



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

Detailed Site Plan

DSP-19052

The Mansions at Melford Town Center

REQUEST	STAFF RECOMMENDATION
Development of 435 multifamily dwelling units and one 12,000-square-foot clubhouse with other associated site improvements.	APPROVAL with conditions

Location: On the east side of Curie Drive, approximately 424 feet north of Melford Boulevard.	
Gross Acreage:	53.95
Zone:	M-X-T
Dwelling Units:	435
Gross Floor Area:	706,364
Planning Area:	71B
Council District:	04
Election District:	07
Municipality:	Bowie
200-Scale Base Map:	207NE15
Applicant/Address: St. John Properties 2560 Lord Baltimore Drive Baltimore, MD 21244	
Staff Reviewer: Henry Zhang, AICP, LEED AP Phone Number: 301-952-4151 Email: Henry.Zhang@ppd.mncppc.org	



Planning Board Date:	02/20/2020
Planning Board Action Limit:	02/20/2020
Staff Report Date:	02/5/2020
Date Accepted:	11/27/2019
Informational Mailing:	08/12/2019
Acceptance Mailing:	11/26/2019
Sign Posting Deadline:	01/21/2020

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MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-19052
Type 2 Tree Conservation Plan TCP2-036-99-15
The Mansions at Melford Town Center

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

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. 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;
- b. The requirements of Conceptual Site Plan CSP-06002 and its amendment;
- c. The requirements of Preliminary Plan of Subdivision 4-16006;
- d. The requirements of Detailed Site Plan DSP-17020;
- 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;
- h. Referral comments.

FINDINGS

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

1. Request: The subject application is a detailed site plan (DSP) for development of a multifamily residential complex consisting of 435 multifamily dwelling units in nine separate buildings and one 12,000-square-foot clubhouse with a swimming pool and other associated amenities.

2. Development Data Summary:

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use	Vacant	Multifamily Residential
Acreage (Gross)	53.95	53.95
Building Square Feet (Gross floor area) sq. ft.	0	706,364
Of which clubhouse and bathhouse		12,000
Residential Units		562,486
1st Floor Garage and G1 Basement		131,878
Total Dwelling Units	-	435
1 Bedroom		188
2 Bedroom		171
2 Bedroom with a den		28
3 Bedroom		48
Building Height		4 to 5 Stories
Standard Spaces	-	485
Compact Spaces	-	168
Parallel (On-site)		19
Standard Handicap-Accessible Spaces	-	25
Of which Van Accessible	-	6
Total Spaces Provided	-	697
Loading Spaces Provided (12 ft. by 33 ft.)	-	2

Note: *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 submitted an analysis (dated May 20, 2019, by Lenhart Traffic Consulting, Inc.) to be approved by the Prince George’s County Planning Board. See Finding 7 for a discussion of the parking analysis.

3. Location: The larger 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 site included in this DSP is located on the north side of Lake Melford Avenue, in the northeast quadrant of its intersection with Curie Drive, in the geographic center of Melford Town Center.

4. Surrounding Uses: The overall Melford site is bounded to the north by single-family detached dwellings in the Residential-Agricultural (R-A) Zone and vacant park property in the Reserved Open Space Zone; to the east by the Patuxent River; to the south by the US 50/US 301 right-of-way and a vacant property in the Open Space (O-S) Zone; and to the west by the MD 3 right-of-way. The subject DSP site is within the geographical center of

Melford Town Center, which is located at the intersection of Curie Drive and Lake Melford Avenue. The site is bounded to the north by existing woodland, to the east by undeveloped land in the Melford Town Center with an existing stormwater management (SWM) pond and woodland beyond, to the west by the public right-of-way (ROW) of Curie Drive and the approved DSP-18007, The Aspen at Melford Town Center beyond, and to the south beyond the ROW of Lake Melford Avenue by townhouse development approved in an infrastructure DSP-18034, all in the Mixed Use-Transportation Oriented (M-X-T) Zone.

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 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, District Council approved CSP-06002 with 4 modifications and 29 conditions, rejecting the residential component of the proposed development. Over the years, numerous SDPs and 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 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, 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. The CSP amendment was appealed and heard by District Council on February 23, 2015. District Council subsequently issued an Order of Approval on March 23, 2015, supporting the development, as approved by the Planning Board.

PPS 4-16006 was approved by the Planning Board on March 9, 2017, for 256 lots and 50 parcels to accommodate 359,500 square feet of commercial uses (124,500 square feet of commercial retail and 235,000 square feet of office and medical offices) and 1,793 residential units (283 attached units and 1,500 multifamily units). The Planning

Board adopted PGCPB Resolution No. 17-45 on April 6, 2017. A request for reconsideration was granted on May 18, 2017. However, on June 29, 2017, the case was appealed to the Circuit Court for Prince George's County and the reconsideration request was dismissed, without prejudice, on July 20, 2017.

DSP-17020, for grading and infrastructure of Melford Town Center, was approved and its resolution adopted by the Planning Board on December 7, 2017 (PGCPB No. 17-152) with three conditions.

DSP-18007 for a 388-unit multifamily building located on a 6.62-acre area was approved by the Planning Board on July 12, 2018, subject to six conditions, and the resolution (PGCPB No. 18-66) was adopted on July 26, 2018. A staff-level amendment to the DSP was approved on November 21, 2019.

DSP-18026 for 57,845 square feet of commercial retail space on an 8.83-acre area was approved by the Planning Board on January 17, 2019, subject to three conditions, and the resolution (PGCPB No. 19-12) was adopted on January 24, 2019.

DSP-18034 for infrastructure, for 205 single-family attached (townhouses) and 44 two-family attached dwelling units, on a 28.38-acre area was approved by the Planning Board on January 17, 2019, subject to four conditions, and the resolution (PGCPB No. 19-13) was adopted on January 24, 2019.

The site also has an approved City of Bowie SWM Concept Plan, 01-0317-207NE15, which is valid until March 20, 2020.

6. **Design Features:** The subject DSP proposes a multifamily residential complex consisting of nine individual buildings and a clubhouse with an inground swimming pool, bathhouse, and outdoor sitting areas including deck space, lounge chairs, cabanas, and grills. All buildings, except for Building B, are located in the northeast quadrant of the intersection of Lake Melford Avenue and Curie Drive. Building B is located on the south side of Lake Melford Avenue surrounded on three sides by the townhouse development previously approved in DSP-18034. The subject site is accessed via three vehicular drives from both Curie Drive and Lake Melford Avenue. The eight residential buildings on the north side of Lake Melford Avenue are arranged to address both frontages of Curie Drive and Lake Melford Avenue, with the clubhouse in the center. Surface parking lots are located throughout the site to be as close as possible to the buildings. A public plaza, featuring green space and a sitting area as a focal point, is located adjacent to the intersection of Curie Drive and Lake Melford Avenue. This public open space is complementary in character to the public plaza across Curie Drive to the west that features an expanse of hardscape, as approved in DSP-18007. Sidewalks are proposed on both sides of all roadways and most of the parking lots connecting the plaza and the clubhouse with the rest of the site.

Architecture

The building design is inspired by the design, materials, and articulation of the existing Melford House, the Belair Mansions, and other architectural heritage in the general area. All buildings are designed in a coordinated manner featuring three-parts composition and asphalt-shingled, hip roofs with various types of dormers and other roof articulation. The buildings are finished with a combination of brick veneer and cementitious panels. Other architectural features such as trim, white composite siding trim, columns, balconies, and

standing seam metal roof sections are also used extensively on the buildings. Other design techniques such as changing of the building mass, projection, and recess of different parts of the building plate, along with various vertical treatments have been used to breakdown the expanse of horizontal volume of all residential buildings. Special treatment, such as various shapes of canopy has been used at the main entrance to each building. Finish materials have also been used on different parts of the elevation to create visual interest. All residential buildings are 4 to 5 stories in height, between 69 and 91 feet. The architectural design is in conformance with the previously approved Melford Village Design Guidelines for multifamily buildings, also known as multifamily villas.

The one-story, 42-foot-high clubhouse is designed in a similar way, but with a standing seam metal pitched roof. A tower element is also used to mark the main entrance to the building. Other materials and parts, such as vertical wood siding, cast stone, metal coping, metal canopy, aluminum gutter, wood louvers, and aluminum store front windows, are employed in the building design. The swimming pool area is enclosed with an aluminum fence on a brick base.

Signage

Signage for the project includes an extensive monument sign, curved in form, and punctuated with brick piers capped with granite, forming a background of the pavilion at the public plaza. The project name Melford Mansions is located on the sign face with a big M on the twisted aluminum fence, as part of the sign feature that can be visible from both Curie Drive and Lake Melford Avenue. However, due to the fact that this area is a public plaza for use by the entire Melford Town Center, staff recommends that this sign be removed, as conditioned herein.

Another simplified monument sign featuring two different elements of a short brick pier with cast concrete cap, two taller plates with the project name, and a large M at a 90-degree angle is proposed to be located at the three corner points of the site. The panel of the sign has a brick base and shows a very contemporary appearance. Other signage includes an identical sign text and M logo mounted on the tower of the clubhouse, trail marker sign (metallic aluminum finish), and address and parking signs at each residential building.

Lighting

Freestanding pole and building-mounted lighting fixtures are provided with this DSP, along with a photometric study. The specifications of freestanding pole lights include streetlights, pedestrian walkway lights, such as Acorn-style post lights, and plaza lighting details are provided. All lighting fixtures are full cut-off LED types that limit light spill-over onto adjacent properties. The proposed lighting design is acceptable.

Green Building and Sustainable Site Development Techniques

The proposed multifamily residential complex is intended to achieve LEED (Leadership in Energy and Environmental Design) GOLD certification. However, there was no LEED Score Card submitted with this application. The main techniques to be employed in this development project are summarized, as follows: secure bicycle storage; permeable pavement to reduce runoff; micro-bioretenion areas; high-efficiency fixtures; zero use of chlorofluorocarbon-based refrigerants; trash and recyclable storage rooms in each building; and indoor air quality management plans during construction and preoccupancy phases.

Recreational Facilities

In accordance with the formula for determining the value of recreational facilities of the Prince George's County Department of Parks and Recreation, the proposed development of 435 multifamily residential units is obligated with a recreational facility package of approximately \$404,000. The applicant proposed facilities and amenities with an estimated cost as follows:

<i>Clubhouse</i>		
Fitness Center	3,150 sq. ft	\$630,000
Community/Game Room	2,780 sq. ft	\$625,500

Bathhouse	1,500 sq. ft	\$225,000
Pool and Pool Deck	7,500 sq. ft	\$450,000
Outdoor Party/BBQ Area	8,300 sq. ft	\$498,000

The estimated value of \$2.4 million of the proposed recreational package as shown above exceeds what is normally required for this development. The timing for the completion of construction and installation of the proposed recreational facilities has been included in the Recommendation section of this report.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County 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 Prince George's County Zoning Ordinance.

a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in all mixed-use zones. Residential dwelling units of all types, excluding mobile homes, are permitted in the M-X-T Zone, subject to Footnote 7, which states that the maximum number and type of dwelling units shall be determined at the time of CSP approval.

At the time of CSP-06002-01 approval, a total of 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 was included. There is only one DSP (DSP-18007) approved for 388 multifamily dwelling units. With the approval of this DSP, the total multifamily dwelling units will be 677, which is below the maximum 1,000 units allowed.

b. The subject application is in conformance with the requirements of Section 27-547(d), which governs the required mix of uses in all mixed-use zones. The proposal is part of the overall Melford Town Center development, which was approved for a mixed-use development consisting of retail, office, hotel, and residential uses. The subject DSP, which proposes residential uses, contributes toward the overall mix of uses on the larger project, as approved under CSP-06002, when the remainder of the overall development is taken into consideration.

c. Section 27-546, Site Plans, of the Zoning Ordinance has additional requirements for approval of a DSP in the M-X-T Zone, as follows:

(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;

The purposes of the M-X-T Zone, as stated in Section 27-542 of the Zoning Ordinance, are as follows:

(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;

The multifamily residential use proposed in this DSP is geographically located in the middle of the larger Melford Town Center development that is located at the major interchange of US 50/US 301 and MD 3, in accordance with this purpose. In addition, the project will generate taxes, jobs, and additional residential options, also in accordance with this purpose.

(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 subject property will be developed in accordance with the relevant land use policy recommendations contained in Plan 2035 and the Bowie and Vicinity Master Plan and SMA, as described in Section IV of the applicant's statement of justification (SOJ), which is incorporated herein by reference. The multifamily residential use proposed in this DSP will be complementary to the existing and proposed office and retail uses and serves as a catalyst for the mixed-use development contemplated by CSP-06002-01.

- (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 multifamily residential use proposed in this DSP will enhance the value of surrounding land and buildings and serve as a catalyst to the mixed-use development contemplated by the previously approved CSP-06002-01, in accordance with this purpose.

- (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 subject DSP is the second multifamily residential development that is part of a larger CSP, which includes 2,500 residential dwelling units, 268,500 square feet of retail uses, and 260,000 additional square feet of office space. As this will result in shared trips and people being able to walk and bike between varying uses in the development, the subject proposed residential development will support the above purpose.

- (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 multifamily residential use will provide critical mass to those uses already constructed and will further this purpose. The project will have residents that contribute to 24-hours-a-day synergy and will complement existing and proposed retail, office, and industrial land uses within Melford. This project will further the interaction between uses, as some people who work in the area would have the option to live and shop in the area.

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

The proposed multifamily residential use will provide the second multifamily residential component of the horizontal mixed-use development within the Melford Town Center. As mentioned previously, the interaction between uses and those who live, work, shop, and visit the area will blend together harmoniously and complement each other.

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

The proposed multifamily residential use will be a first step in completing the mixed-use community envisioned by CSP-06002-01. The design of the nine multifamily buildings, in accordance with the multifamily villa design standards approved for the Melford Town Center, create a distinctive image. Future development applications will continue to reflect and emphasize the relationships between individual uses to create a distinctive visual character and identity, consistent with the previously approved CSP and PPS.

(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;

SWM policies and other green building and sustainable site development principles are incorporated into the site's development. The SWM Concept Plan for the project (01-0317-207NE15) was approved by the City of Bowie, with conditions, and incorporates innovative SWM techniques, as required above. The overall Melford Town Center will have up to 10 percent of its surface parking spaces utilizing pervious pavement, which is a sustainable development technique that will reduce the amount of impervious surface.

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

The mixed-use development approved by CSP-06002-01 included three major use categories, retail businesses, office, research or industrial uses, and residential dwellings that are necessary for any mixed-use development to be successful and allow maximum flexibility for a response to the market. As discussed previously, the multifamily residential use proposed with this application is expected to provide the needed residential options to the office, retail, and industrial uses and catalyze the mixed-use development contemplated by CSP-06002-01.

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

The subject DSP proposes architectural design that is in accordance with the multifamily villa design guidelines approved in CSP-06002-01 for the town center. The buildings are visually attractive, respond to existing site conditions, and utilize form and massing, architectural materials, and details that respond to the adjacent historic Melford House and Belair Mansion.

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

The subject property, as part of the larger project, 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. However, the approved CSP does include comprehensive design guidelines that guide the design of this multifamily residential complex. The SOJ submitted by the applicant provides a review of the applicable guidelines, that are incorporated into this staff report by reference.

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

The proposed multifamily development is part of a larger mixed-use development 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 (i.e. Lake Melford Avenue and Curie Drive) and pedestrian systems, including sidewalks and trails, as reflected on the DSP. Further details about the overall transportation network (including pedestrian, bicycle, and automobile connectivity) will be reflected on future DSPs, in conformance with the design guidelines approved with CSP-06002-01. In addition, the approved CSP requires the construction of a pedestrian connection from Lake Melford Avenue to the adjacent retail villages and residential uses in Melford Town Center and further to the residential neighborhood to the west of MD 3. This pedestrian connection will add a further element of an outward orientation.

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

The proposed development of a multifamily residential complex on this site was anticipated by the previously approved CSP-06002-01 and PPS and is therefore compatible with the development concept of Melford 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;**

The subject DSP proposes high-quality multifamily residential buildings and a clubhouse with amenities that will represent the third residential use proposed within the boundaries of the Melford Town Center. The proposed development has been designed in anticipation of additional uses and structures that will be developed in future phases of the project. Details regarding future uses, building design, and public amenities will be reflected in forthcoming DSPs that reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.

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

The development shown on the DSP will be completed in one phase. However, this development is part of a larger project approved under one previously approved CSP. The development of this site will allow effective integration of subsequent development because this development will provide needed housing options.

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

The overall Melford Town Center 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. 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. In the review of the prior CSP-06002-01 application, the trails coordinator determined that the trail limits and alignment are acceptable, as shown on the submitted trail construction plans, and fulfill the master plan recommendations for a trail along the stream valley.

(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

Details pertaining to areas for pedestrian activities and gathering spaces, specifically the corner public plaza, have been provided in this DSP. The arrangement of these areas generally reflects a well-conceived design for pedestrian and gathering spaces, including attention to material type, landscaping, and street furniture, to give these spaces a well-defined sense of place. The plaza in this DSP is intended for passive activities featuring more open green area that is complementary to the more urban plaza, featuring hardscape, across Curie Drive to the west.

(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.

This requirement is not applicable to this DSP.

- (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 Transportation Planning Section noted that the most recent adequacy finding for the overall M-X-T site was made in 2017 with PPS 4-16006, and the proposed DSP falls within the allowed trip cap.

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

The subject DSP does not propose a mixed-use planned community.

- d. Section 27-548, M-X-T Zone Regulations, of the Zoning Ordinance establishes additional standards for development in this zone. The DSP'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—8.00 FAR.**

This DSP is part of the approved CSP for the Melford Town Center. The CSP was approved using the optional method of development for the M-X-T Zone, as set forth in Section 27-545 of the Zoning Ordinance. As such, the Melford Town Center is entitled to a maximum floor area ratio (FAR) of 1.4 (0.4 base FAR, plus 1.0 bonus FAR for including 20 or more residential units). The proposed maximum FAR is approximately 0.7 with the approval of this DSP for the entire Melford Town Center, including all existing,

currently proposed, and approved gross floor area, in relation to the land area of CSP-06002-01.

- (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 DSP includes a total of 10 buildings on 11 separate parcels, as allowed by this regulation.

- (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 coverage, height, and location of all improvements are reflected on the DSP and are acceptable. Once this DSP is approved, those indicators will be the regulations for the development of this multifamily complex.

- (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). See Finding 11 below for a detailed discussion.

- (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 Melford Town Center, including the proposed development, is approximately 0.7, which is calculated in accordance with this requirement and is within the maximum permitted FAR of 1.4 for this development.

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

No proposed structures will infringe upon public rights-of-way. The subject project meets this requirement.

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

The development parcels have frontage on and direct access to public streets, or as determined in PPS 4-16006.

- (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.**

In accordance with the information provided by the applicant, Building A is 79 feet high; Building B is 91 feet; Buildings 1, 2, 3, and 7 are 81 feet; Buildings 4 and 5 are 69 feet; and Building 6 is approximately 86 feet. All proposed multifamily buildings are below the maximum height of 110 feet.

- (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.

- e. 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 instant DSP proposes parking spaces in surface parking lots, one carport, and structured parking within the first floor of all the multifamily buildings, except for Buildings 4 and 5. This is in conformance with the CSP design guidelines and the appropriate provisions of the Landscape Manual. All the proposed parking lots are conveniently located to serve the intended buildings.

(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.**

There are two loading spaces proposed with this DSP. One loading space is on the south side of Building B and the other is located at the northern end of the covered parking between Buildings 3 and 4. The loading space locations should be clearly labelled on the site plan. A condition has been included in the Recommendation section of this report to require the labelling of the loading spaces on the parking and loading exhibit, prior to certification of this DSP.

(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 proposed multifamily residential use in this DSP is consistent with the design guidelines approved in CSP-06002-01 for a mixed-use community. The construction of Lake Melford Avenue through the site, and the interconnected on-site circulation will implement a vital circulation element identified in the CSP. The proposed driveway entrances for the Melford Mansions will be complimentary to the planned road network in this portion

of the site. All crosswalks along pedestrian sidewalks routes will be prominently identified/marked, and all Americans with Disability Act (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.**

The lighting proposed in this DSP meets all the above requirements. All prominent on-site elements, such as the main entrance to each building and parking areas, will be consistently lit. The site will also incorporate full cut-off optics to limit light 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 subject DSP proposes thoughtfully designed residential structures that preserve scenic views. Primarily, views to and from the Melford Historic Site will be maintained, as required by the design guidelines approved with the CSP. It should be noted that no

grading is proposed within the environmental setting for the Melford House or Duckett Family Cemetery. Further, the architecture utilizes materials that are complimentary and sympathetic to the adjacent Melford House. Specifically, the proposed buildings utilize brick, other masonry materials and architectural features that respond to the federal style architectural elements present within 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.**

The subject DSP contains appropriate green areas for the proposed buildings. Specifically, a public plaza with green space and a pavilion is provided at the intersection of Lake Melford Avenue and Curie Drive that will provide a passive recreational venue for the residents. A significant portion of the main plaza will include seating space (with street furniture/benches), and decorative pavers. In addition, on-site amenities will also include a clubhouse building with an outdoor pool, courtyard, seating area, grills and a cabana-style lounge, and an associated bathhouse.

(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.**

The subject DSP contains details related to the proposed streetscape amenities and hardscape. The proposed streetscape amenities will contribute to an attractive and coordinated design to be shared throughout future sections of the Melford Town Center development.

(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 through the proposed design and all proposed drainage devices will be designed to minimize views of them from public areas to the fullest extent practicable. The buildings are designed to respond to the falling grades present on the site. As such, the proposed buildings slightly step down to be compatible with prevailing topographical conditions in this portion of the Melford Town Center.

(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 service areas are located in the rear of Buildings B and 3. These areas will allow for quick and efficient delivery of items needed for the residential tenants. Trash/dumpster areas are shown on the plans and will be located within the proposed buildings.

(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.**

The DSP includes a significant portion of the main plaza that has a large pavilion, significant seating space (with street furniture/benches), and decorative pavers. This public space will be easily accessible to residents and visitors of the entire Melford Town Center project. The plaza space will be connected to the rest of the property by a pedestrian sidewalk network on both sides of the adjacent public streets.

(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.**

The multifamily buildings in this DSP conform to the relevant portions of the Design Guidelines approved with the CSP. Specifically, the Melford Mansions

represents Multi-Family Villas described on page 41 of the approved Design Guidelines. In addition, the building meets all the required frontage requirements contemplated along the future east/west boulevard, as described on page 37 of the approved Design Guidelines. The proposed buildings are 5 stories along Lake Melford Avenue, exceeding the 3-story minimum height requirement on page 38 of the Design Guidelines. Further, all elevations of the proposed buildings are treated like a front façade by use of high-quality brick and masonry materials (such as cementitious fiber board) on all sides of the buildings. The proposed elevations of the buildings utilize a variety of colors and materials and façade projections to create visual interest.

- f. 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).

In a memorandum dated May 20, 2019, Lenhart Traffic Consulting, Inc. provided the required parking analysis for this development and concluded that, with a base parking requirement of 696 spaces and a parking supply of 697 spaces, there are projected to be a surplus of parking spaces using the parking calculation procedures, as outlined in Section 27-574. Lenhart Traffic Consulting, Inc. further concluded that, based upon this information, the site will be adequately parked as proposed. The Urban Design Section is in agreement with the conclusion of the parking analysis. There is a slight inconsistency between the parking numbers shown on the DSP and in the parking study. The applicant should address the inconsistency prior to certification as conditioned herein.

8. **Conceptual Site Plan CSP-06002 and its amendment:** CSP-06002 was approved by 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 District Council on March 23, 2015, entirely superseding the original CSP-06002 approval. The conditions of CSP-06002 have been fully analyzed in the approval of CSP-06002-01. The 25 conditions attached to CSP-06002-01 are relevant to the review of the subject DSP, 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.**

In a memorandum dated January 17, 2020, the Transportation Planning Section stated that as of this writing, developments have been approved by previous DSP applications with a collective trip generation of 1,013 AM and 1,201 PM peak trips. The subject application represents the construction of 435 multifamily dwelling units, which are projected to generate 226 AM and 261 PM peak trips. Collectively,

all approved DSPs, plus the subject application, will generate a total of 1,239 AM and 1,462 PM peak trips. Consequently, the trip cap will not be exceeded.

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.**

Impervious surfaces in this application are minimized to the fullest extent possible, in accordance with the approved SWM concept plan. The proposed multifamily buildings include interior structured parking elements. In accordance with the applicant, this DSP will use pervious pavement for approximately 10 percent of the surface parking within this multifamily residential complex, if soil conditions allow.

- 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 subject DSP satisfies the approved 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.

- 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.**

The utility installation proposed in this application has been designed to minimize any impacts to environmentally sensitive areas. Any area cleared for this purpose will be reforested.

- 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.**

This DSP includes a public plaza at the intersection of Lake Melford Avenue and Curie Drive and open space and amenities associated with the clubhouse. The designed open spaces do not intrude into any natural open spaces, as previously shown on the approved CSP or PPS. An extensive sidewalk system connects the open spaces. The proposed development in

this application will allow for a continuation of the planned pedestrian and street network concepts endorsed by the Melford Town Center design guidelines.

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

The correct delineation of streams and regulated stream buffers is shown on the most recent natural resources inventory (NRI). There are no streams, stream buffers, or primary management area (PMA) within the limited buildable envelope, as shown on the 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.

The DSP does not include a SWM pond within its limit of disturbance.

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

A photometric plan has been provided to indicate that full cut-off lighting system will be used throughout the development.

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.

The proposed buildings in this DSP within the designated view corridors comply with the height requirements for buildings, as approved with the CSP.

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 Site is located to the west and south of the subject site. The architecture for this project has been inspired by the Melford House and Belair Mansion. The multifamily residential buildings offer a variety of building materials and features including brick veneer (in six colors), masonry (in four colors), cementitious siding (in eight colors), and asphalt shingles and standing seam metal roof element (in three colors).

The buildings also use a variety of columns and dormers to create interest and connect the structures to other prominent buildings in the area. The proposed architecture is compatible in scale, mass, proportion, materials, and architecture with the Melford Historic Site.

- 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.**

This DSP includes a comprehensive on-site recreational facility package as discussed in Finding 6 above, with a total value of approximately \$2.4 million. In addition, a public plaza is also proposed at the intersection of Lake Melford Avenue and Curie Drive. The number and size of the proposed recreational facilities are appropriate. All facilities will be maintained by the management of The Mansions at Melford Town Center. In accordance with this condition, the timing of the construction of both the public plaza and the clubhouse compound has been conditioned herein.

- 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 the Melford and Cemetery, Historic Site 71B-016, have been reflected on this DSP.

- 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.**

In accordance with the Historic Preservation Section, the most recent quarterly report received was on July 9, 2019, in accordance with this requirement. This condition will remain applicable to all future DSPs within 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.

The DSP shows 6-foot-wide sidewalks along the subject site's frontage on Curie Drive, Lake Melford Avenue, and throughout the entire site, in accordance with this requirement.

- 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.**

This DSP reflects all proposed curb cuts and other appropriate curb extensions.

