the adjoining property, in part because that property owner has frontage on a public street (US 50) and previously negotiated away the right of access to the State Highway Administration. The M-NCPPC Associated General Council, in discussions with staff,

agrees with the applicant's position. However, we acknowledge that the two private parties could negotiate an access easement to serve that part of Parcel 4 located on the north side of US 50."

Comment: Based on the finding of the preliminary plan approval above, the proposed condition (c.) above was not adopted by the Planning Board.

17. **Department of Parks and Recreation:** The Department of Parks and Recreation (DPR) has reviewed Detailed Site Plans DSP-06096 and DSP-07031 for conformance with conditions of CSP-06002 and District Council Resolution SP-06002, and found that the following conditions from the previous approvals are applicable to the above application:

Condition 18 of the SP-06002 states: Prior to approval of any DSP, the applicant shall dedicate to the M-NCPPC 108± acres including but not limited to 100-year floodplain and floodplain buffer, as shown on the Department of Parks and Recreation (DPR) Exhibit "A".

Condition 19 of the SP-06002 states: Land to be conveyed is subject to Conditions 1–9, in the attached Exhibit "B". See the following conditions of Exhibit "B".

- Condition 1. An original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.
- Condition 2. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
- Condition 3. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
- Condition 4. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
- Condition 5. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC,

the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.

- Condition 6. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
- Condition 7. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
- Condition 8. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.
- Condition 9. No stormwater management facilities, tree conservation or utility easements shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

Comments: The applicant has not conveyed the 100-year floodplain and floodplain buffer to M-NCPPC. DPR staff recommends conveyance of the parkland prior to certificate approval of DSP-06096 or DSP-07031, whichever comes first.

Condition 29 of the SP-06002 states: Recreational Facilities Conditions: If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the park.

Comments: Currently, there are no roads extending to the future parkland. The applicant is planning to submit a preliminary plan of subdivision for the eastern portion of the property which will provide public access to the parkland. Since the applicant is required to dedicate 108± acres to M-NCPPC prior to approval of any DSP, public access to the parkland will not be available at this time. However, DPR staff recommended that temporary public access should be provided from the public street to the parkland at the location agreeable to DPR and the applicant.

The Department of Parks and Recreation staff recommended to the Planning Board the following conditions of approval for Detailed Site Plan DSP-07031:

- a. Six weeks prior to submission of the plans for certification of any DSP in the project area, including DSP-06096 and DSP-07031, an original, special warranty deed along with a metes and bounds description for the property to be conveyed to M-NCPPC, (signed by the WSSC Assessment Supervisor) shall be submitted to the DPR for their

review and approval. Upon approval by the DPR, the deed shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

- b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
- c. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
- e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
- h. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.
- i. The land to be conveyed shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, the DPR shall review the location and the rights and privileges associated with those easements and their anticipated impact on the future development of the parkland. If appropriate, DPR may require the applicant to relocate said easements.
- j. No stormwater management facilities, tree conservation or utility easements (other than typical public utility easements (PUE) associated with the edge of a public right-of-way)

shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

- k. A temporary 20-foot-wide access easement shall be recorded along with the parkland dedication deed to provide suitable vehicular access to the parkland until the public roads be extended to the parkland.

The Planning Board adopts the proposed conditions.

18. **Permits:** In a memorandum dated June 18, 2008, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below. It should be noted that Building E, located on Lot 3, is proposed as a public building for use by Prince George's County. Section 27-292 requires that all public buildings, structures and uses must be specifically approved by the District Council.
19. **Environmental Planning:** The Environmental Planning Section has reviewed the detailed site plan submitted for Melford, Pod 6, DSP-07031, stamped as received on June 13, 2008, and the Type II Tree Conservation Plan, TCPII/36/99-08, stamped as received on June 25, 2008. The Environmental Planning Section recommends approval of Detailed Site Plan DSP-07031 and revised Type II Tree Conservation Plan, TCPII/36/99-08, subject to the conditions found at the end of this memo. This is the first and only review of this DSP by the Environmental Planning Section.

The area in this application is part of an overall site that the Environmental Planning Section previously reviewed in conjunction with the following applications: Basic Plan A-9401, Comprehensive Design Plan CDP-08601, Preliminary Plans of Subdivision 4-02093, 4-98076, and 4-07055, Type I Tree Conservation Plan TCPI/44/98; and Type II Tree Conservation Plan TCPII/36/99. All of these plans were approved. Conceptual Site Plan CSP-06002 was approved by the Planning Board on January 11, 2007. The District Council approved this plan on September 11, 2007. The CSP and revised TCPI have been certified. The most recent approval for this site is for a Preliminary Plan of Subdivision (4-07055) and TCPI/044/98-03; however, these plans have not received signature approval at this time.

The Melford site consists of several lots and parcels totaling 431.55 acres. The current DSP application is for the commercial development of Pod 6, in the M-X-T Zone.

The 38.56-acre property identified as Pod 6, is part of the 431.55-acre Melford (Maryland Science and Technology Center) site that is zoned M-X-T. Pod 6 is located in the southeast quadrant of Telsa Drive and Melford Boulevard. The larger Melford site is located in the northeast quadrant of the intersection of US 50 and US 301/MD 3. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on the overall property. The predominant soils found to occur, according to the *Prince*

George's County Soil Survey, include Adelphia, Collington, Mixed alluvial land, Ochlockonee and Shrewsbury. The Mixed alluvial land and the Adelphia soils have limitations with respect to high water tables and impeded drainage. The other soil series pose few difficulties to development. According to available information, Marlboro clay is not found to occur in the vicinity of this property. US 50 (John Hanson Highway) and MD 3 are existing freeways and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources, Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property; however, there are records of 'species of concern' known to occur on the property to the west known as the Nash Property. There are no designated scenic and historic roads in the vicinity of this property. According to the *Approved Countywide Green Infrastructure Plan*, all three network features (regulated areas, evaluation areas and network gaps) are present on the overall site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River, and is located in the Developing Tier in the adopted General Plan.

The site has a signed Natural Resource Inventory (NRI/054/06-01) which includes forest stand delineation (FSD). The FSD was found to meet the requirements of the technical manual. The overall site contained a total of 175 acres of woodland on the net tract, of which 30.68 were on the subject site; however, most of this woodland was cleared in conformance with TCPII/36/99.

Comment: No additional information is required with regard to Natural Resource Inventory. A copy of the stormwater management concept plan approval letter and plan were not included in the submittal of the DSP.

Condition: Prior to certification of the detailed site plan, copies of the approved stormwater management concept plan and approval letter shall be submitted. The concept must be correctly reflected on the TCPII.

20. **City of Bowie:** On March 17, 2008, the Bowie City Council conducted a public hearing on DSP-07031. At the conclusion of the hearing, the City Council voted unanimously to recommend APPROVAL of DSP-07031 with conditions. The letter from the City of Bowie indicates that the proposed conditions are intended to maintain the consistency of the features of this project with existing and approved projects in the Melford development, to comply with adopted City policy, and to improve the quality and aesthetics of the subject development.

Comments: The City's recommended conditions have been included as Conditions 12 and 13.

21. **Sherwood Manor Civic Association:** The Sherwood Manor Civic Association submitted a letter into the record stating the following concerns and recommendation, dated July 8, 2008:

“The Sherwood Manor Civic Association recommends disapproval of DSP-07031 for seven “R&D” “flex” buildings, two single-story flex office buildings, a single-story build-to-suit office building and one three-story office building on Pod 6 of the Melford/Maryland Science and Technology Center because it does not comply with

conditions 20a and 24 of the Conceptual Site Plan, (CSP)-06002, concerning minimization of impervious surfaces and restrictions on the amount of additional ‘flex’ space that can be built.

“This letter reflects recent changes by the applicant to DSP-07031 and supersedes our previous letter of May 1, 2008.

“Findings

- “1. **The application proposes excessive impervious surfaces, which are harmful to the environment and violate Condition 20a of CSP-06002.** That condition states that: “*Development plans shall show minimization of impervious surfaces, through all phases of the project.*” In addition, the recently approved Maryland Stormwater Management Act of 2007 highlights a new approach that minimizes impervious surface to provide opportunities for water to infiltrate directly into the soil, reducing the inflow into stormwater management ponds. The Melford/MSTC property is adjacent to the Patuxent River wetlands, which feeds into the Chesapeake Bay. The runoff from this development goes directly into the Patuxent River.
 - “a. **The applicant has not provided a calculation of total impervious surfaces or an explanation of how they would be minimized.** The impervious surfaces on this site include not only the building footprint (383,300 square feet, 8.8 acres) and 1,062 parking spaces (191,691 square feet, 4.4 acres), but vast expanses of pavement between and behind the flex buildings that include the loading docks. **By our calculations, there’s a total of 247,080 square feet (5.67 acres) of pavement between the backs of the “R&D” flex buildings that is not being counted as parking,** an area almost equivalent to the footprint of the ‘flex’ buildings themselves (248,820 square feet, see Annex 1). No justification has been offered by the applicant for paving these additional 5.67 acres.
 - “b. **The applicant proposes 12 percent more parking spaces and 1,180 percent more loading docks than required.** The proposal includes a total of 1,062 parking spaces, 112 more than required, and 64 loading docks (59 more than required), altogether 1.2 acres of excess impervious surface (see Annex 1). The applicant has recently revised *upward* the minimum number of parking spaces required, from 803 to 950, by assuming the maximum number of tenants. However, in the M-X-T zone, the minimum can be adjusted *downward* based on estimates of peak time demand, the timing of uses, and joint uses. We intend to submit additional evidence at the public hearing that the minimum number of

spaces proposed by the applicant is in excess of what is actually needed.

- “2. **The application proposes more than four times the amount of ‘flex’ buildings allowed in CSP-06002.** Condition 24 of CSP-06002 states that: “Detailed site plans for new research and development ‘flex space’ shall not exceed 10 percent of total space (excluding existing research and development) within the M-X-T zone”. The applicant claims that the DSP includes 248,820 sq. ft. of one-story ‘flex’ office space labeled “R&D”, which includes seven buildings (C,D,H, I, J, K, L). However, he is proposing two other one story office buildings (B, G) that are also proposed for multiple tenants as flexible office space, totaling 51,680 sq. ft. The only difference between these two categories seems to be the excessive loading docks behind the buildings labeled “R&D”; the office buildings themselves appear to be identical. **Thus, by our calculation this application includes 300,500 sq. ft. of flex buildings, including flex “R&D” and flex office** (see Annex 2). We also note that “R&D” is not defined in the zoning ordinance and that the existing “R&D” buildings on the site are used for many purposes that are not research and development uses, including office, security, medical offices, dance studio, and church.

“We believe that the intent of CSP-06002 was to apply this 10 percent limit to the M-X-T zone within the area covered by the CSP, which includes 653,830 sq. ft. of existing office/hotel/commercial space that is not one-story flex (see Annex 2). **Thus, the applicant would be entitled to an additional 65,383 sq ft of flex building. The current application for 300,500 sq. ft. is more than four times what is permitted.** If all existing or approved buildings in the M-X-T zone are included, even those not within the CSP, then the total non-flex comes to 1,127,830 sq. ft. and the total permitted is 112,783 sq. ft.

“The applicant suggests that the proper denominator for calculating allowable flex space is the total hypothetical build-out of nearly 5 million square feet, which would allow nearly 500,000 square feet of additional flex space. We aren’t sure where this number came from, but we disagree with the argument that the flex space should be calculated on a hypothetical build-out that may never materialize within the constraints of the existing road infrastructure and trip caps. By including this condition, the District Council clearly wanted to make sure that ‘flex’ space remains a small and temporary part of the office park development; this same restriction was noted in the Master Plan for the site. **If this DSP were to be approved as submitted, the total flex space would amount to 45 percent of all uses in the MXT zone within the area covered by the CSP and a third of all uses in the entire MXT zone.**

- “3. **Beyond these issues of compliance with CSP-06002, we would like to point to the following problems with the proposal.**

- “a. **Warehouse uses are not permitted in the MXT zone.** The excessive number of loading docks behind the “R&D” flex buildings, in addition to the excessive pavement between and behind them, would lead one to believe that there is significant warehouse use.
- “b. **Full cut-off lighting should be required.** General note 16 says that “Outdoor lighting shall use full cut off fixtures that are fully shielded *wherever possible...*” The words “wherever possible” should be dropped.
- “c. **Open space requirements should not be waived for this property.** General note 20 says that “The 100-year floodplain area along the Patuxent River shall be dedicated to the M-NCPPC at Stage II of the development *in lieu of open space requirements for individual parcels.*” While the conveyance of the floodplain is in accordance with CSP-06002 and prior approvals under the E-I-A zone, we are aware of no language that allowed the applicant to waive any open space requirements for individual parcels.

“Recommendation

“We recommend that the Planning Board disapprove DSP-07031. The entire concept needs to be re-worked to come into compliance with CSP-06002, replacing most of the proposed flex buildings with multi-story office buildings, removing parking spaces above the minimum number required, removing the pavement behind the flex R&D buildings, and requiring that a share of the required parking be in permeable pavement. It could not be approved in its current form without conditions that dramatically change what is proposed. The public and the Planning Board should be allowed to review such radical revisions at another public hearing before the application is approved.”

Comment: The Planning Board disagrees with the Sherwood Manor Civic Association in regard to the methodology proposed for the restriction of “flex” space to be developed on the property and that the impervious surfaces should be reduced beyond the staff’s recommendation.

22. **Preliminary Plan of Subdivision:** The property is the subject of Preliminary Plan 4-07055. The resolution of approval was adopted by the Planning Board on June 19, 2008 (PGCPB Resolution No. 08-86) and contains 34 conditions. The preliminary plan does not have signature approval, but should prior to the approval of the detailed site plan. There are a number of revisions required to the preliminary plan which could result in modifications to the detailed site plan. Please note Condition 33, which could result in a modification of the rights-of-way. The following conditions relate to the proposed detailed site plan:

- 4. Total development within the subject property shall be limited to uses within the**

M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.

Comment: This condition will be carried over to the approval of the subject application.

- 10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.**

Comment: The DSP and TCPII propose the use of bioretention on the site. The bioretention facility will serve to treat some of the runoff from the site before being conveyed to an adjacent stormwater management pond. No further information is required at this time with regard to low impact development.

- 11. Detailed site plans for the development shall include a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.**

Comment: The submitted DSP did not include information regarding the incorporation of green building techniques and energy efficient building methods. The proposed buildings should incorporate green building techniques and innovative technologies for energy efficient building methods as recommended by the Bowie and Vicinity Master Plan.

Recommended Condition: Prior to certification of the detailed site plan, the applicant shall demonstrate to the satisfaction of the Planning Board or its designee that green building techniques and energy efficient building methods have been incorporated into the design and the details of the proposed architectural products.

- 12. The DSP shall demonstrate the use of full cut-off optics for all commercial and industrial lighting fixtures and for the proposed street lighting.**

Comment: This condition will be carried over to the approval of the subject application.

- 14. Prior to signature approval of the preliminary plan, an inventory of all disturbances to the 100-foot natural buffer and the 150-foot floodplain buffer shall be submitted. The inventory shall be in table form with each area labeled for reference with the acreage of impact needing mitigation. The table shall be added to the TCPI. The TCPI shall also identify conceptually where the “natural buffer alternatives” will be**

provided as mitigation so that each subsequent DSP can meet its portion of the overall requirement. The TCPI shall receive signature approval at least 30 days prior to any Planning Board hearings on the first DSP associated with this approval so that this issue is fully addressed on any future plans to be brought before the Planning Board.

Comment: This condition requires the completion of the TCPI signature approval process 30 days prior to the public hearing for the first DSP, which is the subject DSP. The condition focuses on issues related to the stream and floodplain buffers. These areas are not located on the subject DSP. Because of this situation, staff recommends that the subject DSP not be required to be in conformance with this condition. Any future DSPs, however, must conform to Condition 14 of the Planning Board's approval on the preliminary plan. No further information is required at this time for conformance with the preliminary plan conditions. Future DSPs will be required to meet this condition.

- 15. Prior to signature approval of the preliminary plan, the TCPI shall be revised to delineate the area of land to be dedicated to the Department of Parks and Recreation (DPR Exhibit A, Preliminary Plan 4-07055), and if permission for woodland conservation on the dedicated land has not been granted by DPR in writing, the TCPI shall be revised to eliminate all woodland conservation on land to be dedicated.**

Comment: This condition will be addressed when the TCPI is revised.

- 34. "Share the Road" with a bike signs shall be provided along Melford Boulevard frontage at the time of Detailed Site Plan.**

Comment: This condition will be carried over to the approval of the subject application.

23. 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 APPROVES the Type II Tree Conservation Plan (TCPII/36/99-08) and further APPROVES Detailed Site Plan DSP-07031 for the above-described land, subject to the following conditions:

1. Total development within the limits of CSP-06002 shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the

Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.

2. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- (A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450 and extend to the Patuxent River Bridge, north of MD 450.

- (B) At US 301/Gov. Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane.

Governors Bridge Road shall be widened and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

3. Total development within the limits of 4-07055 shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1,272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.
4. Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of permeable paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to 112 parking spaces at a minimum.
5. Prior to certification of the detailed site plan, the limits of disturbance on the DSP and TCPII shall be revised to reflect all proposed grading necessary for the development of this site.
6. Prior to certification of the detailed site plan, the DSP shall be revised to show the wetland and wetland buffer in accordance with the Natural Resource Inventory (NRI/054/06-01).

7. Prior to certification of the detailed site plan, the TCPII shall be revised as follows:
 - a. Remove the calculations for phases of development that have not yet received certification and signature approval.
 - b. Show the required easement for the stormwater management outfall on Sheet 12.
 - c. Add the following note under the signature approval block on the coversheet:

“The -08 revision to this TCPII is associated with the approval of DSP-07031.”
 - d. Have the plans signed and dated by the qualified professional who prepared the plan.
8. Prior to certification of the detailed site plan, copies of the approved stormwater management concept plan and letter shall be submitted. The concept must be correctly reflected on the TCPII.
9. Six weeks prior to submission of the plans for certification of any DSP in the project area including DSP-07031, an original, special warranty deed along with a metes and bounds description for the property to be conveyed to M-NCPPC (signed by the WSSC Assessment supervisor), shall be submitted to the DPR for their review and approval. Upon approval by the DPR, the deed shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
10. Property to be conveyed to M-NCPPC shall be subject to the following conditions:
 - a. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
 - b. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
 - c. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
 - d. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent

land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.

- e. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
 - f. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
 - g. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.
 - h. The land to be conveyed shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, the DPR shall review the location, the rights and privileges associated with those easements and their anticipated impact on the future development of the parkland. If appropriate, DPR may require the applicant to relocate said easements.
 - i. No stormwater management facilities, tree conservation or utility easements (other than typical public utility easements (PUE) associated with the edge of a public right-of-way) shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
11. A temporary 20-foot-wide access easement shall be recorded along with the parkland dedication deed to provide suitable vehicular access to the parkland until the public roads will be extended to the parkland.
12. Prior to certification of Detailed Site Plan DSP-07031, the applicant shall comply with the following:
- a. The grades and design from Pod 6 shall be revised to allow future road access to Nash Drive.
 - b. The plans shall be revised to include a Tracking Table that shows how much square footage has been permitted for each use, how much has been approved for the entire Melford development, and how much is proposed for this site.
 - c. Roofing plans shall be included and the applicant shall:

- (1) Note the use of high energy reflective roofing material; and
 - (2) Design the rooftops such that the mechanical equipment, as seen from above, is grouped in a more aesthetically pleasing arrangement.
- d. The Landscape Manual's minimum height of 12–14 feet for shade trees shall be indicated on the landscape plans.
- e. A native groundcover shall be included in the landscape plans such that 50 percent of the groundcover is non-invasive, native or native hybrid.
- f. The landscape plan shall be revised to show a 30-foot landscaped buffer between US 50 and the proposed adjacent flex buildings with 50 percent more additional plant material and larger evergreens at 8–10 feet.
- g. A note shall be added to the plans that all lighting shall have timing devices, be more energy efficient, and details of the timing device shall be provided.
- h. The plans shall be revised to provide decorative crosswalks at the six entrances to the site.
- i. The plans shall be revised to provide continuous sidewalk connectivity between all of the buildings on the site and the adjoining public street sidewalks.
- j. The applicant shall calculate the total percentage of impervious surface area on the site and offset the impervious surface area by utilizing low-impact development techniques such as bioretention areas, green roofs, conservation landscaping, etc. The applicant shall revise the plans to include:
 - (1) Bioretention areas distributed within the site plan in a manner as to improve visual appeal and provide a public amenity;
 - (2) Minimal use of lawn and lawn type products in favor of utilizing native plants, where possible.
- k. The plans shall be revised such that there are no more than 15 parking spaces without an island.
- l. The applicant shall include at least three public amenity spaces: a 'Viewing Area' adjacent to the wet pond, located south of the most easterly flex building on the site; a 'Boulevard' streetscape along Melford Circle and Melford Boulevard in front of the two office buildings; and a minimum of three 'Pavilion' features spread throughout the site.
 - (1) The scenic 'Viewing Area' shall have interpretative signage describing the native

plants and wildlife in the wet pond, the reasons for utilizing native plants, and the advantages to the Chesapeake Bay.

- (2) The 'Boulevard' streetscape shall have an enhanced sidewalk with decorative pavers at the office building entrances with decorative lighting no greater than 16 feet high, tree grates, outdoor seating, accent lighting on the building street elevations that is low-wattage so as to not cause off-site glare, bicycle racks, and plantings to create a pedestrian-friendly atmosphere between the office buildings and Melford Boulevard.
 - (3) A minimum of three 'Pavilion' features shall be designed as respite areas for pedestrians and on-site workers that are accessible, safe, and comfortable and have decorative paving, decorative lighting and some benches and/or eating surfaces that create a sense of place between the parking areas and the buildings.
 - m. The applicant shall revise the plans such that the dumpster adjacent to the eastern end of Melford Boulevard is relocated to the rear of the site or heavily landscaped to shield its view from Melford Boulevard. The dumpster enclosure shall be eight feet high and be constructed of masonry to match the buildings.
 - n. A note shall be placed on the plans that all decorative banners and signs shall be prohibited from the site other than one standard size American flag.
 - o. The plans shall be revised such that the square footage of all of the signage and the height of the monument sign is in conformance with SDP-0204.
 - p. The stormwater management plan shall be revised such that there are only non-invasive, native, or native hybrid plants specified.
 - q. A note shall be placed on the plans that "Share the Road" with a bike signs shall be provided along extended Melford Boulevard frontage from Melford Circle and Curie Drive to the eastern portion of this site where it connects to proposed Nash Drive.
13. Prior to issuance of any new sign permits for the Melford development, the applicant shall:
- a. Survey the overall development for all existing and approved signage; and,
 - b. Submit a unified CSP for signage for the entire Melford development that complies with the approved CDP and the recently approved CSP. The signage program should show consistency between previously approved signage and proposed signage in terms of size (height), location (setback), square footage, materials, logos, colors and lighting.
14. Prior to certification of the detailed site plan, the applicant shall demonstrate to the satisfaction of the Planning Board or its designee that green building techniques and energy efficient building

methods have been incorporated into the design and the details of the proposed architectural products.

15. Prior to signature approval of the plans the following changes shall be made:
 - a. The plans shall provide retaining walls of the same size, style and contrast as those approved along Telsa Drive, used to screen the loading areas from Telsa Drive for Lots 1, 2 and 3 of Block 4. Retaining walls shall be provided to screen views of large expanses of asphalt and loading areas as viewed from US 50 and Melford Boulevard Extended and Telsa Drive.
 - b. The Landscape plan shall be revised to include 80 percent of the plant material as native plant material and an abundant amount of landscaping shall be provided around the proposed stormwater management pond.
 - c. The plans shall be revised to include full cut-off lighting systems on the site.
 - d. The plans shall be revised to demonstrate conformance to the *Landscape Manual* in regard to Sections 4.2, 4.3(a), 4.4 and 4.7.
 - e. In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, the applicant, the applicant's heirs, successors, and/or assignees shall provide the following:
 - (1) Provide standard sidewalks along both sides of the internal road within Pod 6 from Telsa Drive to the eastern most building on Lot 5 and Melford Boulevard, and include curb cuts, cross walks and pedestrian safety features where appropriate.
 - (2) Provide sidewalk connections, curb cuts and cross walks from the perimeter walkways around the proposed buildings to the existing or planned sidewalks along Melford Boulevard and the internal roadway for Pod 6.
 - f. The cover sheet shall be updated to include the layout of buildings and lot lines.
 - g. The building data in regard to Lot 3, as shown on the cover sheet, shall be revised to match the plans.
16. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of \$250,000 for the design and construction of the Green Branch Athletic Complex.
17. Issuance of each building permit for new research and development/flex space shall be limited to the amount of GFA permitted by the following formula:

<p>[(Total GFA within the M-X-T Zone either built or permitted at the time of application for a new permit for R&D</p>	<p>– Existing R&D as of 2008 (274,456 sq. ft.)</p>	<p>+ GFA of R&D] flex building for which permit is requested</p>	<p>x .10 =</p>	<p>Cumulative total of GFA of additional R&D flex space for which permit may be approved of DSP- 07031</p>
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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.

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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 Vaughns, with Commissioners Squire, Vaughns and Parker voting in favor of the motion, and with Commissioners Cavitt and Clark absent at its regular meeting held on Thursday, July 24, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of September 2008.