- 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.**

The DSP has been modified from the CSP illustrative plan, in accordance with the approved PPS and environmental, master plan, and other considerations, as allowed by this condition to implement the land use vision, as approved in CSP-06002-01.

- 25. The phasing of all development proposed in CSP-06002-01 shall be determined at the time of detailed site plan.**

The development proposed in this DSP will be completed in a single phase of 12 to 16 months.

- 9. Preliminary Plan of Subdivision 4-16006:** PPS 4-16006 was approved by the Planning Board on March 9, 2017, with 24 conditions. The resolution of approval (PGCPB No. 17-45) was adopted by the Planning Board on April 6, 2017. The conditions of approval, relevant to the review of this DSP, are as follows:

- 2. At the time of final plat, the applicant and the applicant's heirs, successors and or assignees, shall grant a ten-foot-wide public utility easement (PUE) along all public rights-of way, and one side of all private streets, not including alleys. Any deviation from the 10-foot-wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.**

The subject property has frontage along the public rights-of-way of Curie Drive and Lake Melford Avenue. The DSP shows the required 10-foot-wide public utility easement (PUE) along Curie Drive. However, the DSP does not show the required PUE along Lake Melford Avenue and instead proposes utilities within the public right-of-way. This proposal is consistent with the prior approved PUE variation for the multifamily development west of this site, The Aspen at Melford. The proposed

buildings are provided along the frontage of Lake Melford Avenue, therefore shifting the utility location into the public right-of-way. The location of the PUE within the right-of-way, a variation from the normal requirement per Section 24-122(a) of the Subdivision Regulations, was previously coordinated and confirmed with the various utility companies and the City of Bowie. Prior to approval of the final plat, the applicant shall submit a justification, in accordance with Section 24-113 of the Subdivision Regulations.

3. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval and on the approved plan, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.**

The multifamily residential use proposed in this DSP is consistent with the approved PPS.

9. **At the time of detailed site plan and Type 2 tree conservation plan (TCP2) approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a historic setting vegetation management plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established. Implementation of the Plan would be subject to approval of a historic area work permit (HAWP). Development of a management plan would qualify trees within the environmental setting to be credit as "historic trees" at twice the usual woodland conservation ratio.**

At the time of TCP2, applicant may credit historic trees with the environmental setting of the cemetery as follows:

- a. **Permission of the owner or ownership of the property shall be demonstrated.**
- b. **A historic tree inventory of the environmental setting of the cemetery shall be prepared and included on the TCP2.**
- c. **A historic setting vegetation management plan for the cemetery shall be prepared for the purpose of identifying vegetation that should be removed to protect the existing graves on-site, to identify recommended maintenance activities, and to propose any additional planting appropriate for the site. The plan shall include a maintenance program for the cemetery to retain an open character over the known gravesites, a cost estimate for implementation of the plan and for a minimum of four years of maintenance and shall identify the party or parties responsible for the long-term maintenance of the environmental setting.**
- d. **The quantity of historic tree credits in the environmental setting shall be calculated and added to the woodland conservation worksheet.**

- e. **Prior to the issuance of grading permits for Melford Village which credit woodland conservation with the cemetery environmental for historic tree credit, a HAWP for implementation of the historic setting vegetation management plan shall be approved, and a bond for implementation of the plan shall be submitted. Bonding shall be held until the requirements of the plan is fully implemented, and four years of maintenance has been monitored.**

In a memorandum dated January 23, 2020, the Environmental Planning Section stated that a Phase 1 Historic Setting Vegetation Management Plan has been submitted for the Melford house site. The Vegetation Management Plan is the basis to establish a maintenance program for the protection and care of the historic trees retained, to support the granting of historic tree credits for woodland conservation, and to guide renovation and enhancement of the historic Chesapeake falling garden. Any work within the environmental setting of the historic site requires an Historic Area Work Permit to be reviewed and approved by the Historic Preservation Commission.

- 16. **Total development shall be limited to uses which generate no more than 2,353 AM peak-hour trips and 2,766 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.**

As discussed previously, the subject application represents the construction of an additional 435 multifamily dwelling units, which are projected to generate 226 AM and 261 PM peak trips. Collectively, all approved DSPs plus the subject application will generate a total of 1,239 AM and 1,462 PM peak trips. The trip cap will not be exceeded.

- 22. **To help fulfill the purpose of Condition 19 of Conceptual Site Plan CSP-06002-01, "sharrows" shall be installed by the applicant and the applicant's heirs, successors, and/or assignees on Curie Drive (and Science Drive, beyond the Melford Village project limits). The appropriate location(s) and triggers for permitting and construction of the sharrows shall be determined at the time of detailed site plan for each phase of the project.**

The applicant proposes to locate sharrows along the portions of Curie Drive that the Mansions at Melford Town Center will front on. The specific locations will be subject to the final approval of the City of Bowie.

- 10. **Detailed Site Plan DSP-17020:** DSP-17020, for rough grading and infrastructure for Melford Town Center, was reviewed and approved by the Planning Board on December 7, 2017, subject to three conditions, none of which are applicable to the subject DSP.
- 11. **2010 Prince George's County Landscape Manual:** Per Section 27-548, landscaping, screening, and buffering within the M-X-T Zone shall be provided, pursuant to the provisions of the Landscape Manual. The proposed multifamily residential complex is subject to Section 4.1, Residential Requirements; 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 landscape and lighting plan provided with the subject DSP contains the required schedules showing the requirements being met. However, for Section 4.3(c)(2), Interior Parking Lot Planting, the applicant should revise the calculations to separate the parking areas, as conditioned herein.

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 the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The site already has approved Type 1 (TCP1) and Type 2 tree conservation plans. A revised Type 2 Tree Conservation Plan (TCP2-036-99-15) was submitted with the DSP application.

- a. A revised Natural Resources Inventory, NRI-054-06-02, was approved for the subject property on January 16, 2018 because the previous NRIs had exceeded the validity period.

The environmental and cultural features identified on the revised NRI, and the delineation of the PMA, have been correctly transposed onto the current application plans. The limits of disturbance of the subject DSP contain no PMA.

At the time of the original approval and subsequent revisions, the NRI number was incorrectly noted as NRI-059-06, when the correct number should be NRI-054-06. This error will be corrected with any future revision to the NRI.

- b. TCP2-036-99-15 indicates that it covers a gross tract area of 428.15 acres, which is the portion of the Melford development (formerly University of Maryland Science and Tech Center) that is subject to the WCO and is significantly larger than the DSP under review.

The standard woodland conservation worksheet for the overall property indicates that the woodland conservation threshold for the site is 43.26 acres, based on the M-X-T zoning and a net tract area of 288.38 acres. The worksheet indicates that the site contains 161.86 acres of upland woodlands and 85.73 acres of wooded floodplain. The revised TCP2 proposes clearing 113.95 acres of upland woodlands, and 0.23 acre of wooded floodplain. No off-site clearing is proposed. Two federal projects (the Institute for Defense Analysis and the Holocaust Museum Analysis) and previously dedicated rights-of-way have been subtracted from the gross tract area consistent with the previous TCP1 approval. Based upon the clearing proposed, the applicant has calculated that the total woodland conservation requirement for the overall development is 71.97 acres.

The revised TCP2 proposes to meet the requirement with 51.60 acres of on-site preservation, including 12.11 acres of woodland conservation located on property owned by the Maryland-National Capital Park and Planning Commission; 11.91 acres of on-site afforestation-reforestation; 9.24 acres of Specimen/Historic Tree Credit; and 0.42 acres of fee-in-lieu. The plan also requires technical revisions to be in conformance with the applicable WCO, Environmental Planning Section policies, and the Environmental Technical Manual (ETM) as conditioned herein.

The TCP1 plan originally proposed Specimen/Historic Tree Credits within the environmental setting of the Melford historic site and cemetery. With this TCP2 revision, the applicant has submitted a Vegetation Management Plan for the environmental setting of the historic house which proposes the removal of historic trees on the site and requires approval of a variance from Subtitle 25.

- c. Effective on September 1, 2010, TCP applications are required to meet the requirements of Subtitle 25, Division 2, which includes the preservation of specimen, champion, and historic trees. Every reasonable effort should be made to preserve the trees in place, with consideration of different species' ability to withstand construction disturbance.

After consideration has been given to the preservation of the specimen or historic trees and there remains a need to remove any, a variance from Section 25-122(b)(1)(G) of the WCO is required. Applicants can request a variance from the provisions of Subtitle 25, provided that all the required findings in Section 25-119(d) of the WCO can be met and the request is not less stringent than the requirements of the applicable provisions of COMAR. An application for a variance must be accompanied by an SOJ stating the reasons for the request and how the request meets each of the required findings.

The NRI and TCP1 indicated that 44 specimen trees were located on the TCP2, which is outside of the environmental setting of the historic site. A Subtitle 25 variance application for the removal of twelve specimen trees was submitted and approved with the PPS.

The TCP2 includes an Historic Tree Table, which identifies individual trees located within the environmental setting of the Melford historic site. Previous approvals of TCP2-036-99 did not propose the removal of any historic trees, and specimen/historic tree credits were allowed based on the undisturbed root zone of the trees preserved.

The current application proposes to remove twelve historic trees within the environmental setting of the Melford house to implement Phase 1 of a historic site vegetation management plan submitted with the current application.

An SOJ, for the removal of twelve historic trees located within the environmental setting of the Melford house, was submitted to the Development Review Division, dated December 20, 2019.

The historic trees proposed for removal are indicated in the table below:

ID	Common Name/ Scientific Name	DBH (inches)	Condition Score/ Condition Rating		Comments	Proposed Disposition
7	Mockernut hickory/ Carya tomentosa	14	70	Good	Mechanical damage	Removal
30	Siberian elm/Ulmus pumilla	16,14,10,9,4,4	5726	Fair	Invasive	Removal
32	Ash sp./Fraxinus sp.	19	0	Dead		Removal
33	Ash sp./Fraxinus sp..	16	0	Dead		Removal
36	Ash sp./Fraxinus sp.	9,5	0	Dead		Removal
A	Willow oak/Quercus phellos.	26	38	Poor	Declining health	Removal
B	White oak/Quercus alba	35	0	Dead		Removal
C	Norway maple/Acer platanoides	38	27	Poor	Trunk and basal decay	Removal
H	Elm sp./Ulmus sp.	47	36	Poor	Root damage and decay	Removal
I	Red maple/Acer rubrum	35	41	Poor	Root damage and decay	Removal
J	American linden/Tilia americana	37	18	Critical	Serious decline	Removal
W	Ash sp./Fraxinus sp.	32	0	Dead		Removal

The SOJ submitted describes the need to remove these trees as the first phase of a rejuvenation of the environmental setting. Five of the trees proposed for removal are already dead, with the majority succumbing to Emerald Ash Borer. Six of the trees proposed for removal are classified as fair to critical condition, with conditions ranging from trunk and basal decay, decline, broken limbs, and mechanical damage. Only one tree is in good condition, but is a volunteer growing in a clump of old yews and needs to be removed so the shrubs can be retained and reshaped.

Section 25-119(d)(1) contains six required findings (text in **BOLD**) to be made before a variance can be granted. The SOJ submitted seeks to address the required findings for the removal of 12 historic trees located within the environmental setting.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

The SOJ indicates that the removal of the twelve identified historic trees is necessary to remove hazardous and dead trees, to reduce non-native invasive trees, and to support healthy rejuvenation of plant materials retained on the grounds. Staff finds that the vegetation management proposed is appropriate for the maintenance and enhancement of the environmental setting.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

The SOJ states that the expectation to retain all historic trees on the site would prevent the applicant from ordinary maintenance and management of the environmental setting consistent with the historic resource. Staff agrees that strict enforcement of these rules would deprive the applicant of rights commonly enjoyed by others in similar areas.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;

The SOJ states that the applicable development requirements are in effect for the protection of the environmental setting of a historic site, and that no special privilege would be conferred by granting the variance. The tree removal cannot occur without approval of an Historic Area Work Permit. The purpose of the tree removal is enhancement of an historic resource and support for adaptive re-use of the structure. All applicants have the right to request a variance to remove historic trees should they prove special circumstances exist that merit their removal to the Planning Board and the Historic Preservation Commission (HPC).

Staff agrees that the requested variance for the removal of historic trees does not confer any special privilege beyond that granted by the historic designation of the property, and the vegetation management proposed is in accordance with all other development requirements.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

The SOJ indicates that the presence and location of historic trees, and the existing conditions and circumstances on the site are not the result of actions by the applicant. Staff finds that the need for the variance is largely based on the existing conditions of the site and the health of trees and is not the result of actions by the applicant.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and

The SOJ indicates that the request to remove the historic trees is not related to a land or building use on a neighboring property. Staff agrees that the request to remove the trees does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality

The SOJ states that SWM will be provided, and water quality will be addressed, in accordance with state and municipal guidelines. Staff agrees that water quality will not be adversely impacted if the site is managed in accordance with a SWM plan approved by the City of Bowie.

Staff recommends approval of the Section 25-122(b)(1)(G) variance request for twelve historic trees (7, 30, 32, 33, 36, A, B, C, H, I, J, and W) based on the above discussion.

13. **Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, of the Prince George’s County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading 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 covered in this DSP is 53.95 acres; however, only 11.38 acres are listed in the TCC schedule. The TCC schedule should be revised to calculate the requirements based on the total gross acreage. The submitted TCC schedule shows approximately 1.29 acres, out of the disturbed area, is covered in tree canopy through proposed landscaping. A condition has been included in the Recommendation section of this report to correct the schedule.
14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions and the referral comments are summarized, as follows:
 - a. **Historic Preservation and Archeological Review**—In a memorandum dated January 22, 2020 (Stabler to Zhang), incorporated herein by reference, HPC provided a review of all applicable conditions attached to prior approvals pertinent to the review of this DSP, and the Vegetation Management Plan for the Melford Environmental Setting has been included in the findings of this report. Based on that review, HPC concludes that the materials and the color palettes of the proposed buildings are compatible with the historic character of the Melford Historic Site, and the Vegetation Management Plan will promote the health and protection of healthy historic specimen trees within the Melford Historic Site and provide a plan for the continued maintenance of the grounds. HPC recommends that the Planning Board approve DSP-19052, The Mansions at Melford and the applicant’s Vegetation Management Plan with no conditions.
 - b. **Community Planning**—In a memorandum dated January 16, 2020 (D’Ambrosi to Zhang), incorporated herein by reference, the Community Planning Division offered a discussion of the DSP’s conformance with Plan 2035, and indicated that master plan conformance is not required for this application.
 - c. **Transportation**—In a memorandum dated January 17, 2020 (Burton to Zhang), incorporated herein by reference, the Transportation Planning Section provided an analysis of transportation-related conditions of previous approvals and concluded that on-site traffic circulation and parking is acceptable, and all transportation conditions have been adequately addressed.
 - d. **Subdivision Review**—In a memorandum dated January 21, 2020 (Sievers to Zhang), incorporated herein by reference, the Subdivision and Zoning Section provided an analysis of the applicable conditions attached to PPS 4-16006 that are relevant to the review of this DSP, as included in Finding 9 above, as well as the following summarized discussion:

This DSP proposes cross access over multiple parcels for the circulation of the multifamily development and clubhouse north of Lake Melford Avenue. The main

access driveway is located on Parcel EE and the proposed clubhouse is located with a multifamily building on Parcel FF. Given the multifamily Parcels DD-LL are dependent on one another for access and circulation, the parcels are considered to be one lot.

The Melford Village Plaza is envisioned as a key node within the community. The PPS designates the plaza as two parcels located on either side of Curie Drive. To ensure the joint use and programming of the plaza within the community, ownership of the parcels by the same entity is expected when the adjacent parcel develops.

The DSP includes part of a parcel shown on the PPS as private roadway G. This roadway parcel will need to be reflected on the DSP in its entirety, as there are improvements and utilities within it that serve the subject development. This roadway is shown immediately east of Parcel DD on the DSP but is given no parcel designation. The private road parcel should be labeled and shown to be conveyed to the community association to ensure use in perpetuity with this development.

Parcel V shown on this DSP south of Lake Melford Avenue is dependent on the neighboring property for access, which was approved via DSP-18034 for Melford Town Center. New public road D, as shown on DSP-18034, must be platted, prior to or concurrent with Parcel V so that access may be established prior to approval of a building permit for Parcel V.

The Subdivision and Zoning Section recommends approval of this DSP, with three conditions, which have been included in the Recommendation section of this report.

- e. **Trails**—In a memorandum dated January 21, 2020 (Ryan to Zhang), incorporated herein by reference, the Transportation Planning Section noted that the submitted site plan complies with the previously approved conditions of CSP-06002-01 and PPS 4-16006. The trails planner recommends one condition related to the provision of bicycle parking for the development that has been included in the Recommendation section of this report.
- f. **Environmental Planning**—In a memorandum dated January 23, 2020 (Finch to Zhang), incorporated herein by reference, the Environmental Planning Section provided a review of all applicable conditions attached to prior approvals that are relevant to the review of this DSP and incorporated in this report, as well as the following discussion:

Rare, Threatened, and Endangered Species

The Maryland Department of Natural Resources (DNR) Natural Heritage Program issued a letter dated May 18, 2001 that states that there are no records of rare, threatened, and endangered species plants or animals within this project site. Review of a DNR database indicates that there were more 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. An updated letter from DNR regarding the presence of rare, threatened, and endangered species on the site was submitted as an amendment to

the revised NRI, and the finding of no records of rare, threatened, and endangered species in the upland portions of the site was confirmed.

Historic Setting Vegetation Management Plan

With the current application, a Phase 1 Historic Setting Vegetation Management Plan has been submitted to provide guidance for the maintenance and management of the historic trees and landscape features within the 2.71-acre environmental setting for the historic Melford house. The stated goals of the plan are:

- (1) To remove low-growing plants that are inconsistent with the landscape setting and impede sight lines onto the historic property.
- (2) To remove and/or manage non-native invasive plants that are identified within the landscaped and wooded areas of the environmental setting.
- (3) Enhance desirable plantings and suppress undesirable undergrowth with applications of wood mulch.
- (4) Remove dead, downed, and hazardous trees as needed.
- (5) Plant replacement trees and shrubs to maintain the character of the landscape.
- (6) Provide guidance for maintenance during the required four-year maintenance period and beyond.

The first activity proposed by the plan is tree and shrub removal consistent with the requested Subtitle 25 variance for the removal of twelve historic trees which are dead, in poor condition, or inconsistent or detrimental to the landscape character intended for the site. To mitigate for the loss of the historic trees, the applicant proposes to plant ten replacement oak trees (*Quercus* var.), 3.5 to 4.0 inches in caliper, prior to occupancy of the first townhouse in the associated DSP-18034.

The plan includes recommended general specifications for ongoing tree and landscape maintenance and practices for the removal of twelve historic trees. It is anticipated that the Vegetation Management Plan will be an evolving document that will incorporate best management practices applicable to the site and reflect the intended re-use of the site when identified. All work proposed within the environmental setting of the historic site is subject to an Historic Area Work Permit. The on-going maintenance and management of the site will be provided by the Melford Town Center Business Owner's Association. Staff recommends approval of the Phase 1 Vegetation Management Plan.

The Environmental Planning Section recommends approval of DSP-19052 and TCP2-036-99-15, subject to three conditions that have been included in the Recommendation section of this report.

- g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated December 19, 2019 (Giles to Zhang), incorporated herein by reference, DPIE stated that since the development is

in the City of Bowie, coordination with the City for right-of-way dedication, roadway improvements, and the internal subdivision streets is required. DPIE further noted that a SWM concept plan was approved by the City of Bowie on March 20 and April 14, 2017. In closing, DPIE stated that the proposed development will require a DPIE site development fine grading permit. One condition requiring the delineation of the floodplain and easement on the DSP has been included in the Recommendation section of this report.

- h. **Prince George’s County Police Department**—At the time of this writing, the Police Department did not provide comments on the subject project.
 - i. **Prince George’s County Health Department**—At the time of this writing, the Health Department did not provide comments on the subject project.
 - j. **City of Bowie**—In a letter dated January 28, 2020 (Boafo to Hewlett), incorporated herein by reference, the City Council of the City of Bowie noted the following:

On Monday, July 1, 2019, the Bowie City Council conducted a public hearing on the referenced DSP. At the conclusion of the public hearing, the City Council voted to recommend approval of DSP-19052 for the Melford Mansions multifamily residential buildings proposed in Melford Town Center with conditions relative to parking, lighting, and the stormwater management plan. The relevant conditions have been included in the Recommendation section of this report.
 - k. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated January 23, 2020 (Zyla to Zhang), incorporated herein by reference, DPR recommends approval of this DSP with one condition regarding an amendment to the previously recorded Recreational Facilities Agreement that was addressed in the CSP approval.
 - l. **Washington Suburban Sanitary Commission (WSSC)**— At the time of this writing, WSSC did not provide comments on the subject project.
15. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if approved in accordance with conditions proposed below, 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. The requirement of Section 27-285(b)(4) reads as follows:
- (4) 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 in accordance with the requirement of Subtitle 24-130(b)(5).**

The Environmental Planning Section, in a memorandum dated January 23, 2020, indicated that 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-06002-01 and TCP1-044-98-04; PPS 4-16006 and TCP1-044-98-05. There are no regulated environmental features located within the limits of the current application.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-19052, and Type 2 Tree Conservation Plan TCP2-036-99-15, for The Mansions at Melford Town Center, including a variance to Section 25-122(b)(1)(G) for the removal of twelve historic trees, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the applicant shall revise the plan or provide the specified information, as follows:
 - a. Label the two loading spaces on Sheet A102.
 - b. Clarify the acreage of the land area included in the DSP and area of each proposed parcel in the general notes and on all plan sheets. Provide plan sheets for the entirety of the area of the DSP.
 - c. Delineate the proposed property lines with all bearings and distances and label the proposed parcels in entirety.
 - d. Revise tree canopy coverage schedule to include the entire site in the calculation of tree canopy coverage.
 - e. Remove the Melford Mansions signage from the decorative landscape wall/fence located on Parcel JJ behind the pavilion.
 - f. Label Parcel JJ as to be conveyed to the Community Association.
 - g. Revise the development data on the site plan, in accordance with the Development Data in staff report.
 - h. Label the gross floor area of each building and provide a summary chart with a total.
 - i. Show the entirety of the private road parcel east of Parcel DD; provide the parcel designation, label the parcel to be conveyed to the Community Association and revise all applicable notes and acreages to account for the inclusion of this road parcel.
 - j. Show the approved floodplain delineation and floodplain easement on the site plan.
 - k. Revise the landscape plan and the associated schedule to show conformance with the requirements of Section 4.3(c)(2), for parking lot interior planting.

- l. Revise the parking calculation on the site plan to be consistent with the parking study dated May 20, 2019 (by Lenhart Traffic Consulting, Inc.).
- m. Address the discrepancies regarding parking, as follows:
 - (1) Total number of compact parking spaces, and what appears in the table on Sheet DSP-7 (168), and the correct number of spaces shall be shown on the plans.
 - (2) The number and identification of compact parking spaces to the east of and between Buildings 4 and 5 that are shown on Sheet DSP-8, Sheet A-101, and Sheet A-102 shall be shown on the plans.
 - (3) The number of handicap-accessible parking spaces proposed in the project (20), and the number of such spaces shown in the parking tabulation table on Sheet DSP-7, and the correct number shall be shown on the plans.
 - (4) The seven compact parking spaces proposed south of Building 5 shall be identified as such on Sheet A-101.
- n. Revise the parking tabulation table on Sheet DSP-7 to show the correct number of on-site parallel parking spaces (24), and the correct number of parallel parking spaces proposed on Lake Melford Avenue (32).
- o. Provide additional lighting in the following areas where there is currently inadequate lighting proposed: along the walkway to the west of Building 6 (Sheet DSP-20); in the southwestern area of Building 1 (Sheet DSP-20); and, in the pool deck area north of the bath house (Sheet DSP-21).
- p. Provide detail of the landscaping materials in the bio-retention facilities. Materials shall include varieties of ornamental grasses and perennials.
- q. Indicate the location and number of bike racks.
- r. Provide a detail of the signage proposed at the head of each compact parking space.
- s. Revise the Type 2 tree conservation plan (TCP2), as follows:
 - (1) Reconcile all worksheets to reflect any changes to woodland conservation requirements and fulfillment resulting from required revisions.
 - (2) Standard TCP2 Note 1 shall be revised to add the DSP case number.
 - (3) Confirm the area of historic tree credit provided by determining the quantity of undisturbed retained critical root zone associated with historic trees to be retained within the environmental setting and revise the woodland conservation worksheets, as indicated.
 - (4) Add a variance note under the woodland conservation worksheet and complete to reflect the variance approval:

“NOTE: This plan is in accordance with a variance from the strict requirements of Subtitle 25 approved by the Planning Board on (add date): for the removal of twelve historic trees (Section 25-122(b)(1)(c)): 7, 30, 32, 33, 36, A, B, C, H, I, J, and W.”

- (5) Update tables and calculations as needed to reflect the required revisions.
 - (6) Have the revised plan signed and dated by the qualified professional who prepared it.
2. Prior to approval of final plat, the applicant, and the applicant’s heirs, successors, and/or assignees shall:
 - a. Submit a variation from Section 24-122(a), in accordance with Section 24-113 of the Subdivision Regulations, for placement of the utilities within the right-of-way for those parcels along Lake Melford Avenue and obtain agreement from the City of Bowie.
 - b. Demonstrate that a business owners’ association, or other appropriate community ownership association has been established. The draft covenants shall be submitted to the Subdivision and Zoning Section for review to ensure the rights of the Maryland-National Capital Park and Planning Commission are included. The Liber and folio of the declaration of covenants shall be noted on the final plat, prior to recordation.
3. Prior to, or concurrent with, the approval of a final plat for Parcel V, the abutting roadway known as new public road D, as approved with DSP-08034, shall be dedicated to public use.
4. Prior to approval of any grading permits for this detailed site plan (DSP), the applicant shall:
 - a. Submit a copy of the technical stormwater management plan to be reviewed for conformance with the DSP and Type 2 tree conservation plan.
 - b. Submit a copy of the approved Final Erosion and Sediment Control Plan to be reviewed for conformance with the limits of disturbance shown on the DSP and Type 2 tree conservation plan and technical stormwater management approval.
5. Prior to approval of the 4th residential building permit for this detailed site plan, the applicant shall complete the construction of the public plaza at the intersection of Curie Drive and Lake Melford Avenue.
6. Prior to approval of the 8th residential building permit for this DSP, the applicant shall complete the construction of the clubhouse and installation of all associated amenities.