Oscar S. Rodriguez
 Executive Director

By Frances J. Guertin
 Planning Board Administrator

OSR:FJG:SL:bjs

December 8, 2020

Encompass Health
9001 Liberty Parkway
Birmingham, AL 35242



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-07031-04
Melford Property POD 6

Dear Applicant:

This is to advise you that, on **December 3, 2020**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: *N. Andrew Bishop*
Reviewer

Attachment: PGCPB Resolution No. **2020-156**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

December 8, 2020

Encompass Health
9001 Liberty Parkway
Birmingham, AL 35242

Re: Notification of Planning Board Action on
Detailed Site Plan DSP-07031-04
Melford Property POD 6

Dear Applicant:

This is to advise you that, on **December 3, 2020**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

Sincerely,
James R. Hunt, Chief
Development Review Division

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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 November 5, 2020, regarding Detailed Site Plan DSP-07031-04 for Melford Property, Pod 6, the Planning Board finds:

1. **Request:** The subject application is a detailed site plan (DSP) for approval of a 61,809-square-foot inpatient rehabilitation facility on proposed Lot 5 in Pod 6.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use	Office, Research and Development	Office, Research, and Development, and Inpatient Rehabilitation Facility
Total DSP Acreage	38.88	38.88
Area of DSP-07031-04	6.48	6.48
Total Lots	6	6

PARKING AND LOADING TABULATION

Use*	Number of Spaces Provided**
Total On-site Surface Parking	143
Handicap-Accessible	27
Standard Spaces	116
Total Loading Spaces	1
Inpatient Rehabilitation Facility	1

Note: *Parking is listed only for the inpatient rehabilitation facility, as parking for the other uses has been previously approved.

**Per Sections 27-574 and 27-583 of the Prince George's County Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant has included an analysis to be approved by the Prince George's County Planning Board. See Finding 9 for a discussion of the parking analysis.

3. **Location:** The entire Melford property is located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway) in Planning Area 71B and Council District 4, within the City of Bowie. The specific limits of this DSP are located on existing Lots 5 and 6 in Pod 6, which is located in the southwest quadrant of Marconi Drive and Melford Boulevard.
4. **Surrounding Uses:** The overall Melford site is bounded to the north by Sherwood Manor, an existing subdivision of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and a vacant property, known as the Patuxent River Park, owned by The Maryland National Capital Park and Planning Commission in the Reserved Open Space Zone; to the east by the Patuxent River, and beyond by the Globecom Wildlife Management Area located in Anne Arundel County; to the south by the US 50/ US 301 right-of-way and a small vacant property in the Open Space (O-S) Zone; and to the west by the MD 3 right-of-way. The specific area of this DSP is located in Pod 6 in the southeast portion of the overall Melford development.
5. **Previous Approvals:** On January 25, 1982, the Prince George's County District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the overall Melford development (formerly known as the Maryland Science and Technology Center), with 10 conditions (Zoning Ordinance No. 2-1982). The Zoning Map Amendment rezoned the property from the R-A and O-S Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Prince George's County Planning Board decision (PGCPB Resolution No. 86-107) for the Maryland Science and Technology Center, with 27 conditions and 2 considerations. Between 1986 and 2005, several specific design plans (SDPs) and preliminary plans of subdivision (PPS) were approved for the development.

The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B* (Bowie and Vicinity Master Plan and SMA) rezoned the property from the E-I-A Zone to the M X-T Zone. Conceptual Site Plan CSP-06002 was approved by the Planning Board on January 11, 2007 for a mixed-use development consisting of hotel, office, retail, restaurant, research and development, and residential (366 single-family detached and attached units and 500 multifamily units) uses. Subsequently, on May 11, 2009, the District Council approved CSP-06002 with 4 modifications and 29 conditions, rejecting the residential component of the proposed development. Over the years, numerous DSPs have been approved for the subject property, in support of the office, flex space, hotel, and institutional uses, although not all have been constructed.

On May 6, 2014, the District Council approved the *Plan Prince George's 2035 Approved General Plan* (Plan 2035), which created new center designations to replace those found in the 2002 *Prince George's County Approved General Plan* and classified the Bowie Town Center, including the subject site, as a Town Center. The subject site retained its status as an Employment Area in the plan.

CSP-06002-01 was approved by the Planning Board on December 4, 2014 (PGCPB Resolution No. 14-128) for the addition of 2,500 residential units, including 500 townhouses,

1,000 age-restricted multifamily dwelling units, 268,500 square feet of retail uses; and 260,000 square feet of office space, to the previous CSP development. The CSP amendment was appealed and heard by the District Council on February 23, 2015. The District Council subsequently issued an Order of Approval on March 23, 2015, supporting the development, as approved by the Planning Board.

Multiple PPS (4-98076, 4-02093, 4-07055, and 4-16006) have been approved, which impact the Pod 6 property. The only PPS that is relevant to this DSP is 4-07055, because it includes the entire area of this DSP. PPS 4-07055 was approved on May 20, 2008 with 34 conditions and is embodied in PGCPB Resolution No. 08-86.

DSP-07031 was approved by the Planning Board on July 24, 2008, for development of 134,480 square feet of office in four buildings on proposed Lots 1 and 3, and 248,820 square feet of research and development in seven buildings on proposed Lots 2, 4, and 5 within the overall Melford development. The application was subsequently amended three times, as approved by the Planning Director, for various changes to building footprints and square footage of buildings C, D, H, T, and K; the addition of temporary Real Estate Leasing signage; and an amendment to increase building height by two feet.

The site also has an approved City of Bowie Stormwater Management (SWM) Concept Plan, 01-0910-207NE15, which is valid until April 17, 2021.

6. **Design Features:** The subject application proposes the development of 6.48 acres of land within the overall Melford Town Center development. The DSP includes the development of proposed Lot 5 with a 61,809-square-foot, one-story, 32-foot-high, inpatient rehabilitation facility, including 60 beds. Two 24-foot-wide access points are provided to the property from Melford Boulevard, which forms the northern boundary of the site. The 24-foot-wide access drive aisles lead to parking compounds on the north, east, and south sides of the building. The northern building elevation includes a covered porte-cochere and a drop off area at the main entrance. The south side of the building includes a therapy courtyard with a gazebo and site stimulation therapy course and a walking path. Details and specifications of the site stimulation therapy course have not been provided and are required. Therefore, a condition has been included herein requiring the applicant to provide these details.

Architecture

The architectural design of the inpatient rehabilitation facility combines a variety of high-quality building materials in earth tone colors including glass, brick, and exterior insulation finishing systems on the interior courtyard at the rear of the building. The roof is generally flat and proposes variations in height across the building face to break up the mass of the building and provide architectural interest. In addition, it is noted that the contrasting colors and proposed porte-cochere accent the building's main entrance, which faces Melford Boulevard. The central and southern portion of the building includes a landscaped courtyard for rehabilitation exercises and provides walkways and sitting areas for the users.

Lighting

The applicant is proposing lighting for the sidewalks surrounding the building and in the parking areas on-site. The photometric plan submitted with the DSP shows appropriate lighting levels in the parking area, at the building entrances, and do not bleed onto adjacent properties. The details and specifications for the lighting show a downward facing light with full cut-off optics mounted on a 30-foot-high pole and is acceptable.

Signage

The DSP proposes 6-foot-high, double-faced, free-standing signs at each entrance to the facility from Melford Boulevard, and one, back-lit, building-mounted sign above the primary entrance to the building. The freestanding signs include 8-foot-wide aluminum cabinets that are mounted on a dark gray masonry base matching the architecture of the building. The signs include the logo and channel letters displaying the name of the rehabilitation center. It is noted that the freestanding signs do not include landscaping at their base and have been conditioned herein to be added to provide seasonal interest.

Loading and Trash Facilities

One loading space has been proposed for the inpatient rehabilitation facility and is located on the southeast portion of the site, adjacent to the courtyard. Dumpster facilities are proposed in proximity to the building and are adequately screened by an enclosure. Details of the enclosures have not been provided and are required. A condition has been included herein to provide details of the trash enclosure, and that the sides and rear be constructed with masonry materials similar to those used on the building.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the Mixed Use-Transportation Oriented (M-X-T) Zone and the site design guidelines of the Prince George's County Zoning Ordinance. The proposed residential infrastructure is in conformance with the applicable requirements of the Zoning Ordinance, as follows:

- a. The subject application is in conformance with the requirements of Section 27-547, Uses permitted, of the Zoning Ordinance, which governs permitted uses in the M-X-T Zone. The inpatient rehabilitation facility proposed with the subject DSP is permitted in the M-X-T Zone under the category of Other uses of appropriate size, which can be justified as similar to one of the uses listed in this Section.

The proposed 61,809-square-foot, one-story, 32-foot-high, inpatient rehabilitation facility is appropriately sized within Melford, as it replaces two previously approved, one-story, research and development buildings that totaled 68,160 square feet within this area of Pod 6.

The proposed inpatient rehabilitation facility is similar to other permitted uses, such as a nursing or care home and a hospital, as it includes some of the same type of services, but it is a separate use, as licensed by the State of Maryland. Specifically, the proposed use will serve patients who, following treatment for acute events at a local hospital, require physical rehabilitation before returning to a normal home environment. The proposed use does not provide substance abuse, psychiatric treatment, or emergency services.

- b. Section 27-548 of the Zoning Ordinance, M-X-T Zone Regulations, establishes additional standards for development in this zone. The DSP's conformance with the applicable provisions was found with the approval of DSP-07031 and its amendments, and is discussed as amended with this application, as follows:

(a) Maximum floor area ratio (FAR):

**(1) Without the use of the optional method of development—0.40 FAR;
and**

(2) With the use of the optional method of development—8.00 FAR.

Section 27-548(a) limits the development within the M-X-T Zone to a maximum floor area ratio (FAR) of 0.40, unless an applicant proposes use of a specified optional method of development, which would increase it to a maximum of 8.00. Further, Section 27-548(e) indicates that the FAR shall be applied to the entire property that is the subject of the CSP. The following chart lists all development within the Melford subdivision for use in calculating the FAR:

SDP/DSP	Development Quantity	Status
Previous Approvals		
Pre-1998	240,000 sq. ft.	Built
SDP-0103	153,250 sq. ft.	Built
SDP-0104	300,000 sq. ft.	Under construction
SDP-0201	83,680 sq. ft.	Built
SDP-0203/01	81,600 sq. ft.	Approved
SDP-0402	62,440 sq. ft.	Built
SDP-0405	136,957 sq. ft.	Approved
DSP-07072	24,375 sq. ft.	Approved
DSP-06096 (hotel)	253,289 sq. ft.	Approved
DSP-11018-02	116,081 sq. ft.	Approved
DSP-18007	457,422 sq. ft.	Approved
DSP-18026	57,846 sq. ft.	Approved
DSP-19052	705,919 sq. ft.	Approved
Future Development		
Proposed Office	260,000 sq. ft.	
Proposed Commercial	268,500 sq. ft.	
Proposed Residential	4,683,213 sq. ft.	
Undeveloped Areas	250,000 sq. ft.	
Current Application		
DSP-07031 (Office)	133,680 sq. ft.	Approved
DSP-07031 (R & D)	180,660 sq. ft.	Approved
DSP-07031-04 (IRF)	61,809 sq. ft.	Pending
Total	8,448,281 sq. ft.	

The FAR, including all approved and pending development on the 252.09 net tract acreage of the Melford site and reflected on the chart above, is 0.78, within the M-X-T Zone 1.40 maximum FAR requirement. Future DSPs for the Melford development should include an updated FAR development chart and a recalculation, as necessary, of the FAR to demonstrate conformance to Section 27-548. A condition requiring such information is included in this approval.

- (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 proposed uses are located on more than one parcel or lot, as allowed.

- (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.**

The dimensions for the location of all improvements are reflected on the DSP. Future DSPs that propose other improvements will need to conform to this regulation.

- (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 required landscaping shown is in accordance with the requirements of the applicable sections of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as discussed in Finding 11 below.

- (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 development within the area of the CSP is approximately 0.78.

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

No structures will infringe upon the proposed public rights-of-way.

- (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.**

Each lot has frontage on and direct access to a public street, or other access rights-of-way, as approved in PPS 4-07055.

- (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).**

As the subject property was rezoned to the M-X-T Zone through an SMA approved on February 7, 2006, this section does not apply to the subject DSP.

- c. Conformance with Section 27-546(d) of the Zoning Ordinance, which requires additional findings be made for the Planning Board to approve a DSP in the M-X-T Zone, as follows (in **BOLD** text followed by Planning Board's findings):

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

Conformance to the purposes of the M-X-T Zone was found with the CSP approval and is adopted herein by reference (PGCPB Resolution No. 14-128). The proposed inpatient rehabilitation facility does not change that finding.

- (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 subject site was rezoned to the M-X-T Zone pursuant to the Bowie and Vicinity Master Plan and SMA, which was approved in February 2006. Therefore, this required finding does not apply.

- (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 subject DSP is for development of an inpatient rehabilitation facility, which has an outward orientation, and is integrated with adjacent existing and proposed development by facing toward existing roadways and providing adequate pedestrian and vehicular connections.

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

The subject DSP is for development of an inpatient rehabilitation facility and is consistent with the office, retail, hotel, flex space, and residential uses approved in the overall Melford development and contributes to the overall mix of uses in the area.

- (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 subject DSP is designed to blend with the existing and approved residential and commercial uses in the overall Melford development and surrounding vicinity. The application proposes a new unique use and will create an independent environment of continuing quality and stability, as conditioned.

- (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 proposed 60-bed inpatient rehabilitation facility will be built in one phase and has been designed as a self-sufficient entity. The applicant has indicated that a potential future second phase may increase the facility by 20 beds, which is designed to be fully integrated into the current development and will not require any additional parking or site improvements. This expansion would be evaluated with a future amendment to this DSP.

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

The subject DSP does not include the details of any other development on the site. However, it is noted that the proposed sidewalks provide a connection to the public roadways and will ensure convenient and comprehensive connections between this site and the remainder of the CSP development.

- (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 application proposes pedestrian pathways throughout the site connecting to the proposed facility and an outdoor landscaped rehabilitation courtyard for the patients, which is designed with attention to human scale and high-quality urban design.

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

Conformance to this requirement was found with the approval of CSP-06002-01, and this DSP does not alter that prior finding.

- (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.**

The applicable PPS was approved by the Planning Board on May 29, 2008. An amendment to the applicable CSP was approved by the District Council in 2015, at which time a finding of adequacy was made. The transportation adequacy findings are discussed in detail in Finding 9 below.

- (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 overall site plan contains less than 250 acres; therefore, this application is not subject to this requirement.

- d. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance, as follows:

(2) Parking, loading, and circulation.

(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:

- (i) Parking lots should generally be provided to the rear or sides of structures;**
- (ii) Parking spaces should be located as near as possible to the uses they serve;**
- (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;**
- (iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and**
- (v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.**

The surface parking lot is located and designed to provide safe and efficient vehicular and pedestrian circulation within the site by use of clearly defined, striped and curbed access ways from Melford Boulevard. The parking lot is located close to the use it serves, and the aisles are oriented to minimize the number of crossings for pedestrians.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:

The loading area is located in the southeastern portion of the site, at the rear of the facility, and will minimize conflicts with vehicles and pedestrians. In addition, it is noted that the loading area will be screened from all road frontages by the proposed building and landscaping and is acceptable.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

- (i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;**
- (ii) Entrance drives should provide adequate space for queuing;**
- (iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;**
- (iv) Parking areas should be designed to discourage their use as through-access drives;**
- (v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;**
- (vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;**

- (vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;**
- (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;**
- (ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;**
- (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and**
- (xi) Barrier-free pathways to accommodate the handicapped should be provided.**

The surface parking lot is located and designed to provide safe and efficient vehicular and pedestrian circulation within the site by use of clearly defined, striped and curbed access ways from Melford Boulevard and Marconi Drive. The travel ways leading to the parking, loading, and service areas are clearly defined, and sidewalks are provided around the building, and in appropriate locations adjacent to the parking areas. The circulation patterns for pedestrians, vehicles, and trucks make for safe, efficient, and convenient circulation of the site for both pedestrians and drivers, in accordance with this requirement.

(3) Lighting.

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:**
 - (i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;**
 - (ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;**
 - (iii) The pattern of light pooling should be directed on-site;**

- (iv) **Light fixtures fulfilling similar functions should provide a consistent quality of light;**
- (v) **Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and**
- (vi) **If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.**

The lighting proposed in this DSP meets these requirements, and the photometric plan provided shows adequate illumination levels that do not spill over onto adjacent properties.

(4) Views.

- (A) **Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The building faces Melford Boulevard and is visible from Marconi Drive. The design of the building's façades uses high quality materials and it is noted that landscaping is proposed along the road frontages to assist in creating attractive views from the adjacent public areas.

(5) Green area.

- (A) **On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:**
 - (i) **Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;**
 - (ii) **Green area should link major site destinations such as buildings and parking areas;**
 - (iii) **Green area should be well-defined and appropriately scaled to meet its intended use;**

- (iv) **Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;**
- (v) **Green area should be designed to define space, provide screening and privacy, and serve as a focal point;**
- (vi) **Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and**
- (vii) **Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.**

The DSP contains appropriate green areas for the proposed development. Specifically, green areas are proposed on the subject property along the road frontages and adjacent to the building. Those green areas will serve to enhance the views from the inpatient rooms, and will help to soften the character of the area, which is predominantly office, research, and development.

(6) Site and streetscape amenities.

- (A) **Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:**
 - (i) **The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;**
 - (ii) **The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;**
 - (iii) **Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;**
 - (iv) **Amenities should be functional and should be constructed of durable, low maintenance materials;**

- (v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;
- (vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and
- (vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.

Landscaping is proposed along the property's frontages with Melford Boulevard and Marconi Drive; otherwise, streetscape amenities are not provided.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:
 - (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;
 - (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;
 - (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;
 - (iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and
 - (v) Drainage devices should be located and designed so as to minimize the view from public areas.

All grading will conform to the approved SWM concept plan. Excessive grading will be avoided, and all proposed drainage devices will be designed to minimize views of them from public areas, to the fullest extent practical.

(8) Service areas.

(A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:

- (i) Service areas should be located away from primary roads, when possible;**
- (ii) Service areas should be located conveniently to all buildings served;**
- (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and**
- (iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.**

The loading area and dumpster facilities are proposed at the rear of the building and are screened by the building and landscaping, in accordance with this requirement.

- e. In accordance with Section 27-574 of the Zoning Ordinance, 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. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b).

The proposed DSP includes a parking supply of approximately 2.4 parking spaces per bed, or 143 parking spaces, which exceeds the parking requirements for a nursing home and hospital, which are similar uses.

A review of the site plan indicates that the access, circulation, and parking for the inpatient rehabilitation facility is self-contained, and it is anticipated that the site will not share parking with the adjacent lots. The applicant's submitted parking analysis indicated that it would not be practical to develop an hourly fluctuation for the required number of parking spaces for this use and the adjacent uses to achieve a lower base parking requirement (assuming some reduction due to shared parking between the lots). As such, the base parking requirement for this use would be 90 parking spaces.

With a base parking requirement of 90 spaces for the 60 bed facility, and a parking supply of 143 spaces, a surplus of 53 parking spaces is projected, using the parking calculation procedures as outlined in Sections 27-568 and 27-574 of the Zoning Ordinance.

- 8. Conceptual Site Plan CSP-06002 and its amendment:** CSP-06002 was approved by the District Council on May 11, 2009. CSP-06002-01 to add 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, and 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 square feet of office space to the previous CSP development, was approved by the District Council on March 23, 2015, entirely superseding the original CSP-06002 approval. The conditions of CSP-06002-01, relevant to the subject DSP, are as follows:

- 1. The proposed development shall be limited to a mix of uses where the trip cap associated with the uses within the boundary of CSP-06002-01 shall not exceed 4,441 AM and 4,424 PM peak hour trips. Any development with an impact beyond that identified hereinabove shall require a revision to the conceptual site plan with a new determination of the adequacy of transportation facilities.**

The applicant submitted a traffic study dated May 11, 2020, which states the proposed facility will only generate 34 AM and 36 PM trips, and will operate within the overall cap of 4,441 AM and 4,424 PM trips when added to the other existing and approved development on the property.

- 5. Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbances to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The Type I tree conservation plan associated with the preliminary plan of subdivision will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.**

No new impacts to regulated environmental features are proposed with the current application.

- 7. Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:**
- a. The development plans shall show minimization of impervious surfaces to the maximum extent possible, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.**

The application proposes surface parking lots near the building that have been designed to limit the amount of impervious surfaces to the extent practical. It is noted that the design of these areas has incorporated the use of pervious paving materials in a portion of the parking compound.

- b. The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.**

The current application does not include streams or 100-year floodplain buffers.

- c. Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**

All woodlands have been previously cleared from the development site currently under review.

- d. The open space system, including but not limited to environmentally-sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.**

No portion of the open space system is located on the currently proposed development site.

- 8. All stream channels on the site shall be depicted on all plans in their entirety, with the regulated stream buffer shown as required.**

All streams and regulated stream buffers were correctly delineated on the revised Natural Resources Inventory (NRI) and the Type 2 tree conservation plan (TCP2), and are further reflected in this DSP.

- 9. At the time of detailed site plan (DSP), the following design issues shall be addressed:**

- a. The plans shall show the stormwater management ponds as amenities, with gentle natural slopes and extensive native planting.**

No new SWM ponds are proposed with this DSP. The SWM ponds currently exist and were approved with previous DSPs.

- b. Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery Environmental Setting, in consultation with archaeology staff, the applicant shall provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.**

The Melford and Cemetery Environmental Setting is not impacted by this application and is beyond the scope of this application.

- c. The proposed lighting system shall use full cut-off lighting systems, with limited light spill over.**

The photometric plan indicates that light values on-site and at the boundaries of the site cause limited light spillover, in accordance with this requirement. In addition, it is noted that the applicant is proposing full cut-off light fixtures, which limit any potential light spill over.

- d. Applicable DSPs that may affect the historic vista of the Melford and Cemetery Historic Site (71B-016) shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in Conceptual Site Plan CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.**

- e. Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.**

The Melford and Cemetery Historic Environmental Setting is not impacted by this development and is beyond the scope of this application.

- 11. At the time of detailed site plan, the private on-site recreational facilities within the area of each DSP shall be reviewed. The following issues shall be addressed:**

- a. The applicant shall provide a final list of proposed private recreational facilities and their cost estimates. The list of facilities provided on page 15 of the conceptual site plan design guidelines shall initially be viewed as the**

types of facilities required. The appropriateness of the number and size of the facilities will be reviewed at DSP.

- b. The minimum size of the proposed private recreational facilities and the timing of their construction shall be determined.**
- c. The developer and the developer's heirs, successors, and/or assignees shall satisfy the Prince George's County Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**

The subject DSP is for an inpatient rehabilitation facility and does not propose any recreational facilities. Therefore, this condition is not applicable and will be addressed with future DSPs that include residential uses.

- 13. All plans shall delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016.**

The environmental setting and impact area for Melford and Cemetery, Historic Site 71B-016, are shown on the plans, and are not impacted with this application.

- 17. The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with Guideline 3 of Prince George's County Council Resolution CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required where reasonably appropriate, unless modified by the City of Bowie for portions of sidewalk within the public right-of-way.**

The applicant has included a 5-foot-wide sidewalk, which surrounds the facility. The portion of Melford Boulevard that fronts the subject property has sidewalks already in place, and connections from that sidewalk to the one around the building are provided adjacent to both access drives.

- 21. No additional research and development flex space is permitted in the Mixed Use-Transportation Oriented (M-X-T) Zone at Melford.**

The subject DSP does not propose any research and development flex space.

- 9. Preliminary Plan of Subdivision 4-07055:** PPS 4-07055 was approved by the Planning Board on May 29, 2008, with 34 conditions. The resolution of approval (PGCPB Resolution No. 08-86) was adopted by the Planning Board on June 19, 2008. The conditions of approval, relevant to the review of this DSP, are as follows:

- 2. A Type II tree conservation plan shall be approved in conjunction with detailed site plans.**

A Type 2 Tree Conservation Plan, TCPII-036-99-16, was submitted with this application, and is approved, in accordance with this condition.

3. **Development of this site shall be in conformance with the Stormwater Management Concept Plan #01-0907-207NE15, issued by the City of Bowie and any subsequent revisions.**

DSP-07031-04 is in conformance with SWM Concept Plan 01-0910-207NE 15, issued by the City of Bowie.

4. **Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.**
5. **Prior to the issuance of any building permits within the subject property (with the exception of Pod 1), the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

- (A) **At MD 3/MD 450/gas station access intersection**

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

- (B) **At US 301/Governor Bridge Road/Harbor Way intersection**

1.

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane. Governor Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW &T.

A memorandum from the transportation planning section, dated October 5, 2020, indicated that the proposed development will remain within the trip cap and that all improvements pursuant to Conditions 5a and 5b have been completed. The following table was provided showing a trip cap analysis for the application.

Table 1 – Trip Cap Analysis			
		AM Peak	PM Peak
Pod 6 (Lots 1-4)		344	336
<i>Pod 6 – Lot 5 (pending)</i>		34	36
Pods 7 and Pod P2		192	198
Total development to date		570	570
Trip Cap: PPS 4-07055		874	1272
Trips remaining under the cap		304	702

- 10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.**

The applicant is proposing one micro-bioretention facility on DSP-07031-04 and is proposing to use permeable pavement for 15 of its parking spaces.