ITEM: 5

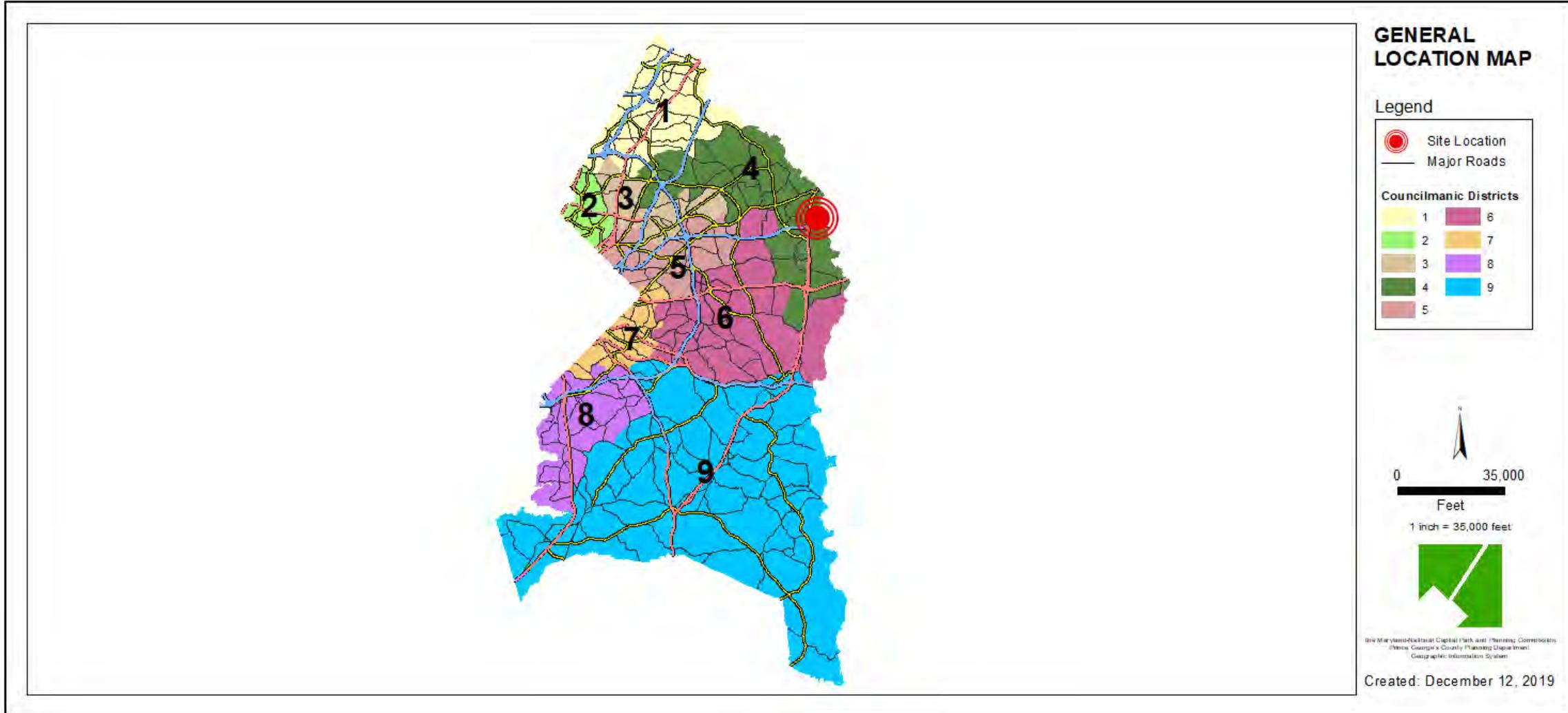
CASE: DSP-19052

THE MANSIONS AT MELFORD TOWN CENTER

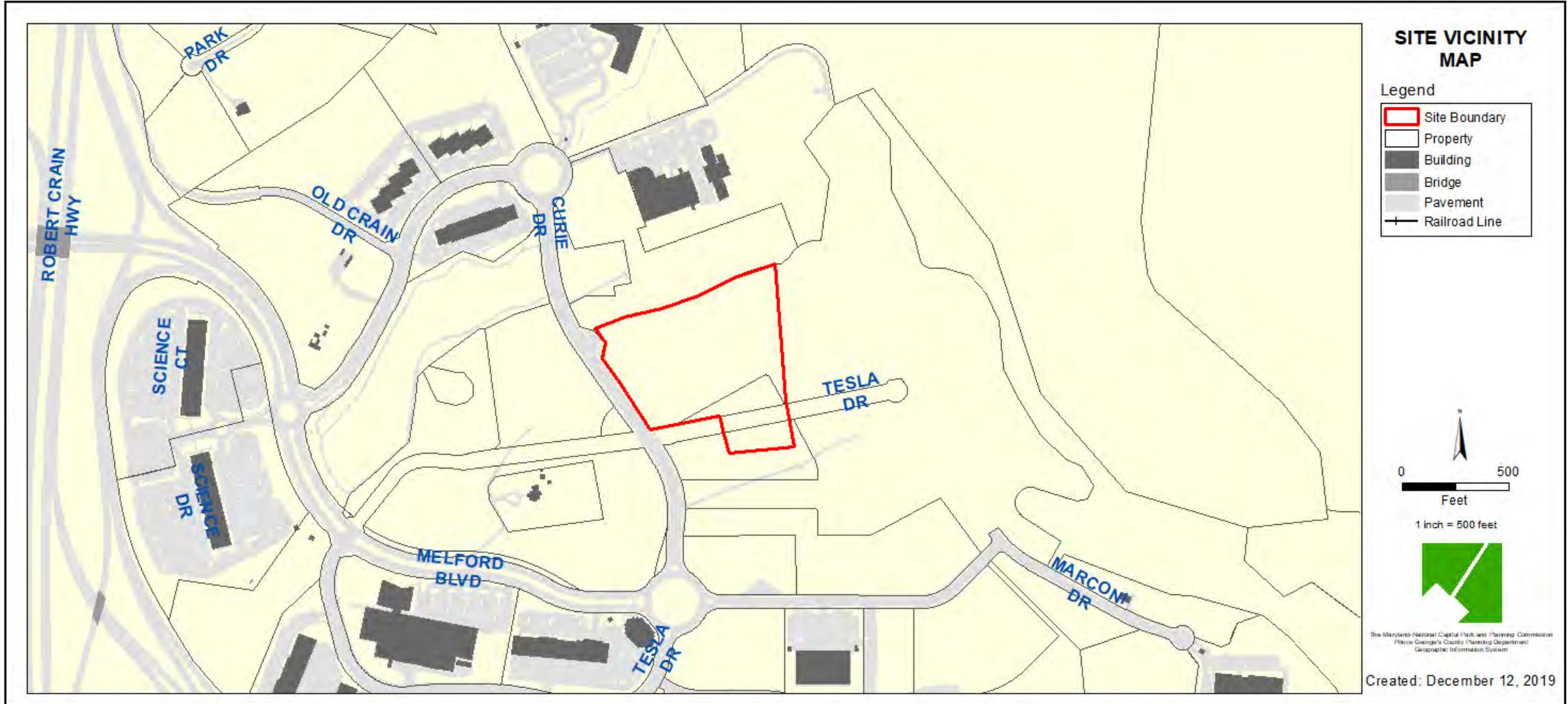
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



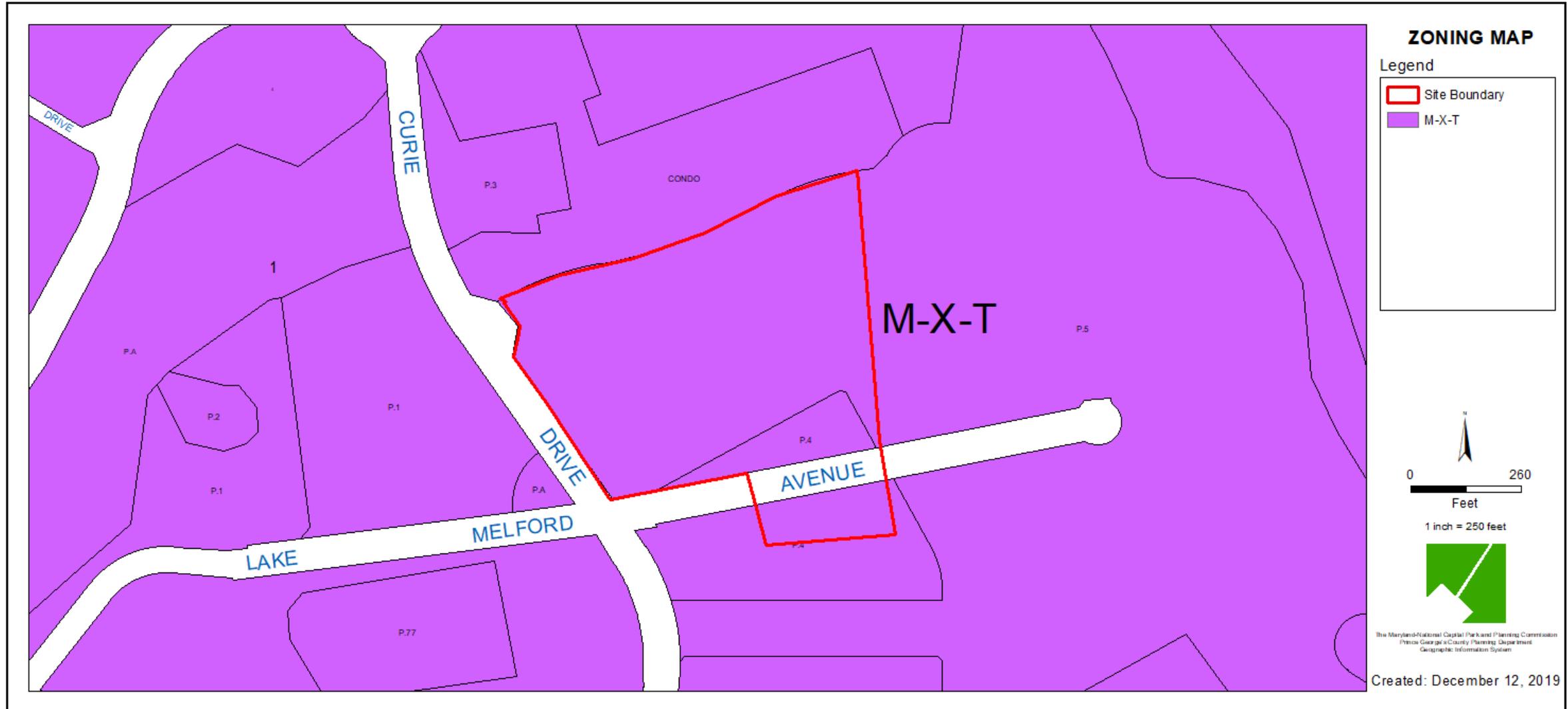
GENERAL LOCATION MAP



SITE VICINITY



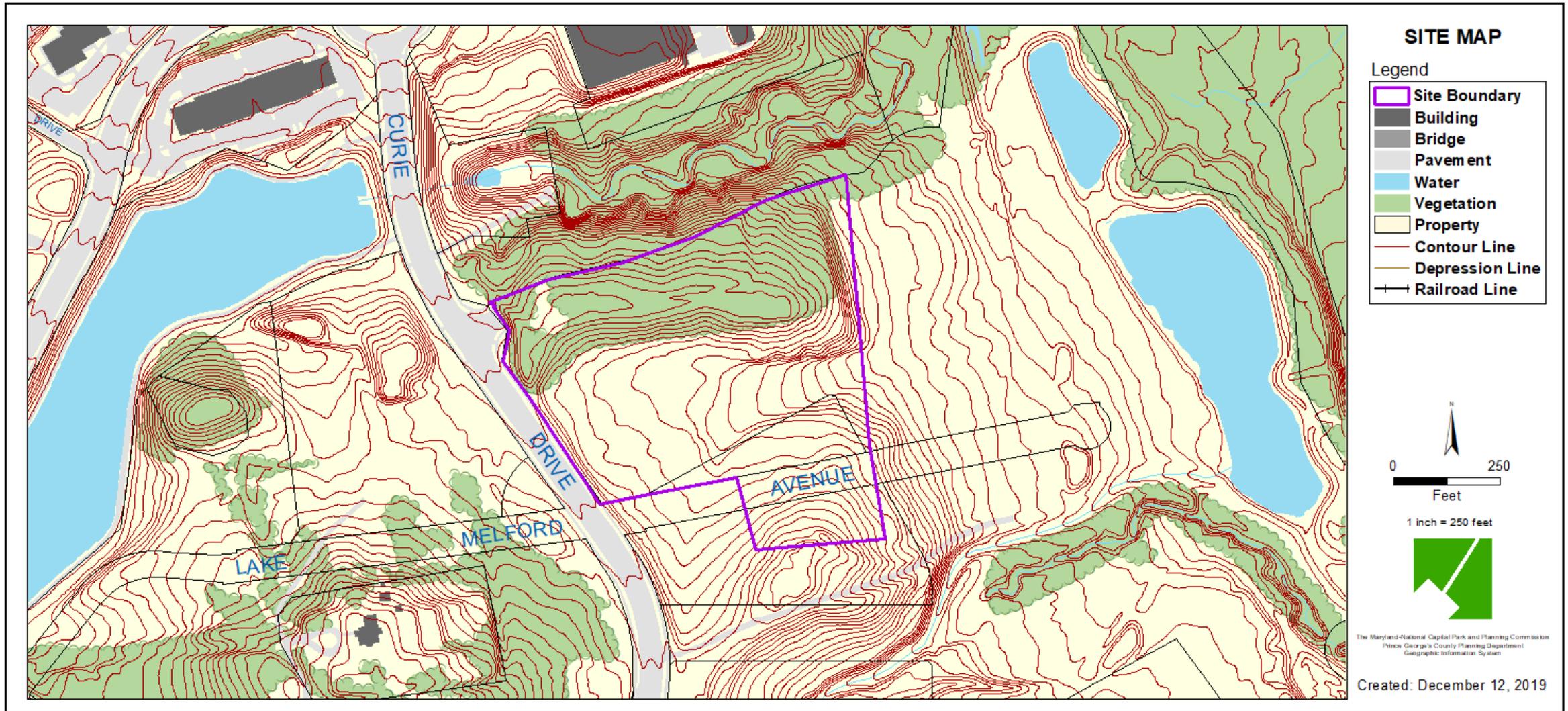
ZONING MAP



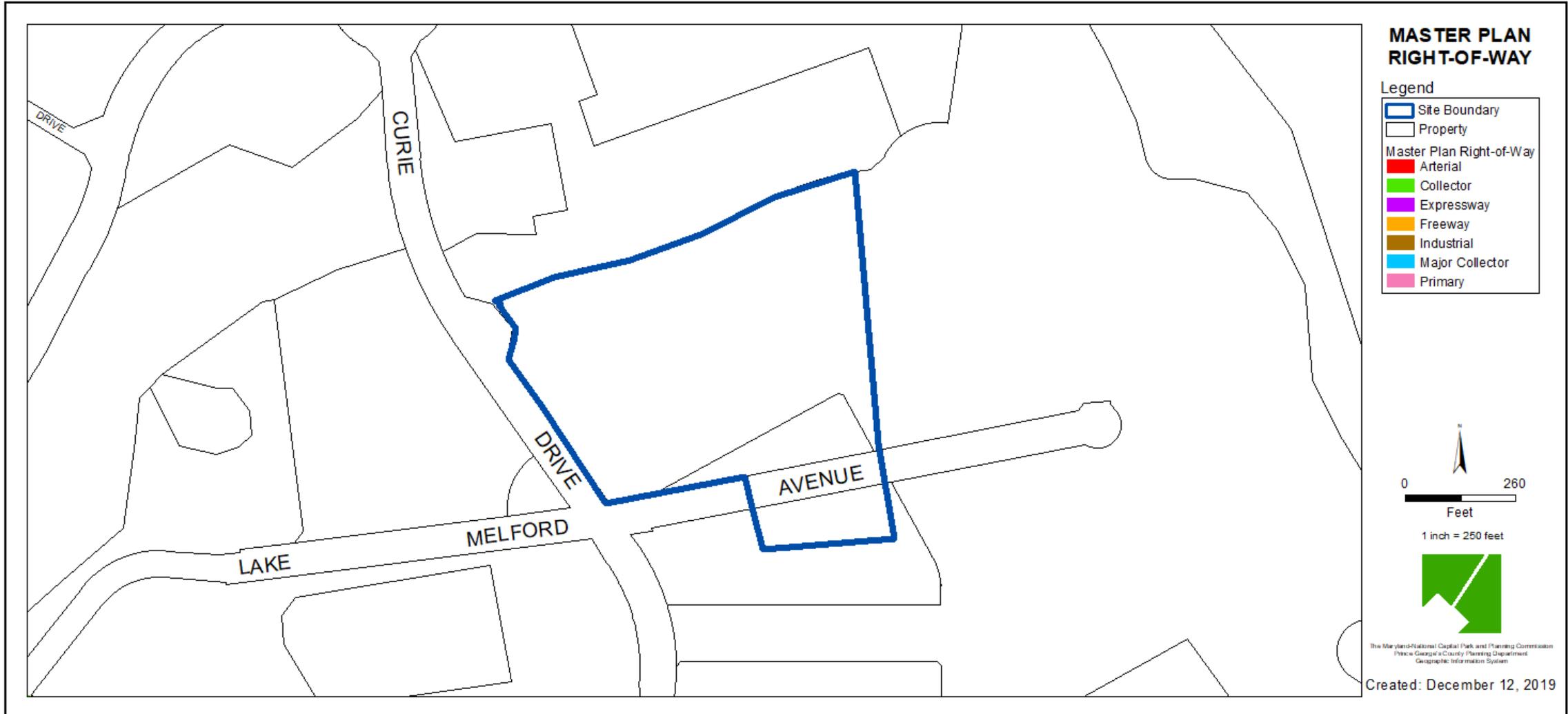
AERIAL MAP



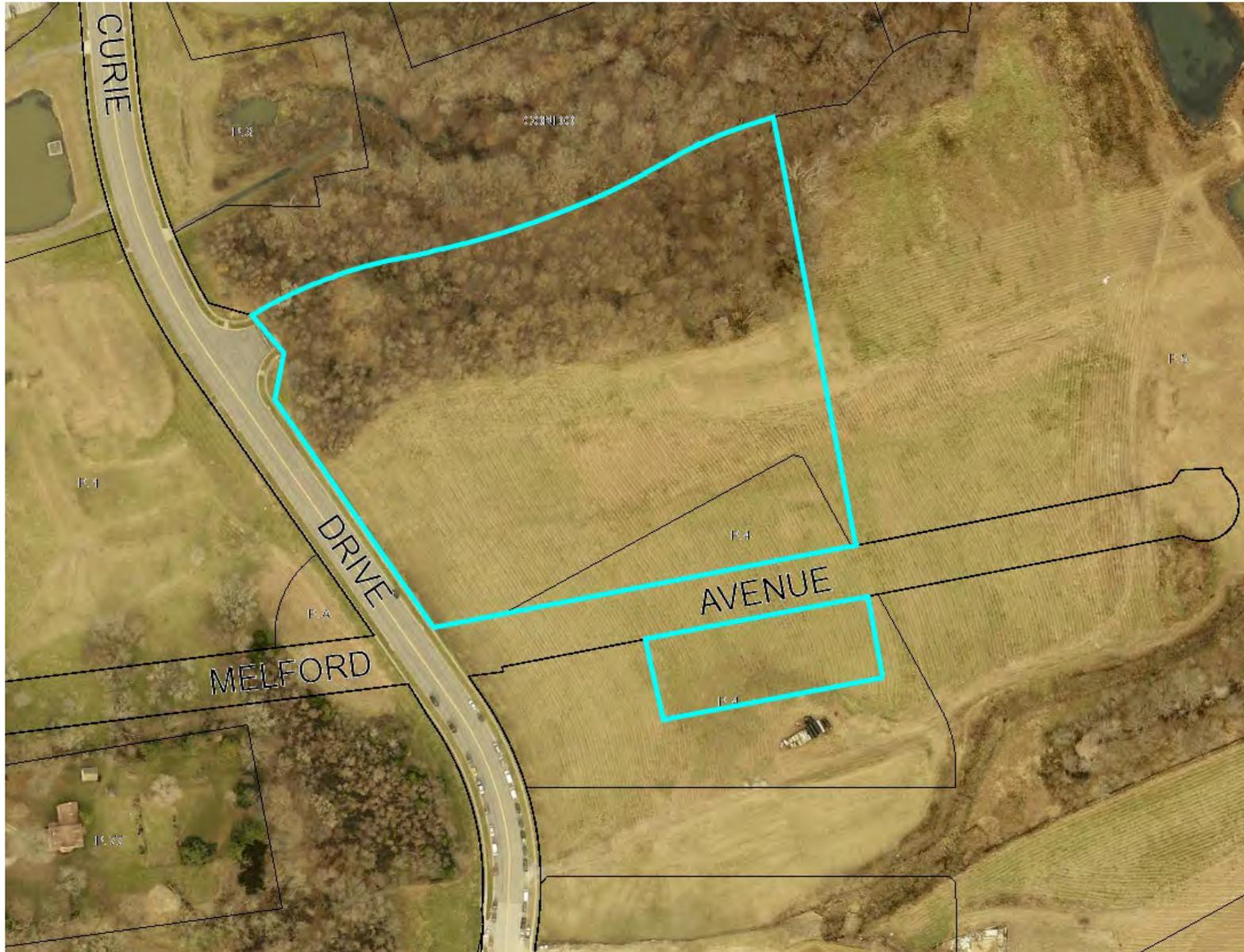
SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



CONCEPTUAL SITE PLAN

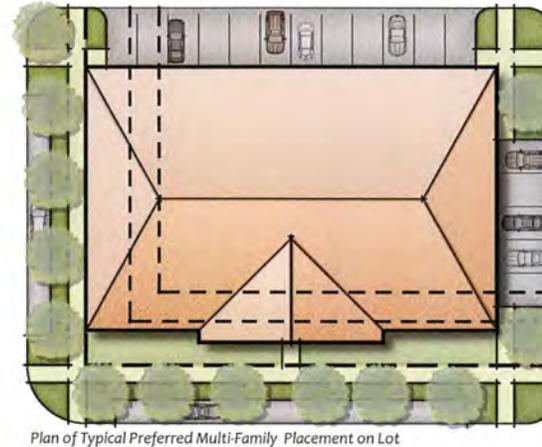
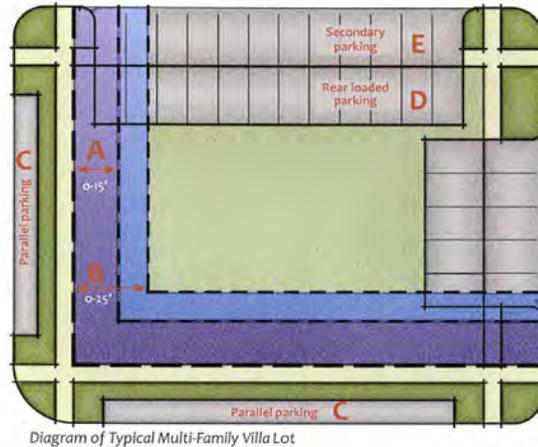


This diagram is presented for illustrative purposes only and will be refined by subsequent development applications.

Illustrative Site Plan



DESIGN GUIDELINES - MULTIFAMILY VILLAS



An artistic illustration depicting a Multi-Family Villa at Melford Village

Multi-Family Villas

Multi-Family Villas

The Multi-Family Villas at Melford Village represent a unique product type consisting of 3- or 4-story wood-frame flats over private garages. Each unit accesses a common hallway leading to the main lobby connecting to vertical circulation. The construction of this building type typically uses no steel framing, while decreasing construction costs and increasing density. Multi-Family Villas also have a smaller footprint allowing projects to be built and financed in smaller unit increments. The flexible footprint also creates more desirable corner units than a conventional multi-family building yielding better sales prices and rental rates. Multi-Family Villas give Melford Village smaller scale buildings, without loss of density, and add site flexibility. Boulevard Multi-Family Villas offer a superb opportunity to have retail line the street with dwelling units above and parking incorporated behind. Garage entries are not permitted along primary or secondary streets and are encouraged to be off of neighborhood alleys.

Site Requirements: For buildings fronting the East-West Boulevard, please see pages 37-38.

Setback:

- Generally, 80% of street-facing façades of the project shall be between 0 and 25 feet from the back of sidewalk.
- Buildings along boulevards are strongly encouraged to have street-facing façades between 0 and 15 feet from sidewalk or existing PUE where feasible.

Garages:

Private garages shall be incorporated into the first floor of the villa on sides not fronting a primary or secondary street condition. A minimum driveway depth of 18' but no more than 24' must lead to each garage permitting a second parking space for each dwelling unit.

Streetscape Zones: A parking zone allows parallel parking along most streets; a planter zone separates the pedestrian network from vehicular traffic; and a sidewalk zone creates a walkable community. These zones separate the building lot from the public right-of-way. See "Street Sections" on page 19 for further information.

Diagram:

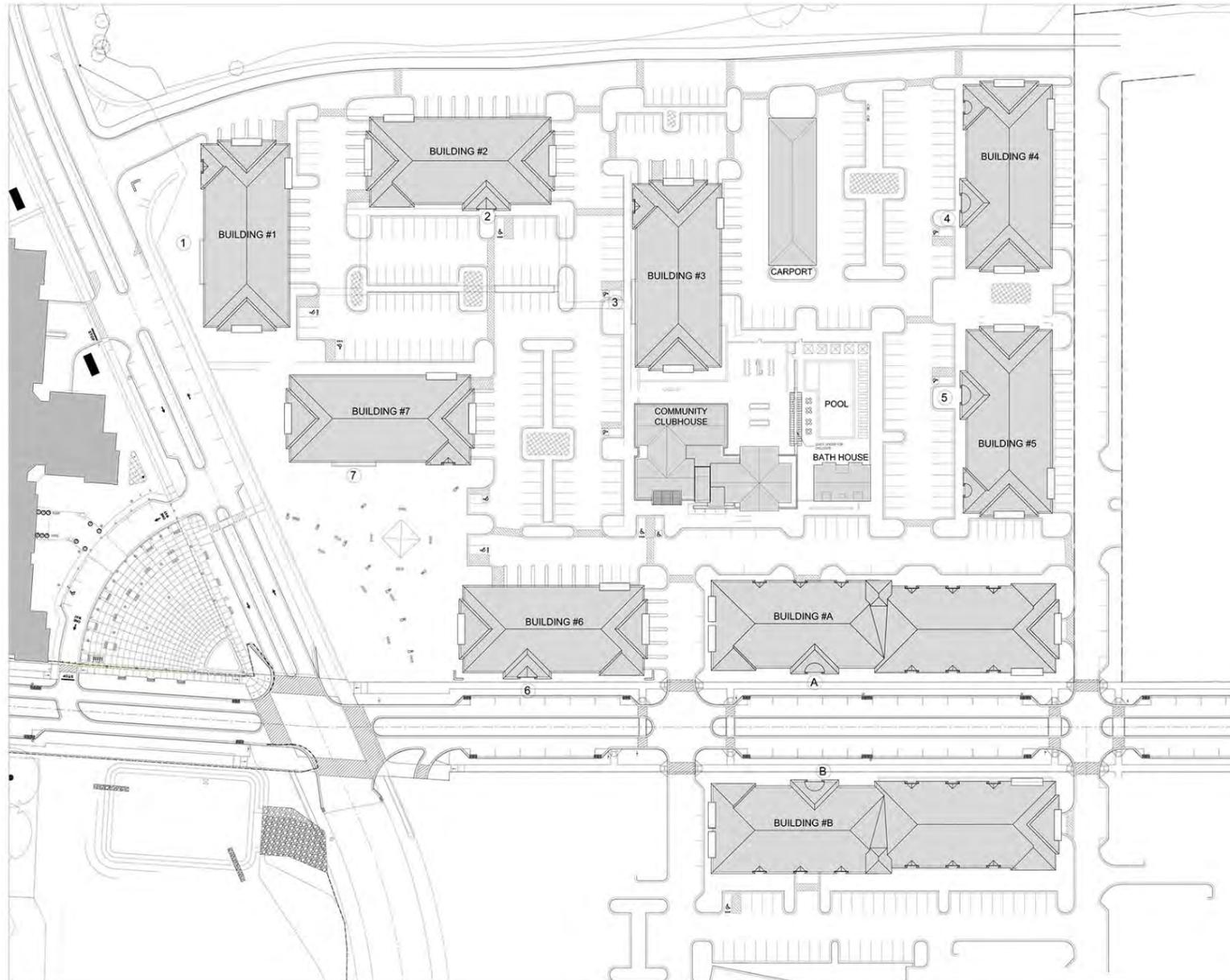
- A - Preferred setback 0-15 feet from back of sidewalk.
- B - Allowable setback 0-25 feet from back of sidewalk.
- C - Parallel parking along Primary and Secondary Routes.
- D - Rear loaded parking along Tertiary Routes.
- E - Driveway for secondary parking spot.