- 11. Detailed site plans for the development shall include a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.**

The applicant indicated in their statement of justification (SOJ) that they will be implementing multiple mechanical, plumbing, and electrical green building and energy efficient techniques, such as high efficiency gas water heaters, low/reduced flow plumbing fixtures, variable air volume systems, high efficiency lighting systems, and occupancy sensors to reduce lighting in unoccupied spaces.

- 12. The DSP shall demonstrate the use of full cut-off optics for all commercial and industrial lighting fixtures and for the proposed street lighting.**

A photometric plan is included with the DSP set and shows adequate illumination with light fixtures that enhance the character of the site and propose full cut off optics.

- 34. “Share the Road” with a bike signs shall be provided along Melford Boulevard frontage at the time of Detailed Site Plan.**

The submitted DSP shows proposed Share the Road bike signs along its frontage of Melford Boulevard.

10. Detailed Site Plan DSP-07031 and its amendments: DSP-07031 was approved by the Planning Board on July 24, 2008 (PGCPB Resolution No. 08-117) for 133,680 square feet of office in four buildings on proposed Lots 1 and 3, and 248,820 square feet of research and development in seven buildings on Lots 2, 4, and 5 within the existing Melford development, subject to 17 conditions. The DSP was amended three times for minor changes and was approved by the Planning Director with no conditions. The relevant conditions applicable to the review of the subject DSP are as follows:

- 1. Total development within the limits of CSP-06002 shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.**

The Planning Board reviewed the trip generation analysis submitted with this application and finds that the proposed facility will only generate 34 AM and 36 PM trips, which was included in Pod 6 for the overall development, and will be within the overall cap of 2,774 AM and 3,593 PM trips.

- 2. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
 - (A) At MD 3/MD 450/gas station access intersection The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450 and extend to the Patuxent River Bridge, north of MD 450.**
 - (B) At US 301/Gov. Bridge Road/Harbor Way intersection The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane. Governors Bridge Road shall be widened and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.**

The improvements at MD 3 and MD 450 have already been completed. The improvements at US 301 and Harbor Way have been permitted by the Maryland State Highway Administration (SHA) under Permit #17APPG02818, which will widen Harbor Way to include two exclusive left turn lanes, one shared left/through lane, and one right turn lane.

3. **Total development within the limits of 4-07055 shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1,272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.**

The trip generation analysis was reviewed with this application and indicated that the proposed facility will only generate 34 AM and 36 PM trips, which was included in Pod 6 for the overall development, and will be within the overall cap of 874 AM and 1,272 PM trips.

4. **Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of permeable paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to 112 parking spaces at a minimum.**

This was satisfied with the approval of prior DSP applications. However, this DSP proposes an additional 15 parking spaces with permeable paving.

14. **Prior to certification of the detailed site plan, the applicant shall demonstrate to the satisfaction of the Planning Board or its designee that green building techniques and energy efficient building methods have been incorporated into the design and the details of the proposed architectural products.**

The applicant will be implementing green building techniques as listed in their SOJ and discussed previously in Finding 9.

11. **2010 Prince George's County Landscape Manual:** Per Section 27-544(a) of the Zoning Ordinance, landscaping, screening, and buffering for property zoned M-X-T, are subject to the provisions of the Landscape Manual. The application is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements of the Landscape Manual. The required plantings and schedules are provided, in conformance with the Landscape Manual, and are acceptable.

12. **Prince George's County Tree Preservation and Woodland Conservation Ordinance (WCO):** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance (WCO) because it has previously approved tree conservation plans.

No new PPS was required for the lot currently proposed for development. A revised TCPII-036-99-16 was submitted with the DSP application.

The TCPII indicates that Pod 6 has been almost fully cleared over time, and when this DSP was originally reviewed only 1.87 acres of woodlands were remaining. With the -08 revision to the TCPII, an additional 0.43 acre of woodland was cleared, leaving 1.44 acres of woodland preservation located within the existing wetland on the east portion of the site, which is proposed for preservation. The clearing and preservation on Pod 6 is consistent with the DSP. The Planning Board has reviewed TCPII-036-99-16 and found it to be in general conformance with the TCPI and the relevant requirements of the WCO. However, technical revisions to the plan are required to be in full compliance with the requirements of the WCO and Environmental Technical Manual, which have been included as conditions in this approval.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area in TCC. The property qualifies for a TCC exemption, pursuant to Section 25-127(b)(1)(J), because the original DSP application was approved before September 1, 2010 and the DSP was vested when multiple buildings were built. Therefore, a condition has been included herein to require the applicant to revise the plans to include a note indicating that the site is exempt from the Tree Canopy Coverage Ordinance.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject case was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation**— The Planning Board adopts a memorandum dated September 2, 2020 (Stabler to Bishop), which noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites.
 - b. **Community Planning**—The Planning Board adopts a memorandum dated October 9, 2020 (McCray to Bishop), which offered a discussion of the DSP's conformance with Plan 2035, and noted that pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.
 - c. **Transportation**—The Planning Board adopts a memorandum dated October 5, 2020 (Burton to Bishop), which provided a discussion of the applicable previous conditions of approval and the parking requirements under Section 27-574 that have been included in the above findings. It was determined that, from the standpoint of transportation, this plan is acceptable if approved as conditioned.

- d. **Trails**—The Planning Board adopts a memorandum dated October 5, 2020 (Ryan to Bishop), which provided a discussion of the applicable previous conditions of approval that are incorporated into the findings above. In addition, it is noted that the subject property was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the Bowie and Vicinity Master Plan and SMA to provide the appropriate pedestrian and bicyclist transportation recommendations. Improvements to the site have been addressed through revisions to the plans or are included as conditions in this approval, as appropriate.
- e. **Environmental Planning**—The Planning Board adopts a memorandum dated October 8, 2020 (Finch to Bishop), which reviewed applicable environmental conditions attached to previous approvals that have been incorporated into the findings above. In addition, it was noted that the site has an NRI-054-06-02, which includes a forest stand delineation. The overall Melford site contained a total of 175 acres of woodland on the net tract, of which 30.68 was originally located on Pod 6; but the entirety of Pod 6 and the adjacent portion of Pod 7 has been cleared, in conformance with subsequent revisions to TCPII-036-99.

Stormwater Management

An approved SWM Concept Plan 01-0910-207NE15 was submitted with the subject application that is consistent with the TCPII and DSP. The adjacent SWM facilities shown on Pod 6 and Pod 7 are consistent with previous approvals.

- f. **Prince George's County Fire/EMS Department**—At the time of this writing, the Fire/EMS Department has not provided comment on the subject application.
- g. **Washington Suburban Sanitary Commission (WSSC)**— The Planning Board adopts a memorandum dated August 17, 2020, which office numerous WSSC comments regarding the provision of water and sewer to the development. These comments have been provided to the applicant and will be addressed through WSSC's separate permitting process.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**— The Planning Board adopts a memorandum dated September 21, 2020 (Giles to Bishop), which stated that the adjacent roadway of US 50/US 301 is a State-maintained roadway. SHA should be consulted for issues regarding right-of-way dedication and roadway improvements. In addition, a SWM concept plan was approved by the City of Bowie on September 29, 2010, and the proposed development will require a DPIE site development fine grading permit.
- i. **Prince George's County Police Department**—The Planning Board adopts a memorandum dated September 15, 2020 (Contic to Bishop), which stated that the Police Department has no comments at this time.

- j. **Prince George’s County Health Department**—The Planning Board adopts a memorandum dated August 31, 2020 (Adepoju to Bishop), in which the environmental health specialist noted that a desktop health impact assessment had been completed and offered two recommendations, which have been included as conditions in this approval, as appropriate.
 - k. **City of Bowie**—The Planning Board adopts a memorandum dated October 20, 2020 (Adams to Hewlett), , in which the Bowie City Council noted that they held a meeting to discuss the DSP on October 19, 2020 and voted to recommend approval of DSP-07031-04, subject to conditions, which have been included, as agreed to by the applicant, in this approval.
15. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, 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.
16. As required by Section 27-285(b)(4), for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations, as the limits of the current DSP do not contain any regulated environmental features.

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 II Tree Conservation Plan TCPH-036-99-16, and further APPROVED Detailed Site Plan DSP-07031-04 for the above described land, subject to the following conditions:

- 1. Prior to certification, the applicant shall revise the detailed site plan (DSP), as follows, or provide the specified documentation:
 - a. Provide bike racks, to accommodate a minimum of five bicycles, near the open area in the northeastern area of the building, opposite the proposed handicap-accessible parking spaces, in a location that will not interfere with pedestrian access. The bike racks shall be inverted-U racks, or a similar style rack that provides two points of contact for parked bicycles.
 - b. Add the following general plan notes:
 - (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Conformance to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, is required.

- (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Conformance to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code, is required.
- c. Provide a note that states the site is exempt from the Tree Canopy Coverage Ordinance.
- d. Provide landscaping at the base of the freestanding signs to provide seasonal interest.
- e. Provide details of the trash enclosures, with the sides and rear constructed with masonry materials similar to those used on the building.
- f. Provide details and specifications of the site stimulation therapy course.
- g. Future detailed site plans for the Melford development shall include an updated floor area ratio development chart and recalculation as necessary demonstrating conformance to Section 27-548 of the Prince George's County Zoning Ordinance.
- h. Clearly show the entire area where permeable pavement is proposed to be utilized on the plan through shading, cross-hatching, or striping.
- i. Clearly show the depressed curb and handicap-accessible sidewalk, along the handicap-accessible parking spaces proposed on the northern and eastern sides of the building, and provide a detail of this design.
- j. Provide a minimum of two parking spaces for low-emitting/fuel efficient vehicles, and a minimum of two parking spaces for electric vehicles. Clearly note the locations and quantities of the parking spaces on the site plan and provide a detail of the signage identifying these parking spaces.
- k. Revise the trash enclosure area to also accommodate the storage and collection of recyclable materials.
- l. Revise the landscaping, as follows:
 - (1) Identify the five shade trees proposed along the southeastern property line on the landscape plan.
 - (2) Recalculate the quantity of black chokeberry shrubs proposed along the western property to reflect the correct number of plantings on the plan and in the plant list (Sheet 6).
 - (3) Remove the planting detail for evergreen trees on Sheet 7 of the landscape plan.

- m. Revise the lighting, as follows:
 - (1) Reduce the height of the proposed light poles to 25 feet to comply with the City of Bowie's design guidelines.
 - (2) Provide pedestrian scale lighting along the walkway at the building's main entrance or building accent lighting to illuminate this area for safety purposes.
 - (3) Provide building-mounted lighting to illuminate the gazebo/therapy courtyard area.
 - n. Provide additional information regarding how on-site signage will be illuminated and note that illumination by spotlights is prohibited by the City of Bowie.
2. Prior to certification of the detailed site plan (DSP), the Type II tree conservation plan (TCPII) shall be revised, as follows:
- a. On all sheets of the TCPII, revise the approval block to complete the signature line for the -15 revision, and include a signature line for the -16 revision.
 - b. On the Cover Sheet (Sheet 1):
 - (1) Revise the overall woodland conservation worksheet to indicate the correct revision number, and revise as needed to reflect the reduction of afforestation/reforestation associated with the current DSP and associated calculations.
 - (2) Under the woodland conservation worksheet, add the note associated with a Subtitle 25 variance for Specimen Tree (ST)-X approved with the -015 revision.
 - (3) Label the location of DSP-07031-04 on the Key Map.
 - (4) Delineate the limits of Pod 6 and 7 on the Key Map.
 - (5) Revise the depiction of enlarged Lot 5 on the Key Map to show the addition of the contiguous strip, and adjust the shape of the adjacent afforestation area to show the reconfiguration.
 - (6) Adjust the woodland conservation summary table to correctly reflect the adjustments to afforestation provided on Sheet 11.
 - (7) Provide an Owner's Awareness Certificate, which must be signed, prior to signature approval of the TCPII.

c. On Sheet 2:

- (1) Revise the phased woodland conservation worksheet to correctly reflect the current revision. The column for DSP-07031 should be updated with the current DSP revision number, the current TCPII revision number, and the approval date should be indicated as pending. The appropriate column should be revised to reflect the loss of afforestation area in Pod 7 resulting from the current revision, and all necessary adjustments shall be made.
- (2) Revise the phased woodland conservation worksheet to correctly reflect the adjustments to the worksheet approved with the -015 revision to the TCPII.
- (3) The individual TCPII worksheet shall be revised to reflect the updated column in the phased worksheet for Pod 6 under the -16 revision.

d. On Sheet 11:

- (1) Revise the afforestation area adjacent to Lot 5 to correctly reflect the woodland conservation area that meets all dimensions required to be credited, and revise the label to reflect the correct quantity.
- (2) Delineate and label the boundaries of Pods 6 and 7 on the plan sheet.
- (3) Delineate and label the boundaries of DSP-07031-04 on the plan sheet.
- (4) Provide a woodland conservation sheet summary table on Sheet 11 to confirm the quantity of woodland conservation credited.

e. After all required revisions are made, have the plan signed and dated by the qualified professional.