DETAILED SITE PLAN



BUILDING LAYOUT



BUILDING 1 ELEVATIONS



1. BUILDING 1 - LEFT ELEVATION



2. BUILDING 1 - REAR ELEVATION



3. BUILDING 1 - RIGHT ELEVATION



4. BUILDING 1 - FRONT ELEVATION

Scale: 3/32"=1'-0"



z

BUILDING 2 ELEVATIONS



1. BUILDING 2 - LEFT ELEVATION



2. BUILDING 2 - REAR ELEVATION

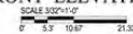


3. BUILDING 2 - RIGHT ELEVATION



4. BUILDING 2 - FRONT ELEVATION

Scale: 3/32"=1'-0"



BUILDING 3 ELEVATIONS



1. BUILDING 3 - LEFT ELEVATION



2. BUILDING 3 - REAR ELEVATION



3. BUILDING 3 - RIGHT ELEVATION



4. BUILDING 3 - FRONT ELEVATION

Scale: 3/32" = 1'-0"



2



BUILDING 4 ELEVATIONS



1. BUILDING 4 - LEFT ELEVATION



2. BUILDING 4 - REAR ELEVATION



3. BUILDING 4 - RIGHT ELEVATION



4. BUILDING 4 - FRONT ELEVATION

Scale: 3/32"=1'-0"

SCALE 3/32"=1'-0"
0 5.3 10.6 21.3



AGE
E
OW



BUILDING 5 ELEVATIONS



1. BUILDING 5 - LEFT ELEVATION



2. BUILDING 5 - REAR ELEVATION



3. BUILDING 5 - RIGHT ELEVATION



4. BUILDING 5 - FRONT ELEVATION

Scale: 3/32"=1'-0"



BUILDING 6 ELEVATIONS



1. BUILDING 6 - LEFT ELEVATION



2. BUILDING 6 - REAR ELEVATION



3. BUILDING 6 - RIGHT ELEVATION



4. BUILDING 6 - FRONT ELEVATION

Scale: 3/32"=1'-0"



BUILDING A ELEVATIONS



1. BUILDING A - FRONT ELEVATION



2. BUILDING A - LEFT ELEVATION

Scale: 3/32"=1'-0"
 SCALE 3/32"=1'-0"
 0' 5' 10' 20'

BUILDING A ELEVATIONS



1. BUILDING A - REAR ELEVATION



2. BUILDING A - RIGHT ELEVATION

Scale: 3/32"=1'-0" SCALE 3/32"=1'-0"



BUILDING B ELEVATIONS



1. BUILDING B - FRONT ELEVATION



2. BUILDING B - LEFT ELEVATION

Scale: 3/32"=1'-0"



BUILDING B ELEVATIONS



1. BUILDING B - REAR ELEVATION



2. BUILDING B - RIGHT ELEVATION

Scale: 3/32"=1'-0" SCALE 3/32"=1'-0"



CLUB HOUSE FRONT AND LEFT ELEVATIONS



1. CLUB HOUSE - FRONT ELEVATION



2. CLUB HOUSE - LEFT ELEVATION

Scale: 1/8"=1'-0" 

CLUB HOUSE REAR AND RIGHT ELEVATIONS



1. CLUB HOUSE - REAR ELEVATION



2. CLUB HOUSE - RIGHT ELEVATION

Scale: 1/8"=1'-0"



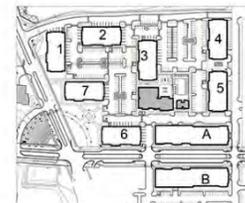
3. CARPORT EAST ELEVATION

Scale: 1/8"=1'-0"

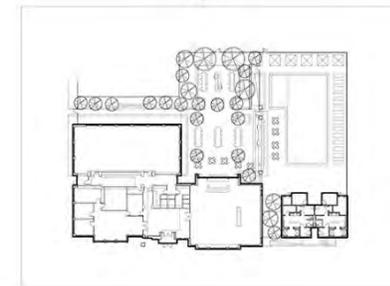


4. CARPORT NORTH ELEVATION

Scale: 1/8"=1'-0"

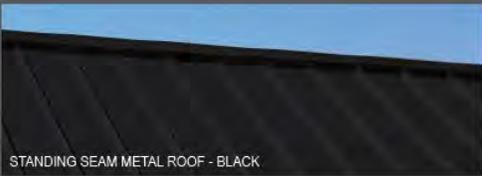


KEY PLAN



CLUB HOUSE - KEY PLAN

BUILDING MATERIALS

ROOFS	 ASPHALT SHINGLE - MOIRE BLACK	 ASPHALT SHINGLE - DOVE GRAY	 ASPHALT SHINGLE - CEDAR BROWN					
	 STANDING SEAM METAL ROOF - BLACK	 STANDING SEAM METAL ROOF - AGED COPPER	 STANDING SEAM METAL ROOF - DARK BRONZE					
	FIBER CEMENT SIDING							
	 SILVER SAND	 PANDA GRAY	 BLUE PEWTER	 DEEP OCEAN	 COTTONWOOD	 ELEGANT RED	 BEAVER TAIL BROWN	 BLACK WALNUT
	MASONRY							
	 WHITESTONE	 NATURAL	 COOL GREY	 WEATHERED				
 BLACKSTONE	 BAXTER	 CABINET	 ADRIAN FLASHED	 BURNT ORANGE	 URBAN GREY			

 **MELFORD MANSIONS**
BOWIE, MARYLAND
JULY 01, 2019

 MELFORD MANSIONS

 ST. JOHN PROPERTIES

 SOMERSET CONSTRUCTION COMPANY

PERSPECTIVE VIEW - BUILDING 2



PERSPECTIVE VIEW - BUILDING 5



PERSPECTIVE VIEW - BUILDING 7



PERSPECTIVE VIEW - BUILDING A



PERSPECTIVE VIEW- CLUBHOUSE



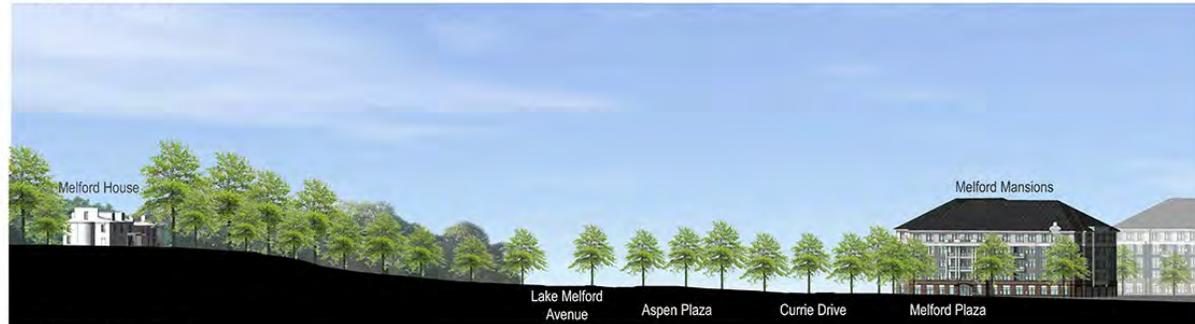
PERSPECTIVE VIEW- CLUBHOUSE AMENITIES



SITE SECTION



OVERALL SITE PLAN

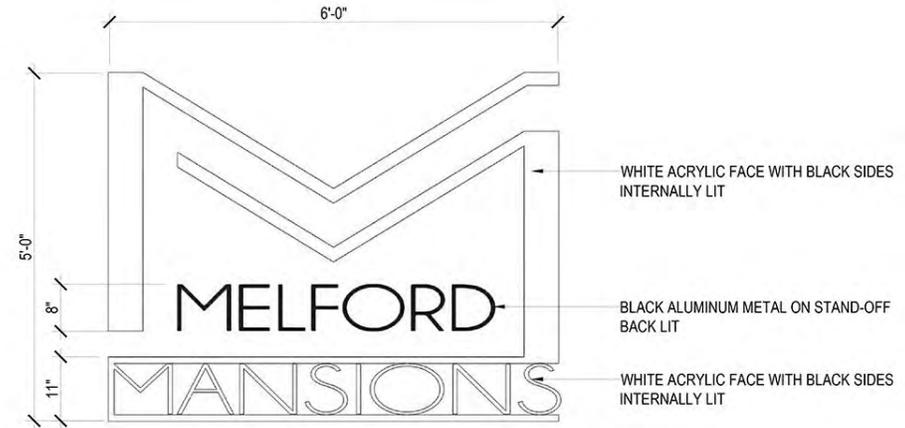


SITE CROSS SECTION



SECTION LOCATION

SIGNAGE



COMMUNITY CENTER BUILDING ADDRESS

Scale: 1 1/2"=1'-0"



COMMUNITY CENTER ENTRANCE AT DAY

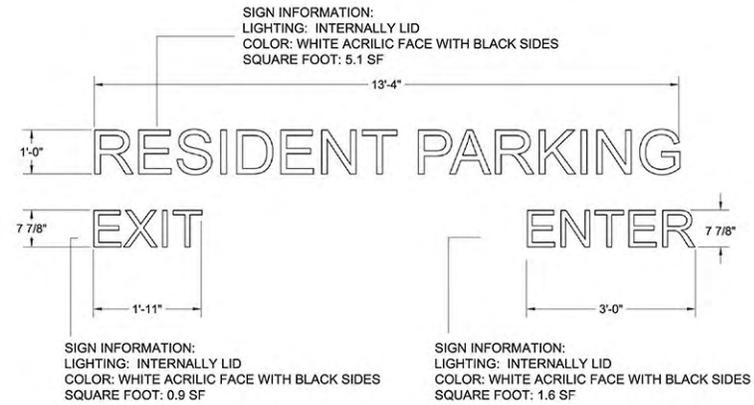
COMMUNITY CENTER SIGN ELEVATION

Scale: 1 1/2"=1'-0"



COMMUNITY CENTER ENTRANCE AT NIGHT

SIGNAGE



TYPICAL SIGN AT GARAGE ENTRANCES



TYPICAL ADDRESS SIGN AT ENTRANCES

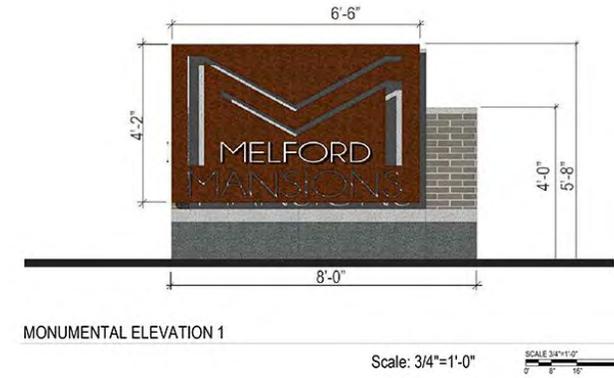


MONUMENTAL SIGN AT DAY



MONUMENTAL SIGN AT NIGHT

SIGNAGE



MONUMENTAL SIGN AT DAY



MONUMENTAL SIGN AT NIGHT

GAZEBO AND SCREEN WALL



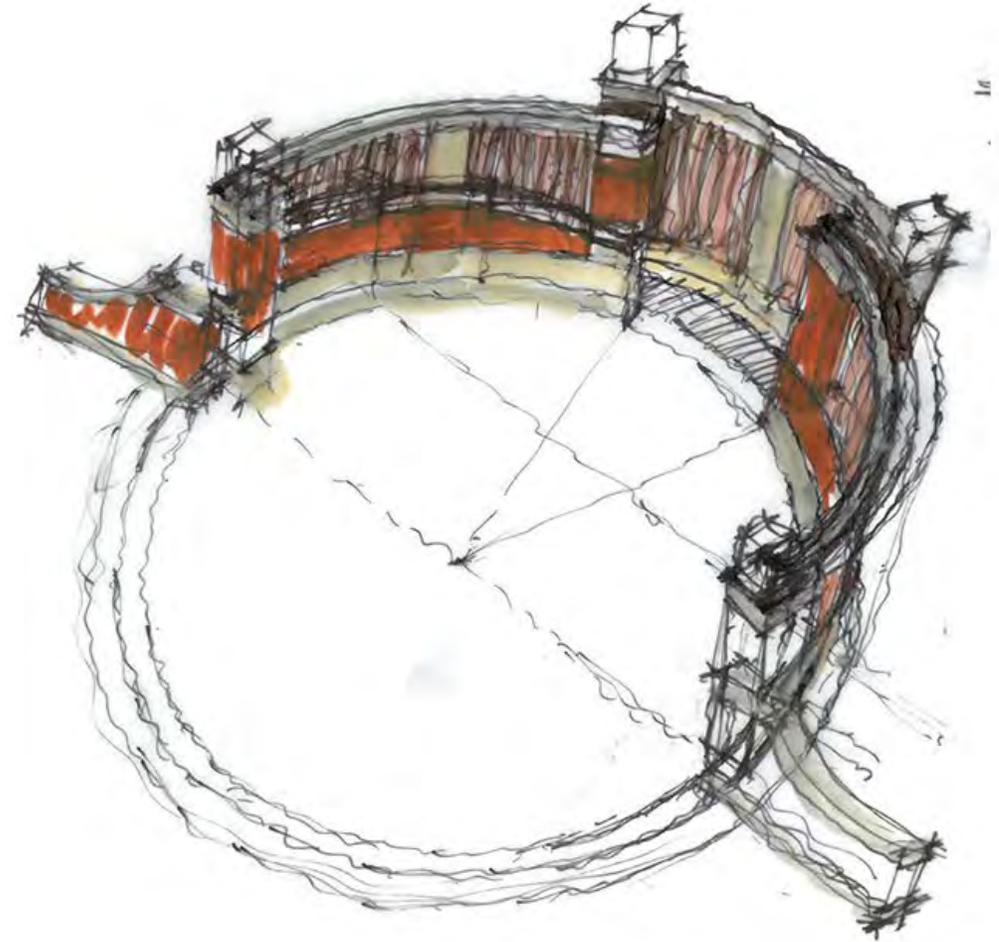
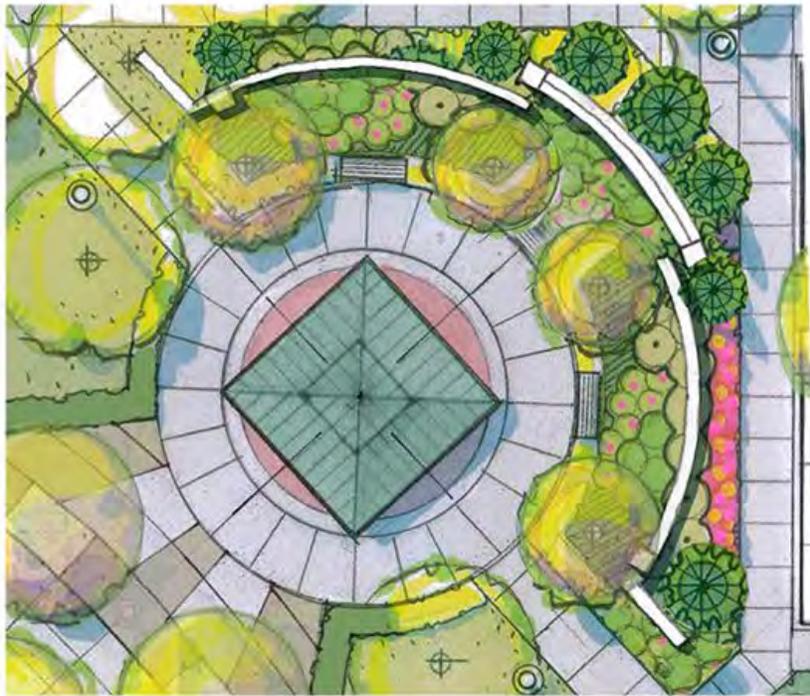
GAZEBO AND SCREEN WALL



CENTRAL PLAZA



CENTRAL PLAZA - SCREEN WALL





301-952-3972

January 16, 2020

MEMORANDUM

TO: Henry Zhang, Master Planner, Urban Design Section, Development Review Division
VIA: David A. Green, MBA, Master Planner, Community Planning Division 
FROM: Judy D'Ambrosi, Senior Planner, Neighborhood Revitalization Section, Community Planning Division JD
SUBJECT: **DSP-19052 The Mansions at Melford Town Center**

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: Located between Melford Boulevard and Curie Drive.

Size: 11.12 acres

Existing Uses: Undeveloped

Proposal: The development includes 435 multi-family dwelling units in 9 buildings and one 12,000 square foot clubhouse with a swimming pool and other recreations facilities.

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)

DSP-19052 The Mansions at Melford Town Center

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 centers 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 2006 *Approved Master Plan for Bowie and Vicinity* recommends mixed-use development land use.

Planning Area: 71B

Community: The City of Bowie

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

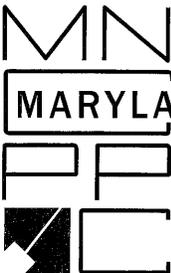
SMA/Zoning: The 2006 *Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B* reclassified the subject property into the M-X-T Zone.

ADDITIONAL INFORMATION

None

c: Long-range Agenda Notebook

Frederick Stachura, J. D., Planning Supervisor, Neighborhood Revitalization Section, Community Planning Division



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

Countywide Planning Division
 Environmental Planning Section

301-952-3650

January 23, 2020

MEMORANDUM

TO: Henry Zhang, Master Planner, Urban Design Section, DRD

VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section, CWPD *MKR*

FROM: Kim Finch, Master Planner, Environmental Planning Section, CWPD *KIF*

SUBJECT: **The Mansions at Melford Town Center
 Detailed Site Plan DSP-19052 and TCP2-036-99-15**

The Environmental Planning Section (EPS) has reviewed the Detailed Site Plan (DSP) and revised Type 2 Tree Conservation Plan for The Mansions at Melford Town Center stamped as received by the Countywide Planning Division on November 27, 2019. A Subdivision and Development Review Committee (SDRC) meeting was held on December 13, 2019, where comments regarding the project were provided. Revised plans were submitted on January 16, 2020.

The Environmental Planning Section recommends approval of the Detailed Site Plan, DSP-19052 and Type II Tree Conservation Plan, TCP2-036-99-15, subject to findings and conditions.

Background

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
A-9401	N/A	District Council	Approved	10/10/2001	PGCPB No. 02-43
A-9401-02	N/A	N/A	Dormant	N/A	N/A
NRI-054-06	N/A	Planning Director	Approved	2/21/2008	N/A
CSP-06002	TCPI-044-98-02	District Council	Approved	5/11/2009	Order of Approval
CSP-06002-01	TCP1-044-98-04	District Council	Approved	3/23/ 2015	Order of Approval

NRI-054-06-01	N/A	Planning Director	Approved	3/01/2016	N/A
4-16006	TCP1-044-98-05	Planning Board	Approved	6/13/2017	PGCPB No. 17-45
DSP-17020	TCP2-036-99-11	Planning Board	Approved	12/7/2017	PGCPB No. 17-152
NRI-054-06-02	N/A	Planning Director	Approved	1/16/2018	N/A
DSP-18007	TCP2-036-99-12	Planning Board	Approved	7/12/2018	PGCPB No. 18-66
DSP-18026	TCP2-036-99-13	Planning Board	Approved	1/17/2019	PGCPB No. 19-12
DSP-18034	TCP2-036-99-14	Planning Board	Approved	1/17/2019	PGCPB No. 19-13
DSP-19052	TCP2-036-99-15	Planning Board	Pending	Pending	Pending

Grandfathering

This project is subject to the requirements of Subtitle 25, Division 2 Woodland and Wildlife Habitat Conservation Ordinance (WCO) that became effective on September 1, 2010 and February 1, 2012. The site is subject to the requirements of Subtitle 24 Subdivisions and Subtitle 27 Zoning which became effective on September 1, 2010 and February 1, 2012 because a new preliminary plan was approved for development of portions of the site after that date.

Site Description

The overall Melford property, formerly the University of Maryland Science and Technology Center, is in the northeast quadrant of the intersection of US 50 and MD 3/US 301 and contains a total of 428.015 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. According to the United States Department of Agriculture (USDA) Soil Web Survey (SWS), the principal soils on the site are in the Adelpia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and the other soils pose no special development challenges. According to available information, Marlboro or Christiana clays are not found to occur in the vicinity of this property. John Hanson Highway (US 50 and US 301 (Crain Highway) are both classified as freeways, and traffic-generated noise impacts are anticipated. Information obtained from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), indicates there are no Rare, Threatened, or Endangered (RTE) 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/or historic roads in the vicinity of this property. According to the *Countywide Green Infrastructure Plan of the Approved Prince George's Resource Conservation Plan (May 2017)*, this property drains to an unnamed tributary located in the Patuxent River basin and is located directly adjacent to the Patuxent River. The site is located within an Employment

Center, the designated Bowie Town Center as shown on the Growth Policy Map, and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. The site is located within the City of Bowie.

Proposed Activity

The current application is a DSP and Type 2 Tree Conservation Plan for the development of 435 multi-family dwelling units in nine buildings and associated recreational facilities on a 11.12-acres site in the M-X-T zone.

CONDITIONS OF PREVIOUS APPROVALS

CSP-06002 and TCP1-044-98-02

An Amended Order Modifying and Affirming in Part a Planning Board Decision with Conditions found in PGCPB 07-09(C) was approved on October 9, 2009.

Affirmation of the Planning Board's decision (PGCPB No. 07-09(C)) was subject to conditions. The following conditions that are environmental in nature, are applicable to review of the current application, and have not been fully satisfied by prior review processes, are shown in **bold** font. Staff comments are provided in regular font.

- 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 impact review area relates to the Melford historic site, the Melford cemetery, and related environmental settings. The current DSP includes revisions to the Melford historic site and environmental setting, and impact review areas associated with views from the Melford historic site towards the Patuxent River. The DSP and TCP2 will be reviewed by the Urban Design Section for compliance with the Landscape Manual, and the Historic Preservation Section for impacts to viewsheds, the removal of historic trees within the Environmental Setting and necessary Historic Area Work Permits (HAWP). The protection of historic trees within the environmental setting and afforestation/reforestation within the required bufferyard and minimum building setback adjacent to historic sites will be addressed in the Environmental Review section of this memorandum.

- 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.**

Conceptual Site Plans (CSP) are conceptual, subject to refinement with future development review applications such as the preliminary plan and DSP. The relationships of the proposed development to environmental protection and woodland conservation requirements will be addressed in the Environmental Review section of this memorandum.

- 16. 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 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 was addressed in prior TCP1 and 2 reviews and is confirmed with the current review.

- 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.**

Minimization of impervious surfaces is a zoning concern with regards to required green space requirements consistent with the M-X-T zone and will be reviewed by the Urban Design Section. Storm Water Management (SWM) concerns will be addressed by the City of Bowie under its SWM authority and based on a review of on-site soil conditions. Structured parking, if proposed, is subject to review of the Urban Design Section to the extent it is required by General or Master Plan policies and strategies, or conditions and considerations approved by the Planning Board.

- 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 CSP plans correctly delineated the 100-foot-wide “natural buffer and 150-foot-wide building and parking setback. Protection of the open space network and minimization of impacts to environmentally sensitive areas if proposed, are evaluated in the Environmental Review section of this memorandum.

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

NRI-054-2018-02 was approved on January 16, 2018 at staff level, which applied 2010 stream buffer requirements and a revised 100-year floodplain study to the delineation of the Primary Management Area (PMA) for the site. There is no PMA delineated within the limits of the current DSP.

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.**

The technical design of SWM facilities and associated landscaping is subject to approval by the City of Bowie.

CSP-06002-01 and TCP1-044-98-04

An Order of Approval for CSP-06002-01 by the District Council was approved on March 23, 2015, subject to conditions. The following conditions which were environmental in nature and applicable to the current review, are shown in **bold** font. Staff comments are provided in regular font.

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.**
 - b. **The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall fully be retained in an undisturbed or restored state 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.**

The above conditions were addressed at time of preliminary plan review and are further reviewed as applicable by the Environmental Planning and Urban Design Sections with the current application.

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 Primary Management Area (PMA) is located within limits of the current DSP, but the entirety of all stream channels has been shown on the TCPII which addresses the entire Melford property.

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 final design of the stormwater management ponds is subject to approval of the City of Bowie.

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

The performance requirement for full cut-off optics lighting is subject to review by the Urban Design Section.

- 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 for the Melford historic resource is correctly shown on the DSP and revised TCP2 submitted with the current application.

- 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.**

There are no conflicts of concern with the conceptual site plan.

Preliminary Plan 4-16006 and TCP1-044-98-05

A preliminary plan and associated TCP1 were approved by the Planning Board on March 9, 2017 subject to conditions contained in PGCPB No.17-45. The conditions were reviewed for those that were environmental in nature and applicable to the current application.

- 9. At the time of detailed site plan and Type 2 tree conservation plan (TCP2) approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a historic setting vegetation management plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established. Implementation of the Plan would be subject to approval of a historic area work permit (HAWP). Development of a management plan would qualify trees within the environmental setting to be credit as "historic trees" at twice the usual woodland conservation ratio.**

At the time of TCP2, applicant may credit historic trees within the environmental setting of the historic site as follows:

- b. A historic tree inventory of the environmental setting shall be prepared and included on the TCP2.**
- c. A historic setting vegetation management plan shall be prepared for the purpose of identifying vegetation that should be removed to protect the existing graves on-site, to identify recommended maintenance activities, and to propose any additional planting appropriate for the site. The plan shall include a maintenance program, a cost estimate for implementation of the plan and for a**

minimum of four years of maintenance and shall identify the party or parties responsible for the long-term maintenance of the environmental setting.