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 Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 5, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of December 2020.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: November 12, 2020

1.60

CASE NO: DSP-07031-04
CASE NAME: MELFORD, ENCOMPASS
HEALTH
PARTY OF RECORD: 15
PB DATE: 12-03-2020



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SEVERNA PARK MD 21146
(CASE NUMBER: DSP-07031-04)

DAVID BICKEL
SOLTESZ
4300 FORBES BOULEVARD SUITE 230
LANHAM MD 20706
(CASE NUMBER: DSP-07031-04)

MARTHA AINSWORTH
16500 ABBEY DRIVE
BOWIE MD 20715 -4333
(CASE NUMBER: DSP-07031-04)

ANDREW ROUD
ST. JOHN PROPERTIES
2560 LORD BALTIMORE DRIVE
BALTIMORE MD 21244
(CASE NUMBER: DSP-07031-04)

MR.KEVIN L BOBO
IMITEF - IMI -
17101 SCIENCE DRIVE
BOWIE MD 20715
(CASE NUMBER: DSP-07031-04)

MATTHEW TEDESCO
MCNAMEE HOSEA
6411 IVY LANE SUITE 200
GREENBELT MD 20770
(CASE NUMBER: DSP-07031-04)

ROBERT ANTONETTI
SHIPLEY & HORNE, P.A.
1101 MERCANTILE LANE SUITE 240
LARGO MD 20774
(CASE NUMBER: DSP-07031-04)

ENCOMPASS HEALTH
9001 LIBERTY PARKWAY
BIRMINGHAM AL 35242
(CASE NUMBER: DSP-07031-04)

JOHN TSCHUDIN
ENCOMPASS HEALTH CORPORATION
9001 LIBERTY PARKWAY
BIRMINGHAM AL 35242
(CASE NUMBER: DSP-07031-04)

CITY OF BOWIE
15901 EXCALIBUR ROAD
BOWIE MD 20716
(CASE NUMBER: DSP-07031-04)

DR.HENRY S COLE
HENRY S. COLE & ASSOCIATES, INC.
11229 MATTAPONI ROAD 11229 MATTAPONI
RD
UPPER MARLBORO MD 20772 -8210
(CASE NUMBER: DSP-07031-04)

MS.SANDRA A RUSSELL
MRCA
4900 MELWOOD ROAD
UPPER MARLBORO MD 20772
(CASE NUMBER: DSP-07031-04)

MR.KENNETH W FINDLEY
ST. JOHN PROPERTIES
2560 LORD BALTIMORE STREET
BALTIMORE MD 21244
(CASE NUMBER: DSP-07031-04)

October 3, 2022

MEMORANDUM

TO: Tierre Butler, Planner II, Urban Design Section
VIA: Mridula Gupta, Planner III, Subdivision Section *MG*
FROM: Mahsa Vatandoost, Planner II, Subdivision Section *MV*
SUBJECT: DSP-07031-05; Melford Town Center, Pod 6

The property considered in this amendment to detailed site plan (DSP-07031) is located on Tax Map 47 in Grid F-4 and on Tax Map 48 in Grid A-4. The property consists of two lots known as Lot 1 and Lot 7 recorded in the Prince George's County Land Records in Plat Book PM 232 page 22 and Plat Book ME 258 page 14 respectively. The property is located within the Town Activity Center-Edge (TAC-E) Zone. However, this application is being reviewed pursuant to the prior Mixed Use Transportation Oriented (M-X-T) zoning of the subject property and pursuant to the prior Prince George's County Zoning Ordinance and Subdivision Regulations.

Lot 1 is currently vacant; however, DSP-07031 approved 67,840 square feet of office space for Lot 1 (Building A totaling 42,000 square feet and Building B totaling 25,840 square feet). DSP-07031 also approved three buildings for Lot 4, which was later recorded as Lot 7 after lot line adjustment with Lot 5. The three buildings approved for Lot 4 with DSP-07031 totaled 95,920 square feet and included Building G (25,840 square feet of office space), Building H (35,040 square feet of research and development (R&D) space), and Building I (35,040 square feet of R&D space). Lot 7 is currently improved with two, 34,560-square-foot R&D buildings totaling 69,120 square feet which were approved with DSP-07031-03. DSP-07031-03 also approved a 30,040-square-foot R&D Building K on Lot 5, which is now included in Lot 7. DSP-07031-04 revised the common lot line between Lots 4 and 5 to create new Lots 7 and 8, and approved a 61,809-square-foot inpatient rehabilitation facility on Lot 8, which has not been built yet. The applicant proposes in this DSP amendment to replace the three yet unbuilt office buildings on Lots 1 and 7 (Buildings A, B, and J, totaling 93,680 square feet) with two flex/R&D buildings totaling 59,640 square feet (36,120 square feet on Lot 1 and 23,520 square feet on Lot 7).

The property is subject to Preliminary Plan of Subdivision (PPS) 4-07055 titled "Melford Phase II" which was approved by the Prince George's Planning Board on May 29, 2008 (PGCPB Resolution No. 08-86). PPS 4-07055 approved 29 parcels for commercial use and one dwelling unit (Melford Historic Site). Lots 1 and 7 were recorded in Prince George's County Land Records subsequent to

approvals of DSP-07031 and DSP-07031-04. Lots 1 was recorded in Plat Book PM 232 page 22 on January 13, 2010 entitled "University of Maryland Science and Technology Center" and Lot 7 was recorded in Plat Book ME 258 page 14 on July 27, 2021 entitled "Plat 2, Melford Property".

PPS 4-07055 was approved subject to 34 conditions of approval. The conditions relevant to the subject application are shown below in **bold** text. Staff analysis of the project's conformance to the relevant conditions follows each one in plain text.

2. A type II tree conservation plan shall be approved in conjunction with detailed site plans.

The applicant submitted a Type II Tree Conservation Plan (TCPII-036-99) with the subject DSP. The TCPII and the DSP should be further reviewed and evaluated by the Environmental Planning Section for conformance with this condition.

3. Development of the site shall be in conformance with the Stormwater Management Concept Plan #01-0907-207NE15, issued by the City of Bowie and any subsequent revisions.

The Stormwater Management (SWM) Concept Plan submitted with this DSP application does not show the proposed buildings in conformance with the DSP proposal. The applicant has stated that all SWM facilities for Pod 6 are either already constructed or are in construction now and that no SWM facilities were ever proposed on Lots 1 and 7, and therefore, no revision to the current SWM concept is required for the subject DSP amendment. The Environmental Planning Section should evaluate the DSP for conformance with this condition.

4. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.

Lots 2, 3, and 7 on Pod 6 are improved with five buildings totaling 187,360 square feet which were approved with the previous DSPs. This DSP amendment proposes an addition of 59,640 square feet of R&D space on Lots 1 and 7 on Pod 6 in place of 93,680 square feet of office space previously approved. The Transportation Planning Section should evaluate the proposed development in this DSP for conformance with this condition.

10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.

In the Statement of Justification (SOJ), it was stated that the applicant has previously provided low impact development techniques on other areas of Pod 6 as part of prior approvals of development. These techniques are shown on the approved SWM plan for Pod 6. The Urban Design Section should evaluate the DSP for conformance with this condition.

- 11. Detailed site plans for the development shall include a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.**

The Urban Design Section should review the DSP for conformance with this condition.

- 12. The DSP shall demonstrate the use of full cut-off optics for all commercial and industrial lighting fixtures and for the proposed street lighting.**

An illuminance plan has been submitted with this DSP including details for the proposed lighting. The Urban Design should review the DSP for conformance with this condition.

- 17. Development of this subdivision shall be in conformance with the approved Type I Tree Conservation Plan (TCPI/44/98-03). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan, TCPI/44/98-03, 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 Georges County, Planning Department.”

The Environmental Planning Section should review the DSP to determine conformance with this condition. General Note 7 on record plat 232-22 and General Note 2 on record plat 258-14 provide the note as required by this condition.

- 32. Any residential development of the subject property shall require a new preliminary plan of subdivision prior to the approval of detailed site plans.**

This subject DSP does not propose any residential development.

- 34. “Share the Road” with a bike signs shall be provided along Melford Boulevard frontage at the time of Detailed Site Plan.**

Conformance to this condition should be further reviewed by the Transportation Planning Section.

Additional Comments:

None.

Recommended Conditions:

None.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. The DSP has been found in conformance with the approved preliminary plan of subdivision. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected.

October 10, 2022

MEMORANDUM

TO: Tierre Butler, Urban Design Review Section, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division

VIA: 
 William Capers III, PTP, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-07031-05: Melford Town Center – Pod 6

Proposal:

The subject Detailed Site Plan (DSP) application proposes to revise DSP-07031-04 by constructing two flex/research and development buildings within Pod 6 of the Melford Village Development. It should be noted that Pod 6 was approved for 7 lots, however, the development area for the subject DSP is limited to Lot 1 and Lot 7. The subject application proposes to construct a 36,120 square-foot building on lot 1 and a 23,520 square-foot building on lot 7. Both lots have frontage along Melford Boulevard to the north and Howerton Way to the south. Lot 1 is a corner lot and fronts along Tesla Drive to the west. The Transportation Planning review of the subject DSP application was evaluated using the standards of Section 27 of the prior Zoning Ordinance.

Prior Conditions of Approval:

The site is subject to Conceptual Site Plans CSP-06002 and CSP-06002-01, Preliminary Plan of Subdivision 4-07055, and DSP-07031 through DSP-07031-04. The relevant conditions of approval related to transportation adequacy, access, and circulation are listed below:

CSP-06002-01

17. The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with Guideline 3 of Prince George’s County Council Resolution CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required where reasonably appropriate, unless modified by the City of Bowie for portions of sidewalk within the public right-of-way.

Comment: Standard sidewalks have been constructed on both sides of the subject properties’ frontage along Melford Boulevard, Tesla Drive, and Howerton Way. The sidewalk network provides sufficient pedestrian access to and from the site from all directions.

18. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate and shall be shown on all affected detailed site plans.

Comment: The applicant's submission displays crosswalks at all points of vehicle access, providing pedestrian connections where sidewalk facilities are interrupted. The applicant's proposed use involves high volumes of heavy vehicle access at both pods of development. The curb cuts widths at the site access connections have been minimized where necessary to provide adequate space for truck maneuvers while preserving safe pedestrian access along all frontages associated with the subject application.

PPS 4-07055

4. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.

Comment: The applicant has submitted a Trip Generation Memorandum for the proposed development. It should be noted that Pod 5 was part of a subsequent Preliminary Plan of Subdivision 4-16006 with a new trip cap for the area including Pod 5 of Melford Village. Therefore, the remainder of PPS 4-07055 (Pods 6, 7, and P2) retain the trip cap of 874 AM and 1,272 PM trips. The trip generation study uses Prince George's County rates for research and development buildings and resulted in the generation of 37 AM peak period trips and 35 PM peak period trips for the proposed 36,120 square-foot building on lot 1. Lot 7 already contains two research & development buildings totaling 99,160 square feet. The proposed 23,520 square-foot building on lot 7 would bring the total square footage for lot 7 to 122,680 square feet, resulting in the generation of 126 AM peak period trips and 120 PM peak period trips for lot 7. The trip generation memo indicates that the total new trips generated by the properties within the limits of the subject application in addition to the remaining development assumed in Pod 6, Pod 7, and P2 will generate a total of 550 AM Peak hour trips and 540 PM peak hour trips. Staff finds the conclusions and findings of the Trip Generation Study are acceptable, and that the DSP is within the peak-hour trip cap approved in PPS 4-07055.

5. Prior to the issuance of any building permits within the subject property (with the exception of Pod 1), the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

(A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

(B) At US 301/Governor Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane. Governor Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW &T.

Comment: The above-listed improvements have already been completed.

34. “Share the Road” with a bike sign shall be provided along Melford Boulevard frontage at the time of Detailed Site Plan.

Comment: The latest DSP submission does not conform to the referenced PPS condition. Staff requests the applicant update the plan sheets to provide a “share the road with a bike” signage assembly along the lot 1 frontage of Melford Boulevard. The property directly east of lot 7 was the focus of DSP-07031-04, which also required bikeway signage per condition 34 of 4-07055. The additional bikeway signage along the frontage of lot 1 will further facilitate safe bicycle movement along Melford Boulevard as envisioned by the preliminary plan of the subdivision.

DSP-07031 – DSP-07031-04

DSP-07031 was approved for 134,480 square feet of office in four buildings on proposed Lots 1 and 3, and 248,820 square feet of research and development in seven buildings on proposed Lots 2, 4, and 5 within the existing Melford development.

DSP-07031-01 through DSP-07031-03 were approved for minor site layout changes and do not impact the subject application.

DSP-07031-04 was approved for a 61,809-square-foot inpatient rehabilitation facility on proposed Lot 5 in within Pod 6. The applicant’s traffic impact study displays that AM and PM peak hour trips associated with DSP-07031-04 are accounted for and fall within the previously mentioned trip cap approved under condition 4 of 4-07055.

The subject application, DSP-07031-05, proposes to replace two single-story flex/office buildings, each of which totals 25,840 square feet, and one multi-story office building totaling 42,000 square feet, with two flex/research and development buildings totaling 36,120 and 23,520 square feet.

Master Plan Compliance

This application is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT).

Master Plan Roads

Both sites of development front Melford Boulevard to the north. The *2009 Countywide Master Plan of Transportation* (MPOT) does not have recommendations for this portion of Melford Boulevard. The property also falls within the bounds of the *2022 Approved Bowie-Mitchellville and Vicinity Master Plan* which also does not have recommendations for this portion of Melford Boulevard. The applicant's submission displays this portion of Melford Boulevard as two lanes within a 60-foot wide right-of-way. This portion of Melford Boulevard has already been constructed and no additional right-of-way dedication is sought along either of these roads.

Lot 1 of the proposed development fronts Tesla Drives to its west. The *2009 Countywide Master Plan of Transportation* (MPOT) does not have recommendations for this portion of Tesla Drive. The *2022 Approved Bowie-Mitchellville and Vicinity Master Plan* also does not have recommendations for this portion of Tesla Drive. The applicant's submission displays this portion of Tesla Drive as two lanes within a 70-foot wide right-of-way. This portion of Tesla Drive has already been constructed and no additional right-of-way dedication is sought along either of these roads.

Both sites of development front Howerton Way to the south. The *2009 Countywide Master Plan of Transportation* (MPOT) does not have recommendations for this portion of Howerton Way. The property also falls within the bounds of the *2022 Approved Bowie-Mitchellville and Vicinity Master Plan* which also does not have recommendations for this portion of Howerton Way. The applicant's submission displays this portion of Howerton Way as a private road and does not contain roadway dimensions. While this portion of Howerton Way has already been constructed and no additional right-of-way dedication is sought along this road, the applicant does intend to utilize Howerton Way for truck access to the site at both locations. As a condition of approval, staff requests the applicant update the DSP and truck turning plans to display the road dimensions and lane configuration of Howerton Way.

Master Plan Pedestrian and Bike Facilities

The 2009 Approved Countywide Master Plan of Transportation (MPOT) does not contain any recommended bicycle or pedestrian facilities along any road frontage associated with the subject application.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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

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

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

Comment: The site's frontage along Melford Boulevard, Howerton Way, and Tesla Drive already have sidewalks in place. The applicant's submission includes internal sidewalks along the frontage of each building as well as bicycle parking at each building. Crosswalks have been provided crossing all points of vehicle access along Melford Boulevard and Howerton Way. Staff finds these facilities adequately serve bicycle and pedestrian goals as stated in the MPOT, but as a condition of approval recommends that a crosswalk is provided along the main drive aisle of lot 1 to facilitate a continuous and safe connection from the sidewalk along the southern section of the parking lot (adjacent to the building) to the sidewalk extension from the site to Howerton Way.

Transportation Planning Review

Zoning Ordinance Compliance

Section 27-283 of the Prince George's County Zoning Ordinance (Ordinance) provides guidance for detailed site plans. The section references the following design guidelines described in Section 27-274(a):

(2) Parking, loading, and circulation

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

(ix) Pedestrian and vehicular routes should generally be separate and clearly marked.

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques

(xi) Barrier-free pathways to accommodate the handicapped should be provided

(6) Site and streetscape amenities

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

(i) The design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture should be coordinated in order to enhance the visual unity of the site.

Additionally, Section 27-546(b)(7) and Section 27-546(d)(6-7) discuss transportation requirements in the M-X-T Zone and are copied below.

(b) In addition to the information required by Part 3, Division 9, for Conceptual Site Plans, the following information shall be included in Plans in the M-X-T Zone:

(7) The physical and functional relationship of the project uses and components.

(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

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

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

Comment: Lot 1 is served by four access points. The northern access point for lot 1 is located along Melford Boulevard and is for passenger vehicles only. The remaining three access points for lot 1 are located along Howerton Way with one access connection to the surface parking area located to the west of the building and two driveway connections to the loading area in the rear of the building. During the initial review of the subject application, staff requested the applicant provide truck turning plans to show how trucks will access the site. Using a design vehicle classification of WB-55, the plans appear to show that trucks accessing lot 1 will need the full extent of the driveway and drive aisles to safely make adequate maneuvers to and from the site. Additionally, staff requested the applicant close the inter-parcel connection between the truck court and surface parking area along the southwest side of Lot 1 to prevent possible conflicts between passenger vehicles and trucks. The applicant's response to comments (Focht to Butler, September 29, 2022) contains the following response regarding this request:

"The very nature of "flex space" is to allow for potential occupant's access to office functions in the front of the building with potential access to storage/distribution/manufacturing functions in the rear of the same building. As such, it is highly conceivable that tenants, visitors, and/or customers will utilize both the front and rear of the buildings. The purpose of the additional access point is for the convenience of passenger vehicles that may need to utilize the rear loading areas of the "flex space" to move items/goods to and from their vehicles. This additional access point will allow such convenient access without requiring the same vehicle to first exit the site onto the adjacent street just to reach the rear of the building. Deletion of the internal access point between the drive aisle (to the front parking area) and the rear portions of the same building on Lot1 is contrary to the functional purposes of "flex space". Further, there are two separate access points for heavy trucks leading directly to the adjacent street (thus greatly diminishing the likelihood of the co-mingling of passenger vehicles and trucks at the additional internal access point shown for Lot 1). For these reasons the Applicant respectfully requests that said internal access point remains as part of this DSP proposal."

Staff recognizes the nature of the proposed use requires occupants to utilize multiple functions within the building. However, staff is concerned with potential conflicts between trucks and standard vehicles at this location. Additionally, the truck turning plans show that this inter-parcel connection is not sufficient for trucks to access the truck court from the westernmost point of vehicle entry along Howerton Way. If the inter-parcel connection remains open, trucks accessing this location will potentially cause queuing along Howerton Way, which could lead to additional queuing on Tesla Drive. In order to facilitate adequate circulation as well as safe access to and from the site for both trucks and passenger vehicles, staff recommends a condition of approval that the inter-parcel connection along the southwest portion of lot 1 is closed, thereby separating the truck court from the surface parking area. By closing this connection, circulation and access for trucks and standard vehicles can remain separate and occupants using multiple portions of the site can be made internal to the building without any impact on safety or circulation.

Lastly in regard to site circulation and access, the applicant's revised submission contains a truck-turning plan that only shows truck access to lot 1. Staff requests the applicant provide an additional

truck turning plan that displays access to lot 7. The exact design and truck turning plans with design vehicle classification shall be evaluated and accepted by the Transportation Planning Section prior to DSP certification.

Section 27-574(a) discusses parking requirements in the M-X-T Zone and is copied below:

(a) The number of parking spaces required in the M-X-T Zone and in a Metro Planned Community is to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval.

Comment: The applicant is proposing a total of 131 parking spaces for the proposed building on lot 1 and 67 parking spaces for the proposed building on lot 7, resulting in a total of 198 parking spaces. A research and development use consisting of 59,640 square feet, the total square footage sought with the subject application, would require a minimum of 121 parking spaces, per the requirements of section 27-568 of the Prince George’s County Zoning Ordinance (Ordinance). Section 27-574 of the Ordinance allows applicants to develop a criterion, specific to the proposed development, for developing parking standards in the M-X-T zoning district.

The applicant has submitted a parking analysis to determine the parking rate for the proposed development and cites section 27-574(b)(1) which states, “(b)The number of off-street parking spaces required for development in the M-X-T Zone and in a Metro Planned Community shall be calculated using the following procedures: (1)Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in anyone (1) hour and are known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).”

While the overall site is a mixed-use project, no residential component has been constructed and this application only considers the research and development use. The proposed uses provided within the limits of the DSP as well as the industrial and office use that are proposed to be developed in the remaining lots on Pod 6 all share the same peak period demand and therefore, cannot use onsite parking to offset parking demand for adjacent sites with uses that have varying demands during the peak period. Furthermore, while the analysis does not fully explain why the surplus parking is needed, staff finds that the proposed rates are acceptable and sufficient support the peak demand for the proposed uses consistent with similar developments in the County.to support the 59,640 square feet of research and development use associated with this proposal. Staff finds the parking submission to be suitable for the proposed use within the M-X-T Zone.

Conclusion:

Overall, from the standpoint of The Transportation Planning Section it is determined that this plan is acceptable if the following conditions are met:

1. Prior to the certification of the detailed site plan, the applicant and the applicant’s heirs, successors and/or assigns shall:

- a. Revise the DSP to display a “share the road with a bike” signage assembly along the lot 1 frontage of Melford Boulevard. The DSP shall also include the exact details and profiles of the signage assembly.
- b. Revise the DSP to provide a crosswalk at the southwest portion of lot 1 where vehicles access the parking area adjacent to Howerton Way. This crosswalk shall connect the sidewalk located adjacent to the building on the east side of the drive aisle to the sidewalk on the west side of the drive aisle which extends to Howerton Way.
- c. Revise the DSP plan sheets and trucking-turning plans to display the road dimensions and lane configuration of Howerton Way.
- d. Revise the DSP to close the inter-parcel connection along the southwest portion of lot 1, thereby separating the truck court from the surface parking area.
- e. Provide an additional truck-turning plan that shows truck turning movements and access to Lot 7. The exact design and truck turning plan with design vehicle classification shall be evaluated and accepted by the Transportation Planning Section.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Countywide Planning Division
 Environmental Planning Section

301-952-3650

October 3, 2022

MEMORANDUM

TO: Tierre Butler, Planner II, Urban Design Section, DRD

VIA: Thomas Burke, Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Mary Rea, Planner II, Environmental Planning Section, CWPD *MAR*

SUBJECT: **Melford Town Center Pod 6; DSP-07031-05 and TCP2-036-99-19**

The Environmental Planning Section (EPS) has reviewed Detail Site Plan DSP-07031-05 and Type II Tree Conservation Plan TCPII-036-99-19, received on August 15, 2022. Comments were delivered to the applicant at the Subdivision and Development Review Committee (SDRC) meeting on September 2, 2022. Revised plans were submitted in response to these comments by the applicant and accepted for review on September 29, 2022. The EPS recommends approval of DSP-07031-05 and TCPII-036-99-19, subject to the findings and conditions found at the end of this memorandum.

BACKGROUND

The EPS previously reviewed the following applications and associated plans for the subject site:

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
CSP-06002	TCPI-044-98	Planning Board	Approved	1/11/2007	PGCPB No. 07-09(C)
4-07055	TCPI-044-98-01	Planning Board	Approved	5/29/2019	PGCPB No. 08-86
DSP-07031	TCPII-036-99-08	Planning Board	Approved	07/24/2008	PGCPB No. 08-117
DSP-07031-01	TCPII-036-99-08	Planning Director	Approved	12/11/2009	NA
DSP-07031-02	NA	Planning Director	Approved	04/18/2011	NA
CSP-06002-01	TCP1-044-98-04	District Council	Approved	3/23/2015	PGCPB No. 14-128
NRI-054-06-02	NA	Staff	Approved	1/16/2018	NA
DSP-07031-03	NA	Planning Director	Approved	11/08/2018	NA
DSP-07031-04	TCPII-036-99-16	Planning Board	Approved	11/5/20	PGCPB No. 2020-157
DSP-07031-05	TCPII-036-99-19	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY

The applicant is requesting approval of this DSP and TCP2 to replace two single-story flex/office buildings and one multi-story office building with two flex/R&D buildings. The current zoning for this site is Town Activity Center-Edge (TAC-E); however, the applicant has opted to apply the zoning standards to this application that were in effect prior to April 1, 2022. The prior zone for this site was Mixed-Use Transportation Oriented (M-X-T).

GRANDFATHERING

This project is grandfathered from the requirements of Subtitle 25, Division 2 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and Subtitle 27, as this site is subject to Preliminary Plan of Subdivision (PPS) 4-07055.

REVIEW OF PRIOR APPROVALS

The following text addresses previously approved environmental conditions related to the subject application. The text in **BOLD** is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions.

Conformance with Conceptual Site Plan CSP-06002:

The approval of the CSP by the District Council included numerous conditions, several of which dealt with environmental issues to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the DSP are listed below. Because the TCPII must be in conformance with the TCPI associated with the CSP, conditions from the CSP with regard to the TCPI are also addressed.