- d. The quantity of historic tree credits in the environmental setting shall be calculated and added to the woodland conservation worksheet.**
- e. Prior to the issuance of grading permits for Melford Village which credit woodland conservation for historic tree credit, a HAWP for implementation of the historic setting vegetation management plan shall be approved, and a bond for implementation of the plan shall be submitted. Bonding shall be held until the requirements of the plan are fully implemented, and four years of maintenance has been monitored.**

Consistent with Condition 9, a Phase 1 Historic Setting Vegetation Management Plan has been submitted for the Melford house site and grounds to establish maintenance program for the protection and care of the historic trees retained, support the granting of historic tree credits for woodland conservation, and guide renovation and enhancement of the historic Chesapeake falling garden.

DSP-17020 and TCP2-036-99-11 Melford Town Center (Infrastructure)

The Prince George's County Planning Board Approved Type2 Tree Conservation Plan, TCP2-036-99-11, and Detailed Site Plan DSP-17020 on December 7, 2017 subject to conditions contained in PGCP B No. 17-52. The applicable conditions which are environmental in nature were addressed, and DSP-17020 and TCP2-036-99-11 were certified on August 16, 2018.

DSP-18007 and TCP2-036-99-12 The Aspen at Melford Town Center

The Prince George's County Planning Board Approved Type 2 Tree Conservation Plan, TCP2-036-99-12, and Detailed Site Plan DSP-18007 on July 12, 2018 subject to conditions contained in PGCP B No. 18-66. The applicable conditions which are environmental in nature were addressed, and DSP-18007 and TCP2-036-99-12 were certified on February 5, 2019.

DSP-18026 and TCP2-036-99-13 Retail at Melford Town Center

The Prince George's County Planning Board Approved Type 2 Tree Conservation Plan, TCP2-036-99-13, and Detailed Site Plan DSP-18026 on January 17, 2019 subject to conditions contained in PGCP B No. 19-12. The applicable conditions which are environmental in nature were addressed, and DSP-18026 and TCP2-036-99-13 were certified on August 7, 2019.

DSP-18034 and TCP2-036-99-14 Townhouse Infrastructure at Melford Town Center

The Prince George's County Planning Board Approved Type2 Tree Conservation Plan, TCP2-036-99-14, and Detailed Site Plan DSP-18034 on January 17, 2019 subject to conditions contained in PGCP B No. 19-13. The applicable conditions which are environmental in nature were addressed, and DSP-18034 and TCP2-036-99-14 were certified on October 14, 2019.

ENVIRONMENTAL REVIEW

Natural Resource Inventory Plan/Existing Features

A revised Natural Resource Inventory, NRI-054-06-02, was approved for the subject property on January 16, 2018 because the previous NRI's had exceeded the validity period.

The environmental and cultural features identified on the revised NRI, and the delineation of the PMA have been correctly transposed onto the current application plans. The limits of the current DSP contain no PMA.

At the time of the original approval and subsequent revisions, the NRI number was incorrectly noted as NRI-059-06, when the correct number should be NRI-054-06. This error will be corrected with any future revision to the NRI.

Rare, Threatened and Endangered Species (RTE)

The Maryland Department of Natural Resources Natural Heritage Program (DNR NHP) issued a letter dated May 18, 2001 that states that there are no records of RTE plants or animals within this project site. Review of a DNR database indicates that there were more 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. An updated Letter from the DNR regarding the presence of RTE on the site was submitted as an amendment to the revised NRI, and the finding of no records of RTE in the upland portions of the site was confirmed.

Regulated Environmental Features (REF)/ Primary Management Area (PMA)

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

The limits of DSP-19052 include no regulated environmental features that were required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Ordinance.

Woodland Conservation

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing

woodland. The site already has approved Type 1 and Type 2 Tree Conservation Plans. A revised TCP2 (TCP2-036-99-15) was submitted with the DSP application.

TCP2-036-99-15 indicates that it covers a gross tract area of 428.15-acre, which is the portion of the Melford development (formerly University of Maryland Science and Tech Center) which is subject to the WCO and is significantly larger than the DSP under review (129.16 acres).

The standard woodland conservation worksheet for the overall property indicates that the woodland conservation threshold for the site is 43.26 acres, based on the M-X-T zoning and a net tract area of 288.38 acres. The worksheet indicates that the site contains 161.86 acres of upland woodlands and 85.73 acres of wooded floodplain. The revised TCP2 proposes clearing 113.95 acres of upland woodlands, and 0.23 acres of wooded floodplain. No off-site clearing is proposed. Two federal projects (the Institute for Defense Analysis and the Holocaust Museum Analysis) and previously dedicated rights-of-way have been subtracted from the gross tract area consistent with the previous TCP1 approval. Based upon the clearing proposed, the applicant has calculated that the total woodland conservation requirement for the overall development as 71.97 acres.

The revised TCP2 proposes to meet the requirement with 51.60 acres of on-site preservation, including 12.11 acres of woodland conservation located on property owned by M-NCPPC; 11.91 acres of on-site afforestation-reforestation; 9.24 acres of Specimen/Historic Tree Credit; and 0.42 acres of fee-in-lieu.

The TCP1 plan originally proposed Specimen/Historic Tree Credits within the environmental setting of the Melford historic site and cemetery. With this TCP2 revision, the applicant has submitted a Vegetation Management Plan for the environmental setting of the historic house which proposed the removal of historic trees on the site and requires approval of a Subtitle 25. Variance. A Statement of Justification for Subtitle 25 variance is evaluated later in this memorandum.

The plan also requires technical revisions to be in conformance with the applicable WCO, Environmental Planning Section policies and the Environmental Technical Manual (ETM) prior to certification of the DSP.

Preservation of Specimen, Historic and Champion Trees

Effective on September 1, 2010, TCP applications are required to meet of the requirements of Subtitle 25, Division 2 which includes the preservation of specimen, champion and historic trees, every reasonable effort should be made to preserve the trees in place, with consideration of different species' ability to withstand construction disturbance. After consideration has been given to the preservation of the specimen or historic trees and there remains a need to remove any, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Subtitle 25 provided all the required findings in Section 25-119(d) can be met and the request is not less stringent than the requirements of the applicable provisions of COMAR. An application for a variance must be accompanied by a Letter of Justification stating the reasons for the request and how the request meets each of the required findings.

The NRI and TCP1 indicated that 44 specimen trees were located on the TCP2 which is outside of the environmental setting of the historic site. A Subtitle 25 variance application for the removal of twelve specimen trees was submitted and approved with the preliminary plan.

The TCP2 includes an Historic Tree Table which identifies individual trees located within the environmental setting of the Melford historic site. Previous approvals of TCP2-036-99 did not propose the removal of any historic trees, and specimen/historic tree credits were allowed based on the undisturbed root zone of the trees preserved.

The current application proposes to remove twelve (12) historic tree within the environmental setting of the Melford house to implement Phase 1 of a historic site vegetation management plan submitted with the current application.

Subtitle 25 Variance for the Removal of Specimen, Historic or Champion Trees

A statement of justification for the removal of twelve historic trees located within the environmental setting of the Melford house was submitted to the Development Review Division dated December 20, 2019.

The historic trees proposed for removal are indicated in the table below:

ID	Common Name/ Scientific Name	DBH (inches)	Condition Score/ Condition Rating		Comments	Proposed Disposition
7	Mockernut hickory <i>Carya tomentosa</i>	14	70	Good	Mechanical damage	Removal
30	Siberian elm <i>Ulmus pumilla</i>	16,14,10,9,4,4	5726	Fair	Invasive	Removal
32	Ash sp. <i>Fraxinus sp.</i>	19	0	Dead		Removal
33	Ash sp. <i>Fraxinus sp..</i>	16	0	Dead		Removal
36	Ash sp. <i>Fraxinus sp.</i>	9,5	0	Dead		Removal
A	Willow oak. <i>Quercus phellos.</i>	26	38	Poor	Declining health	Removal
B	White oak <i>Quercus alba</i>	35	0	Dead		Removal
C	Norway maple <i>Acer platanoides</i>	38	27	Poor	Trunk and basal decay	Removal
H	Elm sp. <i>Ulmus sp.</i>	47	36	Poor	Root damage and decay	Removal
I	Red maple <i>Acer rubrum</i>	35	41	Poor	Root damage and decay	Removal
J	American linden	37	18	Critical	Serious	Removal

	<i>Tilia americana</i>				decline	
W	Ash sp. <i>Fraxinus sp.</i>	32	0	Dead		Removal

The statement of justification submitted describes the need to remove these trees as the first phase of a rejuvenation of the environmental setting. Five of the trees proposed for removal are already dead, with the majority succumbing to Emerald Ash Borer. Six of the trees proposed for removal are classified as in fair to critical condition, with conditions ranging from trunk and basal decay, decline, broken limbs, mechanical damage, and mechanical damage. Only one tree is in good condition, but is a volunteer growing in a clump of old yews and needs to be removed so the shrubs can be retained and reshaped.

Section 25-119(d) of the WCO contains six required findings [text in bold] to be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the removal of twelve historic trees located within the environmental setting.

(A) Special conditions peculiar to the property have caused the unwarranted hardship

The statement of justification indicates that the removal of the twelve identified historic trees which this variance requests is necessary to remove hazardous and dead trees, reduce non-native invasives, and support healthy rejuvenation of plant materials retained on the grounds. Staff finds that the vegetation management proposed is appropriate for the maintenance and enhancement of the environmental setting.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

The statement of justification states that the expectation to retain all historic trees on the site would prevent the applicant from ordinary maintenance and management of the environmental setting consistent with the historic resource. Staff agrees that strict enforcement of these rules would deprive the applicant of rights commonly enjoyed by others in similar areas.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants

The statement of justification states that the applicable development requirements are in effect for the protection of the environmental setting of a historic site, and that no special privilege would be conferred by granting the variance. The tree removal cannot occur without approval of a HAWP. The purpose of the tree removal is enhancement of a historic resource and support for adaptive re-use of the structure. All applicants have the right to request a variance to remove historic trees should they prove special circumstances exist that merit their removal to the Planning Board and the Historic Preservation Commission.

Staff agrees that the requested variance for the removal of historic trees does not confer any special privilege beyond that granted by the historic designation of the property, and the vegetation management proposed is in accordance with all other development requirements.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant

The statement of justification indicates that the presence and location of historic trees is the result of actions by the applicant, and that the existing conditions and circumstances on the site are also not the result of actions by the applicant. Staff finds that the need for the variance is largely based on the existing conditions of the site and the health of trees and is not the result of actions by the applicant.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property

The statement of justification indicates that the request to remove the historic trees is not related to a land or building use on a neighboring property. Staff agrees that the request to remove the trees does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality

The statement of justification states that SWM will be provided, and water quality will be addressed in accordance with state and municipal guidelines. Staff agrees that water quality will not be adversely impacted if the site is managed in accordance with a Stormwater Management Plan approved by the City of Bowie.

Staff recommends approval of the Section 25-122(b)(1)(G) variance request for twelve historic trees (7, 30, 32, 33, 36, A, B, C, H, I, J and W) based on the above discussion.

Historic Setting Vegetation Management Plan

With the current application, a Phase 1 Historic Setting Vegetation Management Plan has been submitted to provide guidance for the maintenance and management of the historic trees and landscape features within the 2.71-acre environmental setting for the historic Melford house. The stated goals of the plan are:

1. To remove low-growing plants that are inconsistent with the landscape setting and impede sight lines onto the historic property.
2. To remove and/or manage non-native invasive plants that are identified within the landscaped and wooded areas of the environmental setting.
3. Enhance desirable plantings and suppress undesirable undergrowth with applications of wood mulch.
4. Remove dead, downed and hazardous trees as needed.
5. Plant replacement trees and shrubs to maintain the character of the landscape, and

6. Provide guidance for maintenance during the required four-year maintenance period and beyond.

The first activity proposed by the plan is tree and shrub removal consistent with a requested Subtitle 25. Variance for the removal of twelve historic trees which are dead, in poor condition, or inconsistent or detrimental to the landscape character intended for the site. Approval of the requested variance was supported by staff.

To mitigate for the loss of the historic trees, the applicant proposes to plant ten replacement oak trees (*Quercus var*) 3.5 to 4-0 inches in caliper prior to the occupancy of the first townhouse in the associated Detailed Site Plan, DSP-19052.

The plan includes recommended general specifications for on-going tree and landscape maintenance and practices for the removal of twelve historic trees. It is anticipated that the Vegetation Management Plan will be an evolving document that will incorporate best management practices applicable to the site and reflect the intended re-use of the site when identified. All work proposed within the environmental setting of the historic site is subject to a Historic Area Work Permit (HAWP).

The on-going maintenance and management of the site will be provided by the Melford Town Center Business Owner's Association.

Staff recommends approval of the Phase 1 Vegetation Management Plan.

Stormwater Management

The site has a Stormwater Management Concept Plan approval letter (01-0114-207NE15) approved on March 10, 2014 and reapproved on March 6, 2017 by the City of Bowie. In addition to the major "regional" facilities already constructed, the approved SWM plan proposes SWM features such as micro-bioretenion and Environmental Site Design (ESD) elements.

Sediment and Erosion Control

A copy of the Final Erosion and Sediment Control Plan has not been submitted with the current application to verify conformance with the approved limit of disturbance, TCP 2 and technical SWM approval

Soils

According to the "Web Soil Survey" the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and then other pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property.

This information is provided for the applicant's benefit, and may affect the architectural design of structures, grading requirements, and SWM elements of the site. The Department

of Permitting, Inspections and Enforcement (DPIE) may require a soils report in conformance with CB-94-2004 during the permit process review.

SUMMARY OF FINDINGS AND CONDITIONS:

The Environmental Planning Section recommends approval of DSP-19052 and TCP2-036-99-15, subject to findings and conditions listed below:

Recommended Findings

1. The regulated environmental features on the subject property have fully been preserved and/or restored based on consistency with the limits of disturbance shown on the previously approved CSP-06002-01 and Type 1 Tree Conservation Plan TCPI-044-98-04; and Preliminary Plan 4-16006 and TCP1-044-98-05. No Regulated Environmental Features (REF) are located within the limits of the current application.
2. The required findings of Section 25-119(d) have been adequately addressed for the proposed removal of twelve historic trees.

Recommended Conditions

1. Prior to certification of the Detailed Site Plan, the TCP2 shall be revised as applicable:
 - a. Reconcile all worksheets to reflect any changes to woodland conservation requirements and fulfillment resulting from required revisions.
 - b. Standard TCP2 Note 1 shall be revised to add the DSP case number.
 - c. Confirm the area of historic tree credit provided by determining the quantity of undisturbed retained critical root zone associated with historic trees to be retained within the environmental setting and revising the woodland conservation worksheets as indicated.
 - d. Add a variance note under the woodland conservation worksheet and complete to reflect the variance approval:

“NOTE: This plan is in accordance with a variance from the strict requirements of Subtitle 25 approved by the Planning Board on (add date): for the removal of twelve historic trees (Section 25-122(b)(1)(c)): 7, 30, 32, 33, 36, A, B, C, H, I, J and W.
 - e. Update tables and calculations as needed to reflect the required revisions.
 - f. Have the revised plan signed and dated by the Qualified Professional who prepared it.
2. Prior to the issuance of grading permits for the site, a copy of the technical stormwater management (SWM) plan shall be submitted and reviewed for conformance with the Detailed Site Plan and TCP2.

3. Prior to issuance of grading permit, a copy of the approved Final Erosion and Sediment Control Plan shall be submitted and reviewed for conformance with the limit of disturbance shown on the DSP and TCP2 and Technical SWM approval.

If you have any questions regarding these comments, please contact me at 301-952-3506 or by e-mail at Kim.Finch@ppd.mncppc.org.



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

December 19, 2019

TO: Henry Zhang, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director
Site/Road Plan Review Division, DPIE *mg 12/17/19*

RE: The Mansions at Melford Town Center
Detailed Site Plan No. DSP-19052

CR: City of Bowie

In response to the Detailed Site Plan No. DSP-19052 referral, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The subject property is located on the eastside of Curie Drive, approximately 424 feet north of Melford Boulevard in the City of Bowie. Coordination with the City of Bowie for right-of-way dedications, roadway improvements, and the internal subdivision streets is required.
- This project does not impact any County-maintained roadways.
- The stormwater management concept was approved by the City of Bowie as follows:
 - a) March 20, 2017 (approval number 01-0317-207NE15).
 - b) April 14, 2017 (approval number 02-0417-207NE15).
- The proposed development will require a DPIE Site Development - Fine Grading permit.
- The approved floodplain delineation and floodplain easement should be shown on the plan.

PSEG Keys
December 19, 2019
Page 2

If you have any questions or require additional information, please contact Mariwan Abdullah, District Engineer for the area, at 301.636.2060.

MCG:SJ:csw

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
Selam Jena, Engineer, S/RPRD, DPIE
Bohler Engineering, 16701 Melford Boulevard, Suite 310,
Bowie, Maryland, 20715
St. John Properties, Inc., 2560 Lord Baltimore Drive,
Windsor Mill, Maryland, 21244



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

January 28, 2020

The Honorable Elizabeth M. Hewlett, Chairman
Prince George's County Planning Board
14741 Governor Oden Bowie Drive
County Administration Building
Upper Marlboro, Maryland 20772

RE: Detailed Site Plan #DSP-19052
The Mansions at Melford Town Center
Bowie, Maryland

Dear Chairman Hewlett:

On Monday, July 1, 2019, the Bowie City Council conducted a public hearing on the above referenced Detailed Site Plan. The subject site contains approximately 54 acres, is located on the east side of Curie Drive and the north and south sides of Lake Melford Avenue extended (future construction), and is zoned M-X-T (Mixed Use – Transportation Oriented). The project includes the development of 435 multifamily dwelling units in nine multi-story buildings, a clubhouse and an outdoor pool area.

During its public hearing, the City Council focused its discussion on features of the project such as: parking; landscaping; lighting; signage; and, the final technical Stormwater Management Plan. At the conclusion of the public hearing, the City Council voted to recommend **APPROVAL** of **Detailed Site Plan #DSP-19052** for the Mansions at Melford multifamily residential development proposed in Melford Town Center with the following conditions, which are intended to improve site and building aesthetics, and to conform to the adopted Design Guidelines, and the City's Development Review Guidelines and Policies:

1. Parking
 - A. A detail of the signage proposed at the head of each compact parking space, identifying it for use by compact vehicles, shall be provided in the Detailed Site Plan set of plans.
 - B. The discrepancy in the total number of compact parking spaces, and what appears in the table on Sheet DSP-7 (168) shall be reconciled, and the correct number of spaces shall be shown on the plans.
 - C. The discrepancy in the number and identification of compact parking spaces to the east of and between Buildings 4 and 5 that are shown on Sheet DSP-8, Sheet A-101 and Sheet A-102 shall be resolved, and shown on the plans.
 - D. The seven compact parking spaces proposed south of Building 5 shall be identified as such on Sheet A-101.
 - E. The discrepancy in the number of handicap parking spaces proposed in the project (20), and the number of such spaces shown in the parking tabulation table on Sheet DSP-7 shall be reconciled, and the correct number shall be shown on the plans.

Detailed Site Plan #DSP-19052
 The Mansions at Melford Town Center
 Bowie, Maryland

F. The parking tabulation table on Sheet DSP-7 shall be revised to show the correct number of on-site parallel parking spaces (24), and the correct number of parallel parking spaces proposed on Lake Melford Avenue (32).

2. Lighting

A. Additional lighting shall be installed in the following areas where there is currently inadequate lighting proposed: along the walkway to the west of Building 6 (Sheet DSP-20); in the southwestern area of Building 1 (Sheet DSP-20); and, in the pool deck area north of the bath house (Sheet DSP-21).

3. Final Technical Stormwater Management Plan

A. A detail of the landscaping materials to be provided in the bio-retention facilities shall be shown on the plans. Materials shall include varieties of ornamental grasses and perennials.

Thank you for allowing the City to participate in the County's land development review process.

Sincerely,



Bowie City Council
 Adrian Bofo
 Mayor Pro Tem

cc: Mr. Robert Antonetti, Jr., Shipley and Horne, P.A.
 Mr. Joe DiMarco, P.E., Bohler Engineering
 Mr. Ken Findley, P.E., St. John Properties, Inc.
 Ms. Jill Kosack, Urban Design Section, M-NCPPC
 Mr. Chris Rizzi, PLA, ASLA, Bohler Engineering
 Mr. Andrew Roud, St. John Properties, Inc.
 Mr. Henry Zhang, AICP, LEED AP, Urban Design Section, M-NCPPC

t:/letter>planningboard.doc

January 21, 2020

MEMORANDUM

TO: Henry Zhang, Master Planner, Urban Design Section

VIA: Sherri Conner, Supervisor, Subdivision and Zoning Section *SC*

FROM: Tom Sievers, Senior Planner, Subdivision and Zoning Section *JS for TS*

SUBJECT: DSP-19052; The Mansions at Melford Town Center

The subject property is located on Tax Map 47 in Grid F-3 and is a portion of Parcel 4 and Parcel 5 recorded in Liber 17411 folio 710. Specifically, it is located on the east side of Curie Drive, approximately 730 feet north of Melford Boulevard. The subject site consists of approximately 23.5 acres of unimproved land in the Mixed-Use Transportation Oriented (M-X-T) Zone. The property is owned by the Maryland Science and Technology Center II, LLC.

This property is subject to preliminary plan of subdivision (PPS) 4-16006. The PPS contained a total of 129.16 acres and was approved on March 9, 2017 for 256 lots and 50 parcels, for the construction of 293 attached dwellings, 1,500 multifamily dwelling units, and 359,500 square feet of gross floor area of commercial/office space, subject to 24 conditions. Multiple Detailed Site Plans (DSP) have been approved for the project including a plan for rough grading (DSP-17020), a 388 unit multifamily building (DSP-18007), 57,845 square feet of retail (DSP-18026), and infrastructure for townhouses/attached units (DSP-18034). The applicant requests this DSP for the development of 435 multifamily dwelling units, within nine buildings, and one clubhouse of approximately 12,000 square feet on nine parcels. The following PPS conditions are applicable to review of the DSP:

1. **Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:**
 - a. **Provide a table or general note that demonstrates the disposition of each commercial parcel by number and each residential homeowner's association (HOA) parcel by letter and indicate if the parcels will be dedicated to the HOA, business owner's administration, or other entity. The parcels (including the existing tax parcels) should be renumbered or re-lettered in ascending order. Final determination of which entity will receive each parcel will be determined at the time of detailed site plan.**

The PPS approved Parcel JJ, a 20,884-square-foot parcel, to be conveyed to a business owners' association (BOA) which was to contain the Melford Village Plaza, abutting the multi-family development proposed with this DSP. The Melford Village Plaza was part of the approved Conceptual Site Plan CSP-06002-01 applicable to this property. The CSP shows the village plaza as a focal area of the Melford community, located at the center of the residential neighborhoods and terminus of the primary circulation roadways. The CSP identifies this plaza at a key node within the community planned for "emphasis on hardscape to accommodate large groups of users". The Melford Design Guidelines, included with the CSP, provide an exhibit depicting the look and feel of the village plaza and describes that the area shall be designed with a monument feature, visible from great distances, to anchor the design pattern.

The PPS, at the request of the applicant, split the village plaza into two distinct parcels to accommodate their request to modify the road system. The village plaza was designed as two parcels, at the northwest quadrant and at the northeast quadrant of the intersection of Curie Drive and East West Boulevard (now Lake Melford Avenue, being 24,331 square feet and 20,885 square feet respectively). The PPS contained an exhibit prepared by the applicant and presented to the Planning Board illustrating the areas to be designed with cohesive hardscape and landscaping from the front the curb to the face of the adjacent multi-family buildings, maintaining the continuity and significance of the area as a focal point of the community.

Parcel JJ is shown on the submitted DSP but it should be indicated that it is to be conveyed to a business owner's association and/or appropriate community association, to ensure the joint use and programming of the plaza within the community.

2. **At the time of final plat, the applicant and the applicant's heirs, successors and or assignees, shall grant a ten-foot-wide public utility easement (PUE) along all public rights-of way, and one side of all private streets, not including alleys. Any deviation from the 10-foot-wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.**

The subject property has frontage along Curie Drive and Lake Melford Avenue, a planned public right-of-way. The DSP shows the required 10-foot-wide PUE along Curie Drive. However, the DSP does not show the required PUE along Lake Melford Avenue and instead proposes utilities within the public right-of-way. This proposal is consistent with the prior approved PUE variation for the multifamily development west of this site, The Aspen at Melford. The proposed buildings are provided along the frontage of Lake Melford Avenue, therefore shifting the utility location into the public right-of-way. The location of the PUE within the right-of-way, a variation from the normal requirement per Section 24-122(a) of the Subdivision Regulations, was previously coordinated and confirmed with the various utility companies and the City of Bowie. Prior to approval of the final plat, the applicant shall submit a justification in accordance with Section 24-113 of the Subdivision Regulations.

3. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings as set forth in a resolution of approval and on the approved**

plan, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.

The DSP proposal regarding land use is consistent with the approved PPS. Conformance with this condition has been demonstrated.

9. **At time of detailed site plan and TCP2 approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a Historic Setting Vegetation Management Plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established. Implementation of the Plan would be subject to approval of a HAWP. Development of a Management Plan would qualify trees within the environmental setting to be credit as "historic trees" at twice the usual woodland conservation ratio.**

At the time of TCP2, applicant may credit historic trees with the environmental setting of the cemetery as follows:

- a. **Permission of the owner or ownership of the property shall be demonstrated.**
- b. **A historic tree inventory of the environmental setting of the cemetery shall be prepared and included on the TCP2.**
- c. **A historic setting vegetation management plan for the cemetery shall be prepared for the purpose of identifying vegetation that should be removed to protect the existing graves on-site, to identify recommended maintenance activities, and to propose any additional planting appropriate for the site. The plan shall include a maintenance program for the cemetery to retain an open character over the known gravesites, a cost estimate for implementation of the plan and for a minimum of four years of maintenance and shall identify the party or parties responsible for the long-term maintenance of the environmental setting.**
- d. **The quantity of historic tree credits in the environmental setting shall be calculated and added to the woodland conservation worksheet.**
- e. **Prior to the issuance of grading permits for Melford Village which credit woodland conservation with the cemetery environmental for historic tree credit, a HAWP for implementation of the historic setting vegetation management plan shall be approved, and a bond for implementation of the plan shall be submitted. Bonding shall be held until the requirements of the plan is fully implemented, and four years of maintenance has been monitored.**

The proposed development should be reviewed by the Environmental Planning Section for conformance to Condition 9.

16. **Total development shall be limited to uses which generate no more than 2353 AM peak-hour trips and 2766 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.**

20. **A hiker-biker trail connection shall be shown on the preliminary plan of subdivision and constructed by the applicant and the applicant's heirs, successors, and/or assignees along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.**
21. **A 10-foot-wide hiker-biker trail shall be provided by the applicant and the applicant's heirs, successors, and/or assignees on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This segment of the trail system shall be shown on the preliminary plan of subdivision prior to signature approval. The appropriate triggers for the permitting and construction of the hiker-biker trail on Parcel 40 shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.**
22. **To help fulfill the purpose of Condition 19 of Conceptual Site Plan CSP-06002-01, "sharrows" shall be installed by the applicant and the applicant's heirs, successors, and/or assignees on Curie Drive (and Science Drive, beyond the Melford Village project limits). The appropriate location(s) and triggers for permitting and construction of the sharrows shall be determined at the time of detailed site plan for each phase of the project.**

The proposed development should be reviewed by the Transportation Planning Section for conformance to Conditions 16 and 20-22.

Plan Comments:

1. This DSP proposes multiple parcels over which cross access provides circulation of the multifamily development and clubhouse north of Lake Melford Avenue. The main access driveway is located on Parcel EE and the proposed clubhouse is collocated with a multifamily building on Parcel FF. Given the multifamily Parcels DD-LL are dependent one another for access and circulation, the parcels are considered to be one lot.
2. The Melford Village Plaza is envisioned as a key node within the community. The PPS designates the plaza as two parcels located on either side of Curie Drive. To ensure the joint use and programming of the plaza within the community, ownership of the parcels by the same entity is expected when the adjacent parcel develops.
4. The DSP includes part of a parcel shown on the PPS as private roadway 'G'. This roadway parcel will need to be reflected on the DSP in its entirety as there are improvements and utilities within it that serve the subject development. This roadway is shown immediately east of Parcel DD on the DSP but is given no parcel designation. The private road parcel should be labeled and shown to be conveyed to the community association to ensure use in perpetuity with this development.
5. Parcel V shown on this DSP south of Lake Melford Avenue is dependent on the neighboring property for access which was approved via DSP-18034 for Melford Town Center. New

public road 'D' as shown on DSP-18034 must be platted prior to or concurrent with Parcel V so that access may be established prior to the approval of a building permit for Parcel V.

Recommended Conditions:

1. Prior to certificate approval of the DSP, the following revisions shall be made to the detailed site plan:
 - a. Parcel JJ shall be labeled as to be conveyed to the Community Association.
 - b. Clearly delineate all proposed property lines with bearings and distances labeled.
 - c. Show the entirety of the private road parcel east of Parcel DD; provide the parcel designation, label the parcel to be conveyed to the Community Association and revise all applicable notes to account for the inclusion of this road parcel.
2. Prior to or concurrent with the approval of a final Plat for Parcel V, the abutting roadway known as new public road 'D', as approved with DSP-08034, must be dedicated to public use.
3. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Submit a variation to Section 24-122(a) in accordance with Section 24-113 of the Subdivision Regulations for placement of the utilities within the right-of-way for those parcels along Lake Melford Avenue.
 - b. Demonstrate that a business owners' association, or other appropriate community ownership association, has been established. The draft covenants shall be submitted to the Subdivision and Zoning Section to ensure the rights of the Maryland National Capital Park and Planning Commission are included. The liber and folio of the declaration of covenants shall be noted on the final plat prior to recordation.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. The DSP has been found to be in substantial conformance with the preliminary plan of subdivision with recommended conditions. All bearings and distances must clearly be shown on the DSP or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.



PRINCE GEORGE'S COUNTY HISTORIC PRESERVATION COMMISSION

County Administration Building • 14741 Governor Oden Bowie Drive, 4th Floor, Upper Marlboro, Maryland 20772
pgplanning.org/HPC.htm • 301-952-3680

January 22, 2020

MEMORANDUM

TO: Henry Zhang, Urban Design Section, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division **HB**
Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

FROM: Historic Preservation Commission

SUBJECT: **DSP-19052: The Mansions at Melford**

The Historic Preservation Commission reviewed the subject application at its January 21, 2020 meeting. The HPC voted 4-1 to recommend approval of the subject application and to forward the following findings, recommendations, and conditions to the Planning Board for its review.

Recommendation

The Historic Preservation Commission recommends that the Planning Board approve DSP-19052, The Mansions at Melford and the applicant's Vegetation Management Plan with no conditions.

Findings

1. The Melford development contains 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. It is distinguished by a two-story semicircular bay and parapetted double chimney at one gable end. Attached at the other gable end is a lower kitchen wing built of brick and stone. The interior exhibits fine Greek Revival trim. It was built for Richard Duckett and was the home for 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. The bay and chimney configuration make Melford unique in Prince George's County. Melford was listed in the National Register of Historic Places in 1988.
2. The subject application proposes 435 multifamily dwelling units in nine buildings and one 12,000 square-foot clubhouse with a swimming pool and other recreational facilities within the northeast neighborhood of the Melford Town Center project. This project will be known as "Melford Mansions." The proposed multifamily buildings will be located on approximately 10.954 acres near the intersection of the future Lake Melford Avenue and the existing Curie Drive. The proposed multifamily buildings will be 4 to 5 stories in height with either individual interior garage spaces or podium style structured parking. Surface parking spaces will also be provided and will be available to residents through controlled access points. The swimming pool will include a one-story bathhouse. The buildings will be clad in a brick veneer in six colors, four masonry colors, eight colors of cementitious siding, asphalt shingles and standing-seam metal roof elements in three colors. The architecture includes a variety of columns and dormers to

create interest and to connect the structures to other buildings within the overall development. This application also includes the final portion of the plaza at the intersection of Lake Melford Avenue and Curie Drive.

3. This portion of the development is not adjacent to the Melford House and Cemetery Environmental Setting but is partially within the view corridor established in the approval of CDP-9003, University of Maryland Science and Technology Center [PGCPB Res. No. 99-28(A)]. The Conceptual Site Plan for Melford Village (CSP-06002) proposed multi-family and attached single-family units in the area northeast of the Melford Historic Site. This plan is consistent with the vision of the CSP.
4. In addition, an Historic Setting Vegetation Management Plan (VMP), focused on the Melford & Cemetery Historic Site Environmental Setting, was submitted with the subject application. The goals of the VMP are to: 1) remove low-growing plants that are inconsistent with the landscaped setting and impede sightlines; 2) enhance desirable plantings and suppress undesirable undergrowth with wood-chip mulch applications; 3) remove standing dead trees, downed trees, and hazardous trees; 4) plant replacement trees and shrubs to maintain the character of the landscape; and 5) maintain the site for a minimum of four years. Six trees are proposed to be removed and two to be replaced by native species.
5. Among those conditions approved by the District Council in its review of CSP-06002-01, the following are applicable to the subject detailed site plan application:
 5. At the time of detailed site plan (DSP), the following design issues shall be addressed:
 - 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.

COMMENT: There is an existing interpretive sign for the Melford Historic Site that is located outside of the limits of this detailed site plan. This sign will be moved to the new entrance road into the Melford Historic Site. The applicant has submitted wording for an interpretive sign that will be located within the parcel containing the Duckett Family Cemetery, which is not within the limits of this detailed site plan and another interpretive sign on the history of the Duckett family that will be located within the limits of DSP-18026, Retail at Melford Town Center.

- 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.

COMMENT: The proposed buildings within the designated view corridors comply with the height requirements established 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.

COMMENT: The proposed architecture is compatible in scale, mass, proportion, materials, and architecture with the Melford Historic Site.

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

COMMENT: The applicant should correct notations on all site plans to include the following text "Melford and Cemetery Environmental Setting (Historic Site 71B-016)." The impact review area is not visible on all the sheets of the Detailed Site Plan or the Tree Conservation Plan.

6. At the meeting, Ms. Kim Finch, the Environmental Planner reviewing the applicant's Vegetation Management Plan for the Melford Environmental Setting, provided her analysis of the plan. Ms. Finch stated that the Woodland Conservation Ordinance allows historic trees to be credited as Woodland Conservation. The detailed site plan for the Melford Town Center, DSP-18034, showed the preservation of all the trees within the Melford Environmental Setting. The Environmental Planning Section asked the applicant to submit a Vegetation Management Plan to show how the trees within the Environmental Setting would be treated and maintained. An arborist identified 12 trees within the Melford Environmental Setting that were already dead or had other problems threatening their survival. A variance is required to remove specimen, historic, and champion trees within a proposed development. Ms. Finch noted that the VMP will be an evolving document to regularly update and evaluate the condition of specimen and historic trees within the Melford Environmental Setting. She recommended that the HPC recommend approval of the applicant's Vegetation Management Plan and noted that this plan will provide for the protection and maintenance of all the vegetation within the Melford Environmental Setting over time.

Conclusions

1. The southeastern portion of Building A and the west elevation of Building B will be the most visible from the Melford Historic Site. Both multi-family buildings are proposed to be five-stories high, with an additional ground level. The first floor will be clad with a brick veneer, while floors two through five will be clad in varying shades of cementitious lap siding. Roofs consist of asphalt shingle. Materials and the color palettes of the proposed buildings are compatible with the historic character of the Melford Historic Site.
2. The HPC concurred that the applicant's Vegetation Management Plan will promote the health and protection of healthy historic specimen trees within the Melford Historic Site and provide a plan for the continued maintenance of the grounds. A Historic Area Work Permit will be required for any planting of trees and other vegetation, or the removal of the same, associated with the VMP.

MEMO



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Department of Parks and Recreation, Prince George's County

January 23, 2020

TO: Henry Zhang, Master Planner
Urban Design Section
Development Review Division
Planning Department

VIA: Alvin McNeal, Acting Deputy Director
Administration and Development
Department of Parks and Recreation

[Handwritten signature]
1/27/2020

FROM: Thomas Zyla, Landscape Architect
Land Acquisition/Management and Development Review Section
Park Planning and Development Division
Department of Parks and Recreation

[Handwritten signature]

SUBJECT: **DSP-19052, THE MANSIONS AT MELFORD TOWN CENTER**

The staff of the Department of Parks and Recreation (DPR) has reviewed and evaluated the above referenced Detailed Site Plan (DSP) for conformance with the requirements and recommendations of the Approved Prince George's County General Plan, 2006 Bowie and Vicinity Master Plan and Sectional Map Amendment, Conceptual Site Plan (CSP-06002-01), Preliminary Plan of Subdivision (4-16006), the Land Preservation, Parks and Recreation Plan (LPPRP) for Prince George's County and the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space; as policies in these documents pertain to public parks and recreational facilities.

FINDINGS

This Detailed Site Plan (DSP-19052) is for 435 multi-family units within 9 residential buildings and one clubhouse building. According to Condition #22.e of the Prince Georges County District Council's Notice of Final Decision for CSP-06002-01 Melford:

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 Georges County, Upper Marlboro, Maryland.

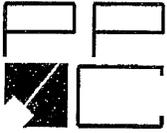
Because this DSP proposes residential development, the aforementioned RFA will need to be amended per District Council's Condition #22.e

RECOMMENDATIONS

The Park Planning and Development Division of the DPR recommends to the Planning Board approval of the above-referenced Detailed Site Plan (DSP-18052), subject to the following conditions:

- 1) Prior to certification of the DSP-18052 plans, the applicant, their heirs, successors, and/or assigns shall amend the public Recreational Facilities Agreement (RFA) recorded at Liber 34304, Folio 145 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 Georges County, Upper Marlboro, Maryland.

MIN
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

January 17, 2020

MEMORANDUM

TO: Henry Zhang, Urban Design Section, Development Review Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM: Glen Burton, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-19052 Melford Town Center - Melford Mansions

The Transportation Planning Section (TPS) has reviewed the detailed site plan (DSP) application referenced above. The development consists of 129.16 acres in the M-X-T Zone. It is at the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301). This application represents 10.95 acres and is proposing 435 multifamily units.

Background

Pursuant to PGCPB No. 17-45, this application represents a property which was the subject of an approved preliminary plan of subdivision (PPS) that was approved on March 9, 2017. The property was approved with multiple conditions, including the following pertaining to transportation:

16. *Total development shall be limited to uses which generate no more than 2,353 AM peak-hour trips and 2,766 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.*

Status: As of this writing, and pursuant to PGCPB No. 18-66 (DSP-18007), two developments have been approved by previous DSP applications with a collective trip generation of 1013 AM and 1201 PM peak trips. The subject application represents the construction of 435 multifamily dwelling units which are projected to generate 226 AM and 261 PM peak trips. Collectively, all approved DSPs plus the subject application will generate a total of 1239 AM and 1462 PM peak trips. Consequently, the trip cap will not be exceeded.

17. *Prior to issuance of any residential building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction through the applicable agency's access and permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency, and per applicable City, County, and/or SHA standards and requirements:*
 - a. **Melford Boulevard and Science Drive:** *Convert the existing roundabout to a traditional four-legged signalized intersection, as described below:*

- (1) *Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required physical and traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.*
- (2) *Provide four travel lanes on the northbound approach and on the southbound approach. These shall include two travel lanes in each direction and turning lanes, as determined to be appropriate by the City of Bowie.*
- (3) *Provide two travel lanes on the eastbound approach and on the westbound approach. These shall be marked and striped as determined to be appropriate by the City of Bowie.*

- b. **Melford Boulevard and Tesla Drive/site access:** *Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.*
- c. **US 301 and Governors Bridge Road/Harbour Way:** *Provide an additional right-turn lane on eastbound Harbour Way and restripe the eastbound approach on Harbour Way to result in two left-turn lanes, one shared through/left-turn lane, and one right-turn lane.*

Status: Staff has been informed by the City of Bowie that signalization is not warranted for either intersections (a) or (b) at this time. Conditions 17(a)(2), 17(a)(3) and 17(c), are still valid and enforceable at the time of building permit.

19. *Pursuant to a proffer made in the traffic impact study and an agreement with the City of Bowie, prior to the first residential building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide for at least four traffic calming measures or devices along Belair Drive, west of the MD 3 interchange and per the City of Bowie standards and specifications. These measures shall be provided and reviewed with the first detailed site plan for residential development filed pursuant to this preliminary plan of subdivision.*

Status: Staff has been informed by the City of Bowie that the City has issued a permit for the installation of traffic calming devices on Belair Drive. This satisfies Condition 19.

Site Access and Circulation

The proposed development will be accessible from a network of roads, most of which allow on-street parking. Regarding parking, the application is proposing 697 spaces which is deemed to be adequate.

DSP-19052: Melford Town Center – Melford Mansions
January 17, 2020
Page 3 of 3

Conclusion

Overall from the standpoint of transportation, staff is satisfied that all of the transportation conditions have been adequately addressed.

January 21, 2019

MEMORANDUM

TO: Henry Zhang, Development Review Division

VIA:  Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division

SUBJECT: Detailed Site Plan Review for Non-Motorized Transportation Master Plan Compliance

The following detailed site plan (DSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation (MPOT)* and the 2006 *Approved Master Plan for Bowie and Vicinity* to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP-19052

Development Case Name: The Mansions at Melford Town Center

Type of Master Plan Bikeway or Trail

Private R.O.W.*	<u> </u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.*	<u> X </u>	Nature Trails	<u> X </u>
SHA R.O.W.*	<u> </u>	M-NCPPC - Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> X </u>
Sidewalks	<u> X </u>	Trail Access	<u> X </u>

Subject to 24-124.01: No

Preliminary Plan Background	
Building Square Footage (non-residential)	12,000 Square Foot (Clubhouse)
Number of Units (residential)	435 Multifamily Units
Abutting Roadways	Lake Melford Avenue, Curie Drive
Abutting or Nearby Master Plan Roadways	Melford Boulevard, MD-3, US-50
Abutting or Nearby Master Plan Trails	Patuxent River Water Trail
Proposed Use(s)	Multifamily Residential
Zoning	M-X-T
Centers and/or Corridors	Bowie - Town Center
Prior Approvals on Subject Site	CSP-06002, CSP-06002-01, 4-16006

Previous Conditions of Approval

Approved Conceptual Site Plan (CSP)-06002 includes the following condition of approval related to trail construction, specific to the subject property. Condition 23 from CSP-06002 is copied below:

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.

Approved Conceptual Site Plan CSP-06002-01 includes the following condition of approval related to trail construction, specific to the subject property. Condition 17 from CSP-06002-01 is copied below:

23. 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.

Approved Preliminary Plan of Subdivision (PPS) 4-16006 includes the following condition of approval related to trail construction, specific to the subject property. Condition 20 from 4-16006 is copied below:

20. A hiker-biker trail connection shall be shown on the preliminary plan of subdivision and constructed by the applicant and the applicant's heirs, successors, and/or assignees along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.

Comment: The submitted plans are in conformance with the condition noted above. A 10-foot-wide sidewalk is displayed along the northern boundary and a 6-foot-wide sidewalk is displayed along the southern boundary of the project site.

Existing Conditions, Sidewalks and Bike Infrastructure

The subject property has existing sidewalks along the west frontage of Curie Drive. A network of sidewalks is included in the proposed DSP and appears to adequately serve the subject site. There are no dedicated bike lanes associated with the project.

Connectivity to Adjacent/Nearby Properties

The Transportation Systems Section of the *Approved Master Plan for Bowie and Vicinity* (p.52) includes the following policies:

Policy 2:

Incorporate appropriate pedestrian-oriented development (POD) features in all new development and improve pedestrian safety in existing development.

Policy 4:
Plan new development to help achieve the objectives of the Countywide Trails Plan and Equestrian Addendum

Strategy 2: Develop a water trail along the Patuxent River to provide river access for canoeists and kayakers. This supports the City of Bowie Trails Plan and work underway by the Department of Parks and Recreation and the State of Maryland Department of Natural Resources

The Complete Streets Section of the *Approved Countywide Master Plan of Transportation* (p.9) includes the following policy:

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

Comment: The applicant proposes to construct sidewalks along both sides of Lake Melford Avenue. These sidewalks are shown on the submitted plans and will connect with an internal sidewalk network serving the project site. The surrounding vicinity of the Melford development features extensive sidewalks already in place. Sidewalks along Marconi Drive directly south of the project site, already provide pedestrian connectivity to the Patuxent River Water Trail. The MPOT also recommends a natural surface trail originating at the trailhead at the end of Marconi Drive which would run north, adjacent to the Patuxent River Water Trail, culminating at the intersection of MD-450 and MD-3. Future development along Lake Melford Avenue, on both sides of Curie Drive will provide greater sidewalk and pedestrian connectivity within the Melford development.

The Transportation Systems Section of the *Approved Master Plan for Bowie and Vicinity* (p.52) include the following policy:

Policy 3:
Develop bicycle-friendly roadways in conformance with the latest standards and guidelines.

Comment: The MPOT recommends a planned shared roadway along Bel Air Drive approximately 0.5 miles west of the project site, that will eventually connect to Melford Boulevard. An additional MPOT planned shared roadway is recommended along Governor Bridge Road approximately 0.9 miles south of the project site, that will connect to the Patuxent River Water Trail.

Recommended Conditions of Approval:

1. Prior to signature approval, the detailed site plan shall be revised to include the following:
 - a. Indicate the location and number of inverted U bike racks.

Case No.: CSP-06002-01 Melford

Applicant: St. John Properties, Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER OF APPROVAL WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that application CSP 06002-01, requesting approval for 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 additional square feet of office space as amendments to an approved conceptual site plan ("CSP") with 1,807,874 square feet of approved office / research and development uses, in order to create an integrated, mixed-use development known as Melford, located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50 / 301), within Planning Area 71B, Council District 4, be and the same is hereby APPROVED, subject to conditions.

As the basis for this final decision, and as expressly authorized by the Regional District Act, namely Title 22 and Title 25 of the Land Use Article of the Annotated Code of Maryland, as well as the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, we hereby adopt the findings and conclusions within the administrative record as to proposed application, and specifically those findings and conclusions set forth within PGCPB No. 14-128, except where otherwise stated herein.¹

¹ References to the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, §§27-101 (2011 Ed. & Supp. 2014) *et seq.*, are styled "the Zoning Ordinance" and cited "§ 27- ___" herein. References to the Regional District Act within Md. Code Ann., Land Use (2012 & Supp. 2014) are styled the "Regional District Act" and cited "§ ___ of the RDA" herein. References to the Development Review Division of the Maryland-National Capital Park and Planning Commission are styled "Technical Staff"

PROCEDURAL HISTORY

On or about June 9, 2014, the Development Review Division of the Maryland-National Capital Park and Planning Commission accepted, as filed and for review, conceptual site plan application CSP-06002-01, requesting approval for 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, and 1,000 multifamily units; 268,500 square feet of retail uses; and 260,000 square feet of office space to amend an approved conceptual site plan with 1,807,874 square feet of approved office / research and development uses. On October 30, 2014, after completing its review of the subject application, Technical Staff of the Maryland-National Capital Park and Planning Commission issued a Technical Staff Report as to CSP-06002-01 in accordance with the requirements of the Zoning Ordinance, and recommending approval of the proposed amendments to the approved conceptual site plan. *See* 10/30/2014 TSR, at 3. On November, 13, 2014, pursuant to § 27-546 of the Zoning Ordinance, the Planning Board conducted a public hearing on the subject proposal. After considering the testimony and other evidence in the record, the Planning Board adopted PGCPB No. 14-128 at its December 4, 2014, meeting, stating its favorable disposition of approval of CSP-06002-01 embodied therein, as required by § 27-285 of the Zoning Ordinance. *Id.*

Thereafter, on January 7, 2015, in accordance with § 27-280 of the Zoning Ordinance, several Persons of Record² jointly filed a timely written appeal with the Clerk of the District Council, alleging various errors by Planning Board within its December 4, 2014, disposition as to CSP-06002-01, and requesting Oral Argument before the District Council. *See generally*

herein. References to Applicant, St. John Properties, Inc., are styled "Applicant" herein. References to Persons of Record, including those citizens that jointly appealed the December 4, 2014, disposition recommendation of the Planning Board as to CSP-06002-01 are styled "Citizens Opposition" herein. Lastly, citations to specific exhibits within the administrative record for CSP-06002-01 are styled "Ex. ___" herein.

² The signatory persons of record stated in the January 7, 2015, appeal to the District Council are as follows: Martha Ainsworth, Chair, *Prince George's Sierra Club*; Sally Mitchell, Person of Record; Bruce Pletsch, *Sherwood Manor Civic Association*; Lauren Ragsac, Person of Record; and Fred Tutman, *Patuxent Riverkeeper*.

01/07/2015 Mem., Ainsworth to Floyd. On January 12, 2015, the District Council did not elect to review CSP-06002-01.

Accordingly, after the close of the appeal period for the subject application, the Clerk of the District Council mailed notice of the oral argument scheduled for February 23, 2015, to all persons of record as required by § 27-125.04 of the Zoning Ordinance. We conducted oral argument as scheduled on February 23, 2015, in accordance with the prescriptions of § 27-131 of the Zoning Ordinance, as well as the District Council Rules of Procedure. *See generally* 02/23/2015 Tr. *See also* Rule 6, R. of Proc., County Council of Prince George's County, sitting as the District Council. In amplifying the allegations raised in the January 7, 2015, jointly filed written appeal, the Citizens Opposition raised several questions, discussed *infra*, at oral argument. *See* 01/07/2015 Mem., Ainsworth to Floyd, at 1-2. *See also* 02/23/2015 Tr. At the conclusion of the proceeding, the District Council took this matter under advisement. *See* 02/23/2015 Tr. Thereafter, on March 9, 2015, and in the manner prescribed within § 27-132 of the Zoning Ordinance, the District Council favorably voted to refer CSP-06002-01 for the preparation of an Order of Approval with Conditions.

FINDINGS AND CONCLUSIONS

The Subject Property

CSP-06002-01 is a development proposal for property located in the northeast quadrant of the intersection of the Robert S. Crain Highway (MD 3) and the John Hanson Highway (US 50/301), in Planning Area 71B, within the Fourth Council District. The site is bounded to the north by the Sherwood Manor subdivision, a development consisting of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and 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 Robert S. Crain Highway (MD 3) right-of-way.

Prior History of the Property

On January 25, 1982, the District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the subject property, with ten conditions (Zoning Ordinance 2-1982). In so doing, 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, subject to 27 conditions and two considerations, consistent with the disposition recommendation of the Planning Board for the Maryland Science and Technology Center forth in PGCPB Resolution No. 86-107.

Nearly two decades years later, the District Council approved the 2006 *Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B* (“Bowie Master Plan and SMA”) via adoption of CR-11-2006 on February 7, 2006. In particular, one of the comprehensive zoning changes Sectional Map Amendment specifically approved a zoning change applicable to the subject property, namely to intensify its zoning classification from the Employment and Institutional Area (E-I-A) Zone to the Mixed Use-Transportation Oriented (M-X-T) Zone. The original conceptual site plan for the property, CSP-06002, approved mixed-use development for the site with hotel, office, retail, restaurant, research and development, and residential (366 single-family units including both detached and attached units, and 500 multifamily units) use components. *See* PGCPB No. 14-128, at 5; 10/30/2014 TSR, at 4–5; 06/06/2014 App. Just’n Stmt., at 3–4. On January 11, 2007, after consideration of the

proposal and record of its public hearing, the Planning Board voted in favor of approval as to CSP-06002 on February 15, 2007, subject to 44 conditions, as set forth in PGCPB No. 07-09. *See App. Just'n Stmt.*, at 3. Thereafter, on May 11, 2009, the District Council rendered a final decision of approval as to plan application CSP-06002. The final decision of the Council as to CSP-06002 incorporated four modifications, 29 conditions and, most notably, rejected the residential component for the proposed development. *See generally* 05/11/2009, CSP 06002 Order of Approval with Conditions, PGCDC. Despite the limitations set forth in the conceptual site plan approval order issued by the District Council, we take administrative notice pursuant to § 27-141³ of prior approvals for development at the Melford property and in the vicinity of the proposed project—specifically, the findings within each approval as to consistency with approved County land use development policies. We find these previously approved projects included office uses, hotels, flex space, and other institutional uses. *See* 10/30/2014 TSR, at 3; 06/06/2104 App. Just'n Stmt., at 3. However, due to various market constraints, not all uses approved for development are fully constructed to date. *Id.*

Subject Development Request

This application proposes development of 2,500 residential units, including 500 attached single-family dwelling units (townhomes), 1,000 age-restricted multifamily dwelling units for seniors, and an additional 1,000 multifamily dwelling units; a proposed 268,500 square feet of retail uses; and 260,000 square feet of proposed office space to a conceptual site plan (CSP-06002) approved for 1,547,874 square feet of approved office / research and development uses to

³ § 27-141 of the County Zoning Ordinance provides that “[t]he final decision in any zoning case shall be based only on the evidence in the record, and shall be supported by specific written findings of basic facts and conclusions. In addition, the Council may take judicial notice of any evidence contained in the record of any earlier phase of the approval process relating to all or a portion of the same property, including the approval of a preliminary plat of subdivision.”

create an integrated, mixed-use development at Melford. *See* PGCPB No. 14-128, at 3; 10/30/2014 TSR, at 5; 06/06/2014 App. Just'n Stmt., at 2-3.

An examination of the evidence within the administrative record calls for development of a mixed-use residential, retail, and commercial office development at Melford, which is partially improved with some office development and related structures. The entire Melford property consists of approximately 431 acres, and is located in the northeast corner of the intersection of Crain Highway (MD 3) and the John Hanson Highway (US 50 / 301). It is bordered to the east by the Patuxent River environmental areas that are now part of a large approximately 96-acre parcel dedicated to M-NCPPC for parkland pursuant to previous approvals by of the District Council. Vehicular entrance to the property is through the existing public road called Melford Boulevard, that intersects with MD 3 north of US 50 / 301 at a large controlled intersection. *See* PGCPB No. 14-128, at 43; 10/30/2014 TSR, at 4.

The subject application proposes development of approximately 276 acres of the Melford property, located in its central and southern portions. This area includes multiple dedicated existing public rights-of-way, such as Melford Boulevard, which has an east-west vehicular flow, and Curie Drive, which runs north-south. The primary area of revision contemplated by the subject application is defined as "Melford Village" by Applicant, and constitutes a 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 development area proposed for the development in this application includes existing commercial office / research and development uses to the south, west, and north. However, we note that the subject application does not propose alterations or revisions to these existing structures. *Id.*

Based on our review of Applicant's development proposal, Melford Village will be organized around two main vehicular boulevards—a new boulevard running east-west, north of Melford House and Melford Boulevard; and around Curie Drive running north-south, which will be modified in the future in regard to alignment and road section as part of this development. *See* PGCPB No. 14-128, at 3; 10/30/2014 TSR, at 5; App. Just'n Stmt., at 4–5.

Four (4) 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, Applicant proposes a village plaza that will include a monumental feature that will also serve as a focal point for Melford Village. The east-west boulevard, as proposed, will terminate at an amphitheater on the eastern end, adjacent to an existing stormwater pond that Applicant proposes for reconfiguration as an amenity feature. *See* PGCPB No. 14-128, at 3; 10/30/2014 TSR, at 5; App. Just'n Stmt., at 4.

As stated in the record compiled for the subject project, Applicant proposes 260,000 square feet of commercial office space, as well as 268,500 square feet of commercial retail space which, according to our review of the evidence in the record, will be generally concentrated at the west 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. *See* PGCPB No. 14-128, at 4; 10/30/2014 TSR, at 6; 06/06/2014 App. Just'n Stmt., at 4. On the west side of Melford Boulevard, near the existing office buildings on the site, Applicant proposes development of a smaller, more compact commercial space for the site. *Id.* Lastly, the record shows the stated proposal for the remaining portions of the proposed Melford Village area, which is located east of Melford House, surrounding the north-south boulevard and extending to the M-NCPPC

parkland to the east, as Applicant's proposed location of the residential component of the project, with construction of 2,500 residential dwelling units, including multifamily units, and a 20 percent maximum for single-family attached units. More specifically, our review of Applicant's proposal in the record unambiguously designates 1,000 market rate multifamily units, within its proposed total 2,500 residential units for the project, as senior age-restricted multifamily units. *See* 06/06/2014 App. Just'n Stmt., at 5. We note that Applicant's proffer demonstrates sound consistency with the existing land use policy recommendations within the 2006 *Bowie and Vicinity Master Plan and SMA* concerning the emerging need, as well as documented future demand that is projected for affordable senior housing the area of the Melford Property. *See* 2006 *Bowie and Vicinity Master Plan and SMA*, at 12–13. To this end, we acknowledge other specific evidence in the record, namely the June 20, 2014, letter from the City of Bowie addressing the issue of affordable senior housing in its assessment concerning the subject proposal. Among the comments offered, the City recommended that Applicant revise its initial proposed residential component for the subject project, to increase the number of affordable senior units from Applicant's original stated maximum of 500 senior units to a revised maximum 1,000 senior multifamily units, which may include assisted living facility units. *See* 06/20/2014 Ltr., Robinson to Hewlett, at 1. In explaining its recommendation, the City observed that such an increase in senior multifamily units for the project "will provide more opportunities for seniors, reduce the high number of market multi-family units and generate less traffic overall." *Id.*

Based on the foregoing evidence, and as discussed in further detail within section below addressing the comprehensive planning and zoning provisions applicable to the subject proposal, *infra*, we find persuasive the evidence in the administrative record concerning the area's need for and limited supply of affordable senior housing in the area proposed for development, that is

reflected in the applicable comprehensive planning and zoning development recommendations applicable to the area of the subject property, despite any ambiguity or lack of express statutory prescription in the Zoning Ordinance concerning minimum dedicated senior housing units for residential development in the M-X-T Zone. *See* §§ 27-542–27-546, 27-547–27-548, Zoning Ordinance. *See also* PGCPB No. 14-128, at 3; 10/30/2014 TSR, at 5. Consequently, we find that the record contains specific demonstrated efforts by Applicant to incorporate specific strategies espoused within the land use policies embodied within several master plans applicable to the area proposed for the subject development. The purpose of the comprehensive planning and zoning recommendations is to realize important development recommendations espoused within current comprehensive plans in the subject proposal. We encourage Applicant’s continued efforts to formalize commitments as to a percentage of affordable senior multifamily dwelling units that will be constructed as part of the development project. *See* 06/20/2014 Ltr., Robinson to Hewlett, at 1.

Next, as to recreational facilities, while the record includes no specific list on-site private recreational facilities proposed for the subject development, the proposal does include identified potential amenity spaces and opportunity area designations within each neighborhood area. *See* PGCPB No. 14-128, at 6; 10/30/2014 TSR, at 6. Such designations 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. *See* PGCPB No. 14-128, at 6; 10/30/2014 TSR, at 6.

Other notable materials in the administrative record include Applicant’s 67-page “Melford Village Design Guidelines”; this document complements the subject application and

appears to address a variety of design-related standards and plans that are triggered during the implementation stage of the development of the subject property. Technical Staff offered the following observations concerning this document submitted by Applicant, with which we agree:

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.

See PGCPB No. 14-128, at 4–6; 10/30/2014 TSR, at 6–8.

Applicable Zoning Ordinance Requirements

As conferred by § 22-206 of the RDA, development within the County must meet the prescriptions of local zoning laws. Accordingly, the proposed conceptual site plan application must comply with all procedural requirements for site plan approval in the County Zoning Ordinance, as well as all regulations for development in the M-X-T Zone, as follows:

§ 27-547(b), Table of Uses.

(1) Commercial:

All types of Offices and Research, Eating or Drinking Establishments, 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.

(7) Residential / Lodging:

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

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.

See § 27-547, Zoning Ordinance (2011 Ed. & Supp. 2014).

After review of the applicable use prescriptions set forth in the Mixed Use Zones Table of Uses along with the uses proposed in CSP06002-01, we find that the proposed office, retail, and residential uses are generally permitted in the M-X-T Zone pursuant to § 27-547 of the Zoning Ordinance. We further find the residential use limitation for townhomes set forth in Footnote 7 to § 27-547(b) of the Zoning Ordinance, above, is binding on the proposed residential uses in this project, as we find the subject application does not meet stated exemptions to the maximum townhome percentage, because: (1) the provisions of § 27-544(b), referenced in Footnote 7, above, are inapplicable to the subject application; and (2) the subject property lies outside the stated maximum one-half mile distance from an existing or planned Washington Metropolitan Area Transit Authority (“WMATA”) transit rail station site. Here, as submitted by Applicant, the subject development application proposes 500 townhouses within a proposed total 2,500 residential units, which we note equals exactly 20 percent of the total dwelling units for the project. Consequently, we find the proposed residential uses consistent with this prescription as to Townhomes in the M-X-T Zone. *See* §§ 27-544, 27-547, Zoning Ordinance; PGCPB No. 14-128, at 6; 10/30/2014 TSR, at 7.

Further regulations for development in the M-X-T Zone are found in § 27-547(d) and provide standards governing a required mix of uses, as follows:

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

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

See § 27-547(d), Zoning Ordinance.

A review of the subject application indicates that the subject development proposal incorporates all three use categories articulated in the the above-stated provision of the Zoning Ordinance. Therefore, we find Applicant's proposal comports with the stated minimum requirements prescribed in § 27-547(d).

Section 27-548 of the Zoning Ordinance also regulates development in the M-X-T Zone by providing the following additional standards:

- (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.
- (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.
- (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.
- (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.

(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.

(f) Private structures may be located within the air space above, or in the ground 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.

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

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

(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.

(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).

See § 27-548, Zoning Ordinance.

- “(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 subject application demonstrates Applicant’s proposed use of the optional method of development for the project, as stated in § 27-548(a)(2), above, wherein qualifying projects may be approved for greater densities, in increments up to a maximum floor area ratio (“FAR”) of eight (8), for each of the uses, improvements, and amenities. To this end, we find that the subject application includes the following proposed uses, improvements, and amenities and FAR increases for the project:

Residential uses for the subject development project will potentially increase the FAR by 1.0, if more than 20 dwelling units are provided with the application. This conceptual site plan application proposes a total of 2,500 dwelling units, and we find that it is eligible for this bonus. See PGCPB No. 14-128, at 8; 10/30/2014 TSR, at 10.

The optional method of development, as proposed in the subject application, has a FAR above 0.40. Thus, 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

Based on the foregoing, we conclude that the proposed development necessitates use of the optional method of development, such as for the proposed residential units, to achieve the FAR proposed, which is above 0.40. See PGCPB No. 14-128, at 7–8; 10/30/2014 TSR, at 9–10.

“(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.”

We find that the subject application proposes more than one building, on more than one lot, and comports with the authority stated in § 27-548(b), above. *See* PGCPB No. 14-128, at 8; 10/30/2014 TSR, at 10.

“(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.”

While we acknowledge that this requirement is applicable at the time of review for a detailed site plan application, we take administrative notice that the record for the subject CSP application includes a design guidelines book, which offers some guidance as to proposed future improvements, but no specific regulations are set forth in that document, as we discussed in greater depth in the section concerning the Melford Village Design Guidelines at pp. 9–12, *supra*. *See also* PGCPB No. 14-128, at 8; 10/30/2014 TSR, at 10.

“(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.”

We conclude, based on our review of the evidence in the administrative record, that compliance with pertinent requirements of the County Landscape Manual is required for the proposed development project. While we acknowledge that the formal assessment as to compliance with requirements of the Landscape Manual will occur at the time for review of a detailed site plan application, we take additional administrative notice of the design guidelines book submitted by Applicant that lists some regulations for proposed landscaping contemplated

in specific development proposals that will be submitted in the near term. *See* PGCPB No. 14-128, at 8; 10/30/2014 TSR, at 10.

“(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.”

We acknowledge that this requirement will be reviewed for compliance at the time of detailed site plan review, for which required building designs will be provided. Notwithstanding, and based on our review of the administrative record, we nevertheless conclude in the context of the CSP application before us, that the proposed CSP application complies with this stated requirement. *See* PGCPB No. 14-128, at 8–9; 10/30/2014 TSR, at 10–11.

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

Although this requirement will be formally assessed for compliance at the time DSP application review, we nevertheless conclude, based on the record for the subject CSP application, that the subject proposal does not show any private structures above or below public rights-of-way. *See* PGCPB No. 14-128, at 9; 10/30/2014 TSR, at 11.

“(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 also be reviewed at the time of DSP application, and after access and lotting patterns are evaluated and approved pursuant to a required preliminary plan application. We further note that 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 by Planning Board, as noted in the Technical Staff Report. 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. *See* PGCPB No. 14-128, at 9; 10/30/2014 TSR, at 11.

“(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 formally assessed for compliance at the time of preliminary plan and DSP, as required by the Zoning Ordinance. However, we acknowledge statements by Applicant in the record that indicate comply with these requirements of the Zoning Ordinance. *See* PGCPB No. 14-128, at 9; 10/30/2014 TSR, at 11.

“(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.”

Formal assessment of the subject development proposal for compliance with this requirement is reserved for review during the detailed site plan application process; however, we note that CSP application before us does not propose any building higher than 110 feet. *See* PGCPB No. 14-128, at 9; 10/30/2014 TSR, at 11.

Required conformance with the prescriptions of § 27-542 of the Zoning Ordinance is also required for the proposed development application, as follows;

- (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;

(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;

(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;

(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;

(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;

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

(7) To create dynamic, functional relationships among individual uses within 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;

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

(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.

See § 27-542, Zoning Ordinance.

“(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 approval of the 2006 *Bowie and Vicinity Master Plan and SMA* by the Council via CR-11-2006 on February 11, 2006. Specifically, Zoning Change Number 2 rezoned the subject property from the E-I-A Zone to the M-X-T Zone. See 2006 *Bowie and Vicinity Master Plan and SMA*, at 121.

The rationale for the rezoning of the subject property states “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.” *Id.* The subject proposal is in keeping with the recommendations of the rezoning. The area of the proposed development also includes employment uses and proposed residential uses, and we find that the proposed uses will provide desirable employment and living opportunities for the area surrounding the development project. *See* PGCPB No. 14-128, at 10; 10/30/2014 TSR, at 12; 06/06/2014 App. Just’n Stmt., at 41.

“(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 record reflects the design for the subject proposal is a walkable, mixed-use community with a mixture of office, commercial, and residential uses, along with recreational spaces. As a result, and as explained in our discussion concerning the Comprehensive Plans applicable to the area of the Melford Property, below, we find that the subject application will serve to implement County land use and development policies for a town center and an employment area, as set forth within *Plan Prince George’s 2035*. Additionally, we further find that the subject application employs numerous strategies designed for enhanced implementation of the zoning and land use policies within the 2006 *Bowie and Vicinity Master Plan and SMA*. *See also* PGCPB No. 14-128, at 11; 10/30/2014 TSR, at 13; 06/06/2014 App. Just’n Stmt., at 16–21, 41.

“(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 record states that the proposal will provide a concentration of uses in an area designated as both a town center and employment area. Accordingly, we agree with the finding in the record that the subject proposal will maximize the potential for realizing the vision of both plans through development of the property. *See* PGCPB No. 14-128, at 11; 10/30/2014 TSR, at 13; App. Just'n Stmt., at 41–42.

“(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”

Applicant testified at the November 13, 2014, hearing—and Planning Board ultimately found—that the subject development application incorporates use of LEED ND (Neighborhood Design) design principles in furtherance of achieving sustainable energy efficiencies and neighborhood conservation. By locating residences and jobs in close proximity to each other within the site design, we agree with Planning Board’s finding that the proposed neighborhood planning concept embodies the sustainable design elements that will encourage walking, bicycling, as well as enhance future potential for public transportation, *i.e.*, bus service for daily commuting. *See* 11/13/2014 Tr. *See also* PGCPB No. 14-128, at 11; 10/30/2014 TSR, at 12–13; App. Just'n Stmt., at 41–42.

Applicant also testified as to its preliminary discussions held with the City of Bowie and WMATA regarding future extension of bus service to the Melford Village. As reflected in the administrative record, we note this future expansion depends on the overall development as it begins to take shape, in order to amass sufficient density needed to establish a public bus service. *See* 11/13/2014 Tr. *See also* PGCPB No. 14-128, at 11; 10/30/2014 TSR, at 12–13; App. Just'n Stmt., at 42. Applicant testified further as to ongoing dialogues with the City of Bowie and WMATA to facilitate bus service to the development. *Id.* We note that, during review of

subsequent development applications, pertinent requirements set forth in the Zoning Ordinance require consultation with WMATA prior to final road design in order to determine the logical potential bus route and plan lane widths and bus stop locations accordingly. *See* 11/13/2014 Tr. *See also* PGCPB No. 14-128, at 11; 10/30/2014 TSR, at 12–13; App. Just’n Stmt., at 42.

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 useful connections between the subject site and other area destinations, such as the Bowie Town Center, the City of New Carrollton, and the neighboring City of Crofton. We also find that, at time of preliminary plan of subdivision consideration by Planning Board, Applicant should evaluate the provision of a circulator or shuttle bus throughout Melford, which may serve to connect the site of the proposed development to destinations, major employers, commuter bus lots, or mass transit. *See* 11/13/2014 Tr. *See also* PGCPB No. 14-128, at 11.

“(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 record reflects that the existing Melford property includes office, research, and development uses only on the site. We are persuaded by the evidence in the record that the incorporation of residential uses and proposed additional commercial uses on the site proposed in the subject application will encourage a 24-hour environment in accordance with § 27-542(a)(5). *See* PGCPB No. 14-128, at 11; 10/30/2014 TSR, at 12–13; App. Just’n Stmt., at 42.

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

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. *See* PGCPB No. 14-128, at 12; 10/30/2014 TSR, at 13; App. Just'n Stmt., at 42.

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. *See* PGCPB No. 14-128, at 12; 10/30/2014 TSR, at 13; App. Just'n Stmt., at 42.

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

The proposed conceptual site plan application establishes the functional relationships between the individual uses proposed for development of the site. As stated in the Zoning Ordinance, examination of these elements occurs during the detailed site plan application process. 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. Accordingly, we concur with the finding of Planning Board that buildings should be designed with high-quality detailing and design variation; should should be constructed so that they are appropriate in scale with surrounding uses in the area of their location; and building architecture, street furniture, landscape treatment, signage, and other design elements of the project should be coordinated to give the development a distinctive visual character. *See* PGCPB No. 14-128, at 12; 10/30/2014 TSR, at 13–14. Lastly, we observe that Applicant’s Melford Village Design Guidelines submitted to the record offer specific parameters

that, as stated by Applicant, will establish an appropriate standard for the development of the project. *Id.*

“(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”

We find the designs within the subject proposal consistent with an energy-efficient, multipurpose plan. To further support this finding, we note in the record that Applicant proposes development design in accordance with LEED-ND principles. *See* PGCPB No. 14-128, at 12; 10/30/2014 TSR, at 14; App. Just’n Stmt., at 43.

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

We find, based on the evidence the administrative record, that the subject CSP application generally conforms with this purpose of the M-X-T Zone. While we note that the existing development at the Melford Property site is essentially a one-dimensional employment area at present. Thus, we find that the addition of the proposed uses not currently existing on the subject property will enhance Applicant’s ability to respond to market demands with flexibility for future adjustments prompted by future market changes in the the area. *See* PGCPB No. 14-128, at 12–13; 10/30/2014 TSR, at 14; App. Just’n Stmt., at 43.

“(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.”

Based on the evidence within the administrative record, along with the conditions of approval embodied within the resolution of approval adopted by Planning Board, as well as the Zoning Ordinance prescription for detailed site plan approval necessary for development on the property, we find ample freedom exists to enable Applicant to achieve the requisite design

standards recited in § 27-524(a)(10), above. *See* PGCPB No. 14-128, at 12–13; 10/30/2014 TSR, at 14; App. Just’n Stmt., at 43.

Next, for property in the M-X-T Zone, the Zoning Ordinance requires certain specific findings in addition to the required findings required for approval of a CSP application, as follows:

(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;

(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;

(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;

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

(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;

(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;

(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

(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.

(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.

(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.

§ 27-546, Zoning Ordinance.

“(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. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

“(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. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14–15.

We find that 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. *Id.*

“(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 longstanding vision for development of the Melford property contemplates a mix of moderate- to high-density office, employment, retail, hotel uses, along with residential and parkland / open space uses, which we find consistent with the components of the currently proposed development project. In its 2009 final decision as to CSP-06002, the original conceptual site plan application, the District Council found the proposed CSP to be in conformance with the applicable purposes of the zone. *See generally* 05/11/2009 Dist. Council Order of Approval. *See also* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14. Here, Planning Board found, and we concur with Planning Board’s finding based on the record evidence, that this application requesting to revise the approved conceptual plan in order to add residential, commercial, and office uses, maintains compatibility with existing and proposed development in the area. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

“(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”

Based on our review of the administrative record, we further find the proposed CSP and design guidelines as to the Melford Village development establish the framework for a quality development planned in accordance with LEED-ND principles, and it 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. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

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

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. *See* PGCPB No. 14-128, at 15; 10/30/2014 TSR, at 16.

“(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. *See* PGCPB No. 14-128, at 15; 10/30/2014 TSR, at 16.

“(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)”

We find that the subject application is a conceptual site plan proposal.

“(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”

We find this requirement applicable to the subject application, as it was rezoned from the E-I-A Zone to the M-X-T Zone pursuant to Zoning Change Number 2 approved in the 2006 *Bowie and Vicinity Master Plan and SMA*. Consequently, a traffic study is required for this application. *Id.* The record for the subject proposal contains a traffic impact study prepared in accordance with stated methodologies within the “Transportation Review Guidelines, Part 1” (Guidelines).dated May 30, 2014, and submitted by Applicant. In turn, the study was referred for comment to the Prince George’s County Department of Public Works and Transportation (DPW&T), SHA, and the City of Bowie. Based on the evidence within the administrative record, we concur with the finding of Planning Board that 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. *See* PGCPB No. 14-128, at 16; 10/30/2014 TSR, at 17.

We also take administrative notice of the following additional support in the record:

(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.

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)

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

Melford Boulevard & Science Drive (Roundabout)

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

See PGCPB No. 14-128, at 15–17; 10/30/2014 TSR, at 16–18.

“(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.

Section 27-274 of the Zoning Ordinance provides required site design guidelines for conceptual site plans, as follows:

- (a) The Conceptual Site Plan shall be designed in accordance with the following guidelines:
 - (1) **General.**
 - (A) The Plan should promote the purposes of the Conceptual Site Plan.

(B) The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.

(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.

(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.

(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.

(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.

(4) **Views.**

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

(B) The application shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5)..

(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.

(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.

(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.

(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.

(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.

(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.

(B) Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.

(C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.

(D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.

(E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.

(F) Attention should be given to the aesthetic appearance of the offsets of buildings.

See § 27-274, Zoning Ordinance.

Based on our review of the evidence in the administrative record, Planning Board made the following findings concerning the subject applications conformance with the site design guidelines in § 27-274, with which we agree and hereby adopt, as follows:

(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.

See PGCPB No. 14-128, at 17–19; 10/30/2014 TSR, at 17–19.

For development in the M-X-T Zone, § 27-574 of the Zoning Ordinance concerns parking and required number of necessary required parking spaces to serve corresponding uses included within the mixed-use development project. While we acknowledge that the prescriptions of § 27-574 plainly apply to the proposed development project, we hasten to add that formal evaluation of the proposed project for compliance with parking requirements will be performed in the review and assessment of a detailed site plan application process that is required for this project. We further observe that, while Applicant's Melford Village Design Guidelines suggest a general illustration regarding Applicant's general vision for addressing the parking needs of the proposed development, an evaluation of its substance is premature at this time. Moreover, we agree with the finding of Planning Board that the parking rationale included within Applicant's Design Guidelines book does not follow the methodology prescribed in § 27-574 of the Zoning Ordinance for calculations as to proposed parking. *See* PGCPB No. 14-128, at 19. We further agree with Planning Board's finding that the parking ratio table and shared parking adjustment table not be evaluated for their merits at this time. *Id.* Lastly, we agree with the finding of Planning Board that Applicant's Table, in the second column of page 17, 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 an assessment of the full methodology, assumptions, and data concerning parking is prescribed pursuant to § 27-574 of the Zoning Ordinance. *Id.*

An additional prescription recited in Section 27-548 of the Zoning Ordinance prescribes that development within the M-X-T Zone must comply with the 2010 *County Landscape Manual*. However, we note that the time for formal evaluation of a proposal for landscape design elements is during review of Applicant's detailed site plan application a later phase of the development review process. Lastly, we also take administrative notice that, should Applicant's landscape design guidelines be deemed contradictory to the guidelines within the 2010 *County Landscape Manual*, then those landscape design guidelines that contradict the requirements of the Landscape Manual shall be removed from the proposed design guidelines prior to certification. *See* PGCPB No. 14-128, at 34.

Applicable Comprehensive Plan Provisions

Title 21 of the RDA imposes certain minimum comprehensive planning and zoning control requirements to guide the orderly development and the use of land and structures in the regional district in furtherance of the public safety, health, and welfare, and in order to ensure development occurring within the regional district coordinates with other parts of the State and the District of Columbia. *See* §§ 21-101(a)–(b), 21-102(a), 12-103, RDA. To this end, the RDA mandates decennial consideration by the District Council of a comprehensive general plan “to guide and accomplish a coordinated, comprehensive, adjusted and systematic development of the regional district.” *See* § 21-101(b), RDA.

Turning now to an examination of CSP-06002-01 for an assessment as to its conformance with pertinent comprehensive planning and zoning regulations and policies, we take

administrative notice of the the following comprehensive plans applicable to the area of the County where subject property is located:

In the 2002 *Prince George's County General Plan*, the District Council approved the assignment of the Melford property, known at the time of approval for the 2002 General Plan as the 'Maryland Science and Technology Center', center priority designations.

Thereafter, the District Council approved the 2006 *Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B* ("Bowie Master Plan and SMA") via adoption of CR-11-2006 on February 7, 2006. In particular, one of the comprehensive zoning changes within the Sectional Map Amendment approved a zoning change applicable to the subject property, revising intensify its zoning classification from the Employment and Institutional Area (E-I-A) Zone to the Mixed Use-Transportation Oriented (M-X-T) Zone. As a result, the 2006 Bowie and Vicinity Master Plan designated the Melford Property as a mixed-use area, intended for mixed use development, including residential and commercial uses at this site. In turn, based on this master plan designation, the original conceptual site plan for the property, CSP-06002, approved mixed-use development for the site with hotel, office, retail, restaurant, research and development, and residential (366 single-family units including both detached and attached units, and 500 multifamily units) use components. *See* PGCPB No. 14-128, at 5; 10/30/2014 TSR, at 4-5; 06/06/2014 App. Just'n Stmt., at 3-4.

In 2014, and in accordance with the decennial review requirement in Title 21 of the RDA, discussed above, the District Council considered and approved an update to its General Plan on May 6, 2014. As part of that approval, the District Council declared that where approved General Plan recommendations conflict with existing area master plan and functional master plan recommendations, the 2014 General Plan update supersedes and amends any inconsistent

provisions within said master plans, including the 2006 *Bowie and Vicinity Master Plan and SMA* for the area of the subject property. *See* CR-26-2014, at 1; 2014 *Plan Prince George's 2035*, at 194. With respect to recommendations in the 2014 *Plan Prince George's* relevant to the subject property, the 2014 General Plan designated the Melford Property within its Bowie Town Center designation, and the pertinent recommendations applicable to those centers stated therein. *See Plan Prince George's 2035*, Table 14, at Att. B, p. 18. Specifically, the land use policy vision for the Local Town Center designations in the 2014 General Plan is as follows:

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. 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 in Plan 2035 help fulfill countywide goals.

See 2014 *Plan Prince George's 2035*, at 92–93, Table 14, Att. B, at 18.

As reflected in the General Plan land use policy above, we find that *Plan Prince George's 2035* Suburban Town Center envisions a range of auto-accessible centers offered to anchor larger areas of suburban subdivisions. As a result, the centers are less dense and intense overall than other center types within the 2014 General Plan update. *See Plan Prince George's 2035*, at 92–93, Att. B, Table 14, at 18. Moreover, while recommendations within the 2006 *Bowie and Vicinity Master Plan and SMA* pertinent to the area may call for future heavy or light rail extensions, or bus rapid transit, we find that the record reflects no current transit alternatives in place or approved for construction relevant to or binding upon the subject property proposed for development. *Id.*

However, we also find that within the General Plan update, *Plan Prince George's* retained an existing designation of the subject property as an "Employment Area." To this end, we find the following Policies and Strategies set forth within the approved Economic Prosperity recommendations in Section 3 'Elements'; in the 2014 General Plan relevant to the area of the subject property proposed for development:

The 2013 Strategic Economic Development Plan identified the locations of niche market areas in which businesses in the County's four industry clusters are concentrated. These locations provide opportunities for the county to focus strategic marketing and investment to spur economic development. Six geographic areas were identified as "Economic Submarkets" because of existing concentrations of targeted industry clusters or Class A office uses within the fields of health and medicine, business services, information and technology, and federal government-leased space. The six "economic submarkets" are Bowie, College Park/Riverdale Park, Greenbelt/Berwyn Heights, Largo-Capital Beltway Corridor, National Harbor, and Beltsville/Calverton.

See 2014 Plan Prince George's 2035, at 98–99.

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.

Condition 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 2009 final decision of the District Council as to CSP-06002, we find persuasive the evidence in the record elucidated by Applicant to demonstrate that, during review

of previous approvals at the subject property, certain background developments were not included in the traffic study that formed the basis for Technical Staff analyses, followed by the subsequent approval of CSP-06002. *See* 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.

Condition 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, Applicant for the subject application pointed out that, during review of previous approvals, certain background developments were not included in the traffic study forming the basis for the analyses and subsequent approval of CSP-06002. Based on this information within the administrative record, we find that these oversights in the assessment as to transportation have potential impact of significance on the actual trip cap within the administrative record upon which the Planning Board and the District Council relied in the assessment of the applications. To address this issue, the applicant has prepared a technical memorandum (September 2013) which included an a mutually agreeable control to filter the impact of background developments in the area, along with a sensitivity analysis, in order to determine the full effect of the corrected background developments, as well as establishing a new trip cap, with greater precision.

We take further administrative notice of the technical memorandum within the record submitted by Applicant substantiating the calculations to clarify the actual projected peak hour trips for all development contemplated within CSP-06002, that would generate 4,498 AM and 4,475 PM peak hour trips. As stated therein, since the background developments used for trip calculations stand in various stages of development, the actual trip cap, for the areas covered by the subject application (CSP-06002-01), are 4,441 AM and 4,424 PM peak hour trips. Moreover, as demonstrated in the revised calculations, subsequent improvements provided by Applicant are sufficient to mitigate at least 150 percent of the new traffic proposed pursuant to the approval of CSP-06002. Planning Board agreed with Applicant's calculations within the technical memorandum. Based on our review of the record, we concur. *See* PGCPB No. 14-128, at 20. Consequently, we find that the trip cap condition be replaced with the new trip cap of 4,441 AM and 4,424 PM peak hour trips, in accordance with the finding of Planning Board. *Id.*

Condition 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:

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:

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. Accordingly, we find that this requirements imposed through this condition have been satisfied. *See* PGCPB No. 14-128, at 20–21.

Condition 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.

Applicant shall correct the notations on all site plans to include the following text: “Melford and Cemetery Environmental Setting (Historic Site 71B-016).” *See* PGCPB No. 14-128, at 21.

Condition 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 the meaning of 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.”

See PGCPB No. 14-128, at 20–21; 10/30/2014 TSR, at 21; 10/22/2014 Mem., HPC to Kosack, at 6–7.

Our review of the record also reveals evidence that the CSP contains two view corridors. One connects the Melford house and the historic cemetery, within which no building

construction should be permitted. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 5–6. 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. *Id.*

Condition 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. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 6. We’ve reviewed the proposed language, and we find that 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.”

See PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22.

Condition 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.

Applicant requests modifications to the above language, which we note from the evidence in the record, the finding by HPC that the proposed revised language is appropriate, revised to state 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.”

See PGCPB No. 14-128, at 21–22; 10/30/2014 TSR, at 22; 10/22/2014 Mem., HPC to Kosack, at 6.

Our review of the administrative record supports a conclusion that the modified condition clarifies the timing for submission of a plan and the timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery historic site. *Id.* Because the plan and timetable will be evaluated for approval through the Historic Area Work Permit (“HAWP”) process, we find that the review and approval under the authority of HPC, not Planning Board, will best serve the interest of protection for historic resources, in accordance with the standard HAWP process. *Id.*

Condition 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.

The record reflects Planning Board’s finding that this condition should be carried forward to all subsequent DSP applications. We concur, based on our review of the evidence in the administrative record. *See* PGCPB No. 14-128, at 22–23; 10/30/2014 TSR, at 23.

Condition 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). *See* PGCPB No. 14-128, at 22–23; 10/30/2014 TSR, at 23.

Condition 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.

Based on our review of the record, we conclude that this condition remains in effect, and we find that it shall be carried forward with the subject approval. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23.

Condition 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.

The record for the subject proposal reflects proposed sidewalks along both sides of all internal roads in the CSP. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

Condition 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. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

Condition 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. *See* PGCPB No. 14-128, at 23–24; 10/30/2014 TSR, at 23–24. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

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 approved by the District Council in Amendment 22 within CR-11-2006 are as follows:

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.

See CR-11-2006, at 40, ¶ 6.

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.

See CR-11-2006, at 41, ¶ 5.

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.

See CR-11-2006, at 46–47.

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.

See CR-11-2006, at 47, ¶ 30.

After review of the evidence in the administrative record, we find the subject application is consistent with the above-referenced standards and guidelines. To illustrate this point, we note Applicant's inclusion of a comprehensive network of sidewalks in the subject development proposal, as well as a master plan trail along the Patuxent River, and various associated connections to the master plan trail, within the the proposed development application. *See* PGCPB No. 14-128, at 24; 10/30/2014 TSR, at 23–24. 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. *Id.*

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 record reflects submittal of new illustrative plans for Melford by Applicant *See* PGCPB No. 14-128, at 24; 10/30/2014 TSR, at 23–24. However, we must point out that these illustrative plans are for guidance and informational purposes only. As a result, we find that the above condition remains in effect. *Id.*

Condition 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 have been fully addressed, based on the record, prior to certification of the original CSP. Consequently, we find that this condition is not relevant to the subject approval.

Condition 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. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

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 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.

We find, based on our review of the administrative record, that this condition will be fully addressed in the course of the evaluation of the required preliminary plan of subdivision application review process. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

Condition 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.

We find, based on our review of the administrative record, that this condition will be fully addressed in the course of the evaluation of the required preliminary plan of subdivision application review process. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

Condition 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”.

Our examination of the record reveals that this condition has been addressed. *See* PGCPB No. 14-128, at 26–27; 10/30/2014 TSR, at 26–27. Moreover, the subject proposal expressly indicates that 99.48 acres of land have been donated to M-NCPPC for preservation and / or parkland resources. Thus, our assessment of the evidence within the administrative record plainly demonstrate that the dedicated land is no longer included within the CSP boundary. As a result, we find that this condition is no longer necessary as a condition to be brought forward from the original conceptual site plan approval to the proposed revision that is pending within the subject application. *Id.*

We take administrative notice of Conditions 1 through 9 of Exhibit B, “Conditions for Conveyance of Parkland to The Maryland-National Capital Park and Planning Commission,” as follows:

Condition 19: Land to be conveyed is subject to conditions 1 through 9, in attached Exhibit “B”.

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.

We find that, 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. *See* PGCPB 14-128, at 26-27; 10/30/2014 TSR, at 26-27.

Condition 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.

Upon review of the administrative record, we find that the above condition remains in effect and, accordingly, it should be brought forward as a condition of the subject application.

See PGCPB 14-128, at 26–27; 10/30/2014 TSR, at 26–27.

Condition 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.

We find 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. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28. In addition, we note the testimony by Applicant at the Planning Board hearing concerning that documentation has been received verifying that artifacts have been deposited with the Maryland Archeological Conservation Lab, as well as the evidence in the record confirming the accuracy of Applicant’s statements. *Id.*

Condition 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.

The record for the subject proposal reveals that there were no significant archeological resources found outside of the Melford and Cemetery environmental setting. Therefore, we find

that this condition has been satisfied and does not need to be carried forward with the subject approval. *See* PGCPB 14-128, at 29; 10/30/2014 TSR, at 28–29.

Condition 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.**

Previous development approvals for the Melford property include a signage package considered within Detailed Site Plan DSP-11008. *See* PGCPB 14-128, at 29–30; 10/30/2014 TSR, at 30–31. Additionally, we note that Applicant’s design guidelines include submitted sign standards. After evaluation of the record evidence, we find that the previously approved sign package is intended to apply to the existing commercial, office, and research properties, while the proposed signage guidelines are intended to apply to Melford Village. Accordingly, we find that one comprehensive signage package shall be created for ease of reference, and that this may be accomplished through a revision to DSP-11008 in order to consolidate the signage standards and remove inconsistencies. *Id.*

- 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.**

We concur with the finding by Planning Board that any retail development should be designed compatibly with adjacent office or residential development, as outlined in the design

guidelines. Efforts should be made to locate parking for retail uses at the rear or sides of the buildings, screened from the street. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28.

- 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.**

Based on the foregoing, we find that the above conditions, as modified by PGCPB No. 14-128, shall remain in effect and shall be carried forward to the subject application. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28.

Condition 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.

We take administrative notice of the final decision of approval, along with its subsequent revisions, as to Detailed Site Plan DSP-07031; consequently, and based on our review of the administrative record we find that no additional research and development flex space shall be permitted property with a zoning classification in the M-X-T Zone within the Melford Property. *See* PGCPB No. 14-128, at 31; 10/30/2014 TSR, at 30. We also find no research and development flex space proposed within the subject CSP revision application. *Id.* As a result, we find ample basis in the record to reword the above-stated condition of approval for CSP-06002 so as to reflect an approved detailed site plan, DSP-07031, pursuant to the above-stated condition of the 2009 conceptual site plan approval, to illustrate pertinent subsequent history concerning development on the site, prompting our finding that no additional research and development flex space shall be permitted within the site proposed for development. *Id.*

Condition 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 record evidence reveals that 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. *See* PGCPB 14-128, at 31; 10/30/2014 TSR, at 30. However, a revised NRI with addenda, in which all streams, wetland limits, floodplain limits are prominently identified, an update to the specimen tree list, and a forest stand delineation for areas not yet approved for clearing with accounting details as to any clearing that has already occurred, will be submitted by Applicant. 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. *Id.*

We further note that, while the depictions as to the 100-foot natural buffer and the 150-foot wide buffer on the 100-year floodplain on the TCPI are accurate, we also find that certain sheets of the CSP application materials show these buffers incorrectly, particularly in the southeastern corner of the property. *Id.* We find that Applicant shall correct the inaccurate information prior to certificate of approval of the CSP. *Id.*

Condition 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.**

We are persuaded, based on our review of the evidence in the administrative record, of the significant environmental benefit derived from continuation of the above-captioned condition. *See* PGCPB 14-128, at 31–32; 10/30/2014 TSR, at 30–31. Accordingly, we find that this condition shall remain in effect in the approval of the subject application. *Id.*

- b. Appropriate signage should be placed near the historic site, to call attention to the history of the area.**

Based on our review of the administrative record, Applicant installed an interpretive sign near the current entry drive to the Melford and Cemetery historic site, and which is now accessed

from Melford Boulevard. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31. What's more, we concur with findings of Planning Board that proposed revisions to CSP-06002 to relocate the entry drive will very likely result in the relocation of the interpretive sign to a location near the new entry drive to Melford House. *Id.* As such, we find that, in order to satisfy this condition fully, additional signage is needed to address the Duckett Family graveyard; moreover, we find that this signage should be provided as part of a future DSP application. While Applicant does not currently own the graveyard property, Applicant is the record owner of the property surrounding the graveyard. Appropriate signage should be placed near the cemetery. *Id.* Therefore, this condition should be carried forward until such time as 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. *Id.*

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

We find that the record evidence is persuasive for the protection of the public safety, health, and welfare, and find that this condition remains in effect and shall be carried forward as a condition of approval for the subject application. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28.

Condition 27: Prior to signature approval of the plans, the coversheet shall be revised to clearly indicate the limits of the application.

We take administrative notice that, within the administrative record, there is ambiguity concerning the limits of disturbance associated with the proposed development of the subject property. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31.

To this end, we find that 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. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31.

Condition 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.

Upon review of the administrative record, we find that above condition shall remain in effect.

Condition 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 revised language for this condition language, as follows:

"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."

We note that Planning Board endorsed this modification and incorporated the revised language above within PGCPB No. 14-128. *See* PGCPB No. 14-128, at 32-33; 10/30/2014 TSR, at 31-32. Accordingly, and based on our examination of the administrative record, we agree with the proposed modification as stated above.

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.

Review of the administrative record reflects that the condition recited above was addressed previously, and this occurred prior to certification of the original CSP-06002. *See* PGCPB 14-128, at 33; 10/30/2014 TSR, at 32. The current proposal requesting a revision for the approved CSP shows the master-planned trail on land that is currently owned by M-NCPPC. *Id.* Consequently, Planning Board determined, during the course of its review and approval of Preliminary Plan of Subdivision 4-07055, which was subsequent to the approval of CSP-06002, that Applicant and Applicant's heirs, successors, and/or assignees shall construct the master plan trail along the Patuxent River in conformance with DPR guidelines and standards. *Id.*

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.

Our review of the administrative record demonstrates that compliance with the required monetary contribution has been met. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 32. *See also* 06/06/2014 App. Just'n Stmt., at 16.

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 its memorandum submitted to the administrative record, and dated October 20, 2014, there is evidence we find persuasive from DPR, which plainly states that this condition has been satisfied. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 32.

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, based on our review of the evidence in the record for the subject application. The site has a recreational facilities agreement ("RFA"), which is

recorded in the Land Records for Prince George's County at Liber 31304, Folio 145, for the design and construction of the master plan trail, as well as associated trailhead facilities along the Patuxent River. DPR suggests, and we agree with DPR's assessment, that the RFA be amended to incorporate an asphalt parking lot and an asphalt access road to the park. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 32.

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.

We concur with the finding of Planning Board, and based on persuasive evidence in the administrative record, that alternative wording for the above language is appropriate. Thus, we find that, in lieu of this stated condition "f," above, Applicant shall 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. *See* PGCPB 14-128, at 32-33; 10/30/2014 TSR, at 33. In other words, based on our review of the available information within the administrative record, we are persuaded that oversights in the assessment as to the trips calculated for transportation have potential significance on the actual trip cap stated for the subject proposal within the administrative record, and upon which the Planning Board and the District Council relied in the assessment of the applications. To address this issue, Applicant prepared a technical memorandum (dated September 2013), which was submitted to the administrative record; included therein is a mutually agreeable formula as a control to filter varying impact of background developments in the area, as well as a sensitivity analysis, to provide greater

accuracy in quantifying the complete effect of the corrected background developments, as well as establishing a new, properly calculated trip cap. *Id.* We take further administrative notice of the technical memorandum within the record submitted by Applicant to substantiate the basis for a clarification to the formula to correctly calculate actual projected peak hour trips for all development contemplated within CSP-06002, that would generate 4,498 AM and 4,475 PM peak hour trips. *Id.* As stated therein, since the background developments used for trip calculations stand in various stages of development, the actual trip cap, for the areas covered by the subject application (CSP-06002-01), are 4,441 AM and 4,424 PM peak hour trips. Moreover, as demonstrated in the revised calculations, subsequent improvements provided by Applicant are sufficient to mitigate at least 150 percent of the new traffic proposed pursuant to the approval of CSP-06002. Planning Board agreed with Applicant's calculations within the technical memorandum. Based on our review of the record, we concur. *See* PGCPB No. 14-128, at 20. Consequently, we find that the trip cap condition be replaced with the new trip cap of 4,441 AM and 4,424 PM peak hour trips, in accordance with the finding of Planning Board. *Id.*

Condition 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:

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:

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.

We conclude that the above transportation improvements have been constructed, based on the evidence presented. Consequently, we find that this condition has been satisfied. *See* PGCPB No. 14-128, at 20–21.

Condition 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.

Applicant shall correct the notations on all site plans to include the following text: “Melford and Cemetery Environmental Setting (Historic Site 71B-016).” *See* PGCPB No. 14-128, at 21.

Condition 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 the meaning of the historic vista, and how it may best 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.”

See PGCPB No. 14-128, at 20–21; 10/30/2014 TSR, at 21; 10/22/2014 Mem., HPC to Kosack, at 6–7.

Our examination of the evidence in the administrative record further reflects support for that the CSP contains two view corridors. One connects the Melford house and the historic cemetery, within which no building construction should be permitted. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 5–6. Just outside of that primary view corridor, we note that 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. *Id.* 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. *Id.*

Condition 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.

As set forth in the record, we find a recommendation by HPC to include the following revised language for existing Condition 5, in order to eliminate the reference to the 1986 comprehensive design plan, which has little current regulatory bearing on the subject site, and which is difficult to research due to the age and condition of the CDP document. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 6. We’ve reviewed the proposal and, accordingly, we find that the language below captures 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.”

See PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22.

Condition 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.

Applicant requests modifications to the above language, which we note from the evidence in the record, the finding by HPC that the proposed revised language is appropriate, revised to state 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.”

See PGCPB No. 14-128, at 21–22; 10/30/2014 TSR, at 22; 10/22/2014 Mem., HPC to Kosack, at 6. Our review of the administrative record supports a conclusion that the modified condition clarifies the timing for submission of a plan and the timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery historic site. *Id.* Because the plan and timetable will be evaluated for approval through the Historic Area Work Permit (“HAWP”) process, we find that the review and approval under the authority of HPC, not Planning Board, will best serve the interest of protection for historic resources, in accordance with the standard HAWP process. *Id.*

Condition 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.

The record reflects Planning Board's finding that this condition should be carried forward to all subsequent DSP applications. We concur, based on our review of the evidence in the administrative record. *See* PGCPB No. 14-128, at 22–23; 10/30/2014 TSR, at 23.

Condition 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). *See* PGCPB No. 14-128, at 22–23; 10/30/2014 TSR, at 23.

Condition 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.

Based on our review of the record, we conclude that this condition properly remains in effect, and we find that it shall be carried forward with the subject approval. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23.

Condition 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.

The record for the subject proposal reflects proposed sidewalks along both sides of all internal roads in the CSP. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23. We also take

note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

Condition 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. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

Condition 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. *See* PGCPB No. 14-128, at 23–24; 10/30/2014 TSR, at 23–24. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

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 approved by the District Council in Amendment 22 within CR-11-2006 are as follows:

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.

See CR-11-2006, p. 40, at ¶ 6.

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.

See CR-11-2006, p. 41, at ¶ 5.

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.

See CR-11-2006, at 46–47.

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.

See CR-11-2006, p. 47, at ¶ 30.

After review of the evidence in the administrative record, we find the subject application is consistent with the above-referenced standards and guidelines. To illustrate this point, we note Applicant's inclusion of a comprehensive network of sidewalks in the subject development proposal, as well as a master plan trail along the Patuxent River, and various associated connections to the master plan trail, within the the proposed development application. *See* PGCPB No. 14-128, at 24; 10/30/2014 TSR, at 23–24 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. *Id.*

Condition 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 record reflects Applicant's submittal of new illustrative plans for Melford. *See* PGCPB No. 14-128, at 24; 10/30/2014 TSR, at 23–24. However, we must also point out that these illustrative plans are useful for non-binding guidance and informational purposes only. As a result, we find that the above condition remains in effect. *Id.*

Condition 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.

Condition 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. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

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 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.

We find, based on our review of the administrative record, that this condition will be fully addressed in the course of the evaluation of the required preliminary plan of subdivision application review process. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

Condition 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.

We find, based on our review of the administrative record, that this condition will be fully addressed in the course of the evaluation of the required preliminary plan of subdivision application review process. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

Condition 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”.

Our review of the administrative record reveals that this condition has been addressed. *See* PGCPB No. 14-128, at 26–27; 10/30/2014 TSR, at 26–27. 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. As a result, we find that this condition does not need to be brought forward with the subject approval. *Id.*

Condition 19: Land to be conveyed is subject to conditions 1 through 9, in attached Exhibit “B”.

We take administrative notice of Conditions 1 through 9 of Exhibit B, “Conditions for Conveyance of Parkland to The Maryland-National Capital Park and Planning Commission,” 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, sidewalls, 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.

As the record unambiguously demonstrates, we find that this land has been conveyed to M-NCPPC.

As a result, we find that this condition has been satisfied, and will not be brought forward with the final disposition as to the subject CSP revision. *See* PGCPB 14-128, at 26–27; 10/30/2014 TSR, at 26–27.

Condition 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.

Based on our review of the administrative record, we find that the above condition remains germane to the proposed development, and it should remain in effect for the subject

proposal and be brought forward as a condition of approval for the subject application. *See* PGCPB 14-128, at 26–27; 10/30/2014 TSR, at 26–27.

Condition 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.

We find 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. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28. In addition, we note the testimony by Applicant at the Planning Board hearing concerning that documentation has been received verifying that artifacts have been deposited with the Maryland Archeological Conservation Lab, as well as the evidence in the record confirming the accuracy of Applicant’s statements. *Id.*

Condition 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.

The record for the subject proposal reveals that there were no significant archeological resources found outside of the Melford and Cemetery environmental setting. Therefore, we find

that this condition has been satisfied and does not need continue with the final disposition as to the subject approval. *See* PGCPB 14-128, at 29; 10/30/2014 TSR, at 28–29.

Condition 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 previous approvals for a signage package that was the subject of Detailed Site Plan DSP-11008. *See* PGCPB 14-128, at 29–30; 10/30/2014 TSR, at 30–31. Additionally, we note that Applicant’s submitted design guidelines include sign standards. Based on the evidence in the record, we find that the previously approved sign package is intended to apply to the existing commercial, office, and research properties, while the proposed signage guidelines are intended to apply to Melford Village. Accordingly, we find that one comprehensive signage package shall be created for ease of reference, and that this may be accomplished through a revision to DSP-11008 in order to consolidate the signage standards and remove inconsistencies.

Id.

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.

We concur with the finding by Planning Board that any retail development should be designed compatibly with adjacent office or residential development, as outlined in the design guidelines. Efforts should be made to locate parking for retail uses at the rear or sides of the buildings, screened from the street. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28.

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.

Based on the foregoing, we find that the above conditions, as modified by PGCPB No. 14-128, shall remain in effect and shall be carried forward to the subject application. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28.

Condition 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.

We take administrative notice of the final decision of approval, along with its subsequent revisions, as to Detailed Site Plan DSP-07031; consequently, and based on our review of the administrative record we find that no additional research and development flex space shall be permitted property with a zoning classification in the M-X-T Zone within the Melford Property. *See* PGCPB No. 14-128, at 31; 10/30/2014 TSR, at 30. We also find no research and development flex space proposed within the subject CSP revision application. *Id.* As a result, we find ample basis in the record to reword the above-stated condition of approval for CSP-06002 so as to reflect an approved detailed site plan, DSP-07031, pursuant to the above-stated condition of the 2009 conceptual site plan approval, to illustrate pertinent subsequent history concerning development on the site, prompting our finding that no additional research and development flex space shall be permitted within the site proposed for development. *Id.*

Condition 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 record evidence reveals that 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. *See* PGCPB 14-128, at 31; 10/30/2014 TSR, at 30. However, a revised NRI with addenda, in which all streams, wetland limits, floodplain limits are prominently identified, an

update to the specimen tree list, and a forest stand delineation for areas not yet approved for clearing with accounting details as to any clearing that has already occurred, will be submitted by Applicant. 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. *Id.*

We further note that, while the depictions as to the 100-foot natural buffer and the 150-foot wide buffer on the 100-year floodplain on the TCPI are accurate, we also find that certain sheets of the CSP application materials show these buffers incorrectly, particularly in the southeastern corner of the property. *Id.* We find that Applicant shall correct the inaccurate information prior to certificate of approval of the CSP. *Id.*

Condition 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.**

We are persuaded, based on our review of the evidence in the administrative record, of the significant environmental benefit derived from continuation of the above-captioned condition. *See* PGCPB 14-128, at 31–32; 10/30/2014 TSR, at 30–31. Accordingly, we find that this condition shall remain in effect in the approval of the subject application. *Id.*

- b. Appropriate signage should be placed near the historic site, to call attention to the history of the area.**

Based on our review of the administrative record, Applicant installed an interpretive sign near the current entry drive to the Melford and Cemetery historic site, and which is now accessed from Melford Boulevard. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31.

What's more, we concur with findings of Planning Board that proposed revisions to CSP-06002 to relocate the entry drive will very likely result in the relocation of the interpretive sign to a location near the new entry drive to Melford House. *Id.* As such, we find that, in order to

satisfy this condition fully, additional signage is needed to address the Duckett Family graveyard; moreover, we find that this signage should be provided as part of a future DSP application. While Applicant does not currently own the graveyard property, Applicant is the record owner of the property surrounding the graveyard. Appropriate signage should be placed near the cemetery. *Id.* Therefore, this condition should be carried forward until such time as 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. *Id.*

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

We find that the record evidence is persuasive for the protection of the public safety, health, and welfare, and find that this condition remains in effect and shall be carried forward as a condition of approval for the subject application. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28.

Condition 27: Prior to signature approval of the plans, the coversheet shall be revised to clearly indicate the limits of the application.

We take administrative notice that, within the administrative record, there is ambiguity concerning the limits of disturbance associated with the proposed development of the subject property. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31.

To this end, we find that 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. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31.

Condition 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.

Upon review of the administrative record, we find that above condition shall remain in effect. *See* PGCPB No. 14-128, at

Condition 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 revised language for this condition language, as follows:

"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."

We note that Planning Board endorsed this modification and incorporated the revised language above within PGCPB No. 14-128. *See* PGCPB No. 14-128, at 32–33; 10/30/2014 TSR, at 31–32. Accordingly, and based on our examination of the administrative record, we agree with the proposed modification as stated above.

- 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.**

Review of the administrative record reflects previous assessment as to the above-stated condition, which occurred prior to certification of the original CSP-06002. *See* PGCPB 14-128, at 33; 10/30/2014 TSR, at 32. The current proposal requesting a revision for the approved CSP

shows the master-planned trail on land that is currently owned by M-NCPPC. *Id.* Consequently, Planning Board determined, during the course of its review and approval of Preliminary Plan of Subdivision 4-07055, which was subsequent to the approval of CSP-06002, that Applicant and Applicant's heirs, successors, and/or assignees shall construct the master plan trail along the Patuxent River in conformance with DPR guidelines and standards. *Id.*

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.

We find that the evidence within the administrative record demonstrates Applicant's compliance as to the required monetary contribution. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 32. *See also* 06/06/2014 App. Just'n Stmt., at 16.

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 its memorandum submitted to the administrative record, and dated October 20, 2014, there is evidence we find persuasive from DPR, which plainly states that this condition has been satisfied. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 32.

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, based on our review of the evidence in the record for the subject application. The site has a recreational facilities agreement ("RFA"), which is recorded in the Land Records for Prince George's County at Liber 31304, Folio 145, for the design and construction of the master plan trail, as well as associated trailhead facilities along the Patuxent River. DPR suggests, and we agree with DPR's assessment, that the RFA be amended

to incorporate an asphalt parking lot and an asphalt access road to the park. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 32.

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.

We concur with the finding of Planning Board, and based on persuasive evidence in the administrative record, that alternative wording