15. **Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbance to the stream and floodplain buffers shall be eliminated. Where these buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The TCPI associated with the preliminary plan will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans and shall be honored.**

There are no disturbances to the stream or floodplain buffers associated with this application.

20. **Prior to the approval of the Preliminary Plan and Detailed Site Plan, the following shall be demonstrated:**
 - a. **Development plans shall show the minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.**

Evaluation of parking required, and pavement materials proposed with the current application will be addressed by the Urban Design Section.

- b. Streams shall have a 100-foot natural buffer and a 150-foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on the community property.**

There are no disturbances to the stream or floodplain buffers associated with this application.

- c. Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested in cooperation with the appropriate utility.**

All woodlands have been previously cleared from the development site currently under review.

- 25. All stream channels on the site should be depicted on all plans in their entirety, with the regulated stream buffer shown as required.**

There are no stream channels on this portion of the site.

Conformance with Preliminary Plan of Subdivision 4-07055:

The approval of the PPS included numerous conditions concerning environmental issues to be addressed during the review of subsequent detailed site plans, provided below. Because the TCPII must be in conformance with the TCPI associated with the preliminary plan, conditions from the preliminary plan with regard to the TCPI are also addressed.

- 10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.**

Stormwater management (SWM) on the Melford site is under the jurisdiction of the City of Bowie. There are previously constructed SWM retention ponds for the overall site, and Pond 1 is a wet SWM pond, located on Pod 6. The current DSP and TCPII propose the use of environmental site design (ESD) to augment previously constructed facilities.

Conformance with Detailed Site Plan DSP-07031:

The approval of the DSP included one condition concerning an environmental issue to be addressed prior to certification and during subsequent DSP reviews. The environmental conditions to be addressed during the review of the DSP are listed below.

- 8. Prior to certification of the detailed site plan, copies of the approved stormwater management concept plan and letter shall be submitted. The concept must be correctly reflected on the TCPII.**

This condition was addressed prior to certification of DSP-07031 and will also be addressed during the current review in the Environmental Review section of this memorandum.

Conformance with Conceptual Site Plan CSP-06002-01:

The approval of the amended CSP by the District Council included conditions concerning environmental issues to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the DSP are listed below, and are applicable to the current amended DSP.

- 7. Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:**
 - b. The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.**

The current application does not include streams or 100-year floodplain buffers.

- c. Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**

All woodlands have been previously cleared from the development site currently under review.

- d. The open space system, including but not limited to environmentally sensitive areas, shall extend through the site, and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.**

No portion of the open space system is located on the currently proposed development site.

- 8. All stream channels on the site shall be depicted on all plans in their entirety, with the regulated stream buffer shown as required.**

No streams or regulated stream buffers are located on the development site currently under review.

9. At the time of detailed site plan (DSP), the following design issues shall be addressed:

- a. The plans shall show the stormwater management ponds as amenities, with gentle natural slopes and extensive native planting.**

The SWM features for the proposed development site were previously constructed, and no modification is proposed for the current development site.

- d. Applicable DSPs that may affect the historic vista of the Melford and Cemetery Historic Site (71B-016) shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in Conceptual Site Plan CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.**

Pod 6 is not within the designated view corridors established with CSP-06002-01.

- e. Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.**

Pod 6 is not within the Melford and Cemetery Historic Site impact review area.

ENVIRONMENTAL REVIEW

Natural Resource Inventory/ Environmental Features

A Natural Resource Inventory (NRI-054-06-02), was approved on January 16, 2018, and is provided with this application. The overall Melford site contained a total of 168.35 acres of woodland on the net tract, of which 30.68 was originally located on Pod 6; but the entirety of Pod 6 has been cleared in conformance with subsequent revisions to TCPII-036-99. No additional information is required with regard to the NRI.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved TCPs. This Pod had previously been graded under TCPII-036-99.

A Type II Tree Conservation Plan (TCPII-036-99-19) was submitted with the DSP and a revised TCPII was submitted on September 29, 2022. The TCPII indicates that Pod 6 has been almost fully cleared over time, and when this DSP was originally reviewed, only 1.87 acres of woodlands were remaining. With the -08 revision to the TCPII, an additional 0.43 acres of woodland was cleared, leaving 1.44 acres of woodland preservation located within the existing wetland on the east portion of the site, which is proposed for preservation. The clearing and preservation on Pod 6 is consistent with the current DSP.

The worksheet on the TCPII is based on the original area of woodlands provided on-site with TCPII-036-99. According to the worksheet, the overall site is 428.15 acres within the M-X-T Zone. A total of 168.35 acres of existing woodlands are on the net tract. The site has a woodland conservation threshold (WCT) of 43.26 acres, or 15 percent of the net tract, as tabulated. The woodland conservation worksheet proposes the removal of 113.95 acres of woodland in the net tract area, and the removal of 0.23-acre in the floodplain, for a woodland conservation requirement of 71.97 acres. The TCPII shows this requirement will be met with 51.06 acres of woodland preservation, 7.71-acre of afforestation/reforestation, 9.74 acres of specimen/historic tree credit, 0.42-acre of fee-in-lieu, and 3.04 acres of off-site woodland conservation credits.

The TCPII plan requires technical corrections to be in conformance with the WCO. These revisions are specified in the recommended conditions below.

Specimen, Champion, or Historic Trees

The approved NRI-054-06-02 indicates that no specimen, champion, or historic trees have been identified on the subject property. No further information is required with this application.

Preservation of Regulated Environmental Features/Primary Management Area

There are no regulated environmental features (REF) or primary management area (PMA) located on this portion of the site.

Soils

The predominant soil found to occur, according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include the Collington-Wist complex, Adelphia-Holmdel-Urban land complex, Woodstown sandy loam and Swedesboro-Galestown complex. Marlboro clay and Christiana clay are not found to occur in the vicinity of this property.

Stormwater Management

The City of Bowie (City) has jurisdiction over SWM concept and final technical approvals for this site. An approved SWM concept plan (number 01-0420-207NE15), which includes Pod 6, was submitted with this application. A letter dated September 27, 2022, from Bruce Beasman, the City Engineer, states that no additional changes to the SWM concept will be required for the new layout shown in this DSP. The SWM concept plan shows the use of a regional pond and two bioretention facilities.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The Environmental Planning Section recommends approval of DSP-07031-05 and TCPII-036-99-19, subject to the following recommended finding and condition.

Recommended Finding:

1. The regulated environmental features (REF) on the subject property have fully been preserved and/or restored based on consistency with the limits of disturbance shown on the previously approved Conceptual Site Plan (CSP-06002-01) and Type I Tree Conservation Plan (TCPI-044-98-04); and Preliminary Plan of Subdivision 4-07055, approved with TCP1-044-98-01. No REF are located within the limits of the current application.

Recommended Condition:

The Environmental Planning Section recommends approval of Detail Site Plan DSP-07031-05 and Type II Tree Conservation Plan TCPII-036-99-19, subject to the following condition:

1. Prior to signature approval of the DSP, the TCPII shall be revised as follows:
 - a. Correct the sheet numbering.

September 9, 2022

MEMORANDUM

TO: Tierre Butler, Urban Design
FROM: Jason Bartlett, Permit Review Section, Development Review Division
SUBJECT: Referral Comments for DSP-07031-05, Melford Town Center - Pod 6

1. ZONING REGULATIONS:

In general, and per Sec. 27-548(c), zoning regulations in the M-X-T zone shall be determined by the Planning Board, however, applicant must meet the FAR requirements of Sec. 27-548(a).

2. PARKING:

Per Sec. 27-574(a), the number of parking spaces required in the M-X-T Zone shall be determined by the Planning Board. Parking calculations, along with the methodology, assumptions, and data used in performing the calculations should be provided for consideration and review.

3. SIGNS:

Per Sec. 27-613(f)(1) and Sec. 27-614, the design standards for all signs in the M-X-T Zone shall be determined by the Planning Board.

***** END OF COMMENTS *****

September 27, 2022

MEMORANDUM

TO: Andrew Bishop, Planner II, Urban Design Section, Development Review Division
VIA: David A. Green, MBA, Planner IV, Community Planning Division 
FROM: Thomas Lester, Planner III, Master Plans and Studies Section, Community Planning Division TEL
SUBJECT: **DSP-07031-05 Melford Property, Pod 6**

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Detailed Site Plan for property outside of an overlay zone.

Location: 5801 Howerton Way, Bowie, MD 20715

Size: 38.88 acres

Existing Uses: Vacant

Proposal: Hospital

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: The 2014 *Plan Prince George's 2035 Approved General Plan* places this application in a Local Center. Bowie is identified as one of 26 Local Centers on the Prince George's County Growth Policy Map (Page 18). "Local Centers are focal points for development and civic activities based on their access to transit or major highways. The plan contains recommendations for directing medium- to medium-high residential development along with limited commercial uses to these locations, rather than scatter them throughout the Established Communities." (Page 19)

The Plan 2035 Center Classification System (Table 16) further describes Bowie Town Center (Local) as one of five Town Centers (Local) as “A range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall, the Centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. These centers typically have a walkable core or town center.” (Page 108)

Master Plan: The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* recommends Mixed-Use land uses on the subject property.

Planning Area: 71B

Community: City of Bowie

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

SMA/Zoning: The 2006 *Approved SMA for Planning Areas 71A, 71B & 74B* reclassified the subject property into the M-X-T (Mixed Use -Transportation Oriented) zone. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (“CMA”) which reclassified the subject property from M-X-T to TAC-E (Town Activity Center - Edge) zone effective April 1, 2022.

ADDITIONAL INFORMATION:

None.

cc: Long-range Agenda Notebook
Kierre McCune, AICP, Supervisor, Master Plans and Studies Section, Community Planning Division



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

August 30, 2022

The Honorable Peter A. Shapiro, Chairman
Prince George's County Planning Board
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

RE: Revision to Detailed Site Plan #DSP-07031-05
Melford Pod 6

Dear Chairman Shapiro:

On Tuesday, July 5th, the City Council conducted a public hearing on your request for a revision to the approved site plan for Pod 6 of the Melford project. The purpose of the revision is to substitute 59,640 square feet of research and development/flex space instead of office uses within the project, which is permitted under current approvals. The subject property contains approximately 15.68 acres and is zoned Town Activity Center-Edge (TAC-E). The location of the proposed development is south of Melford Boulevard, north of Howerton Way, and east Tesla Drive.

At the conclusion of the public hearing, the City Council voted to recommend **APPROVAL** of #DSP-07031-05, finding that the proposed Detailed Site Plan revision represents a reasonable alternative for satisfying the Zoning Ordinance's site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

Thank you for the opportunity to comment on this proposed revision to the Detailed Site Plan and for your serious consideration of the City's recommendation.

Sincerely,

Bowie City Council
Timothy J. Adams
Mayor

cc: Mr. Robert J. Antonetti, Jr., Shipley and Horne, P.A.

Additional Back-up

For

DSP-07031-05

Melford Property Pod 6

Melford – Pod 6
(DSP-07031-05)
Planning Board Hearing
November 3, 2022

Revised Condition

1. Prior to certification of the detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall:
 - d. Revise the DSP to modify ~~close the intra- inter-parcel connection along the southwestern portion of Lot 1~~ to include the signage and driveway dimensions shown in Applicant's Exhibit 1, thereby ~~separating the truck court from the surface parking area.~~

~~Strikethrough~~ represents deleted language 1
Underline represents added language

Melford Property Pod 6
(DSP-07031-05)
Planning Board Hearing
November 3, 2022
Revised Findings

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George’s County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-X-T Zone of the prior Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, as permitted uses in the M-X-T Zone. The application is proposing one single-story building on Lot 1 and one multi-story office building with one single-story building on Lot 7. Office uses are permitted by right in the M-X-T Zone.
 - b. The DSP conforms with Section 27-548, M-X-T Zone, of the Zoning Ordinance. At the time of CSP-06002 approval, the total density approved for the Melford Development was between 0.09 and 1.4 FAR through the Optional Method of development. The total floor area ratio is 0.68 for this application, which is within the maximum outlined in the CSP. The total square footage proposed for Building A on Lot 1 is 36,120 square feet and Building G on Lot 7 proposed 23,520 square feet. The proposed gross floor area of office space in this DSP is still within the approved range for office use.
 - c. The DSP is in conformance with the additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as outlined in Section 27-546(d) of the Zoning Ordinance. The proposed development promotes the orderly redevelopment providing office uses as permitted in the M-X-T Zone. This project will enhance the economic status of the County and provide an expanding source of desirable employment opportunities for its citizens.
 - d. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. The proposed development is and located within the larger Melford development and is consistent with the character and purpose of the surrounding area. The architecture consists of harmonious building materials and the site amenities contribute to an attractive development. Adequate vehicular and pedestrian circulation and lighting are proposed on site. On-site green space is provided, and the landscaping is in conformance with the Landscape Manual.

Blue underlined text represents added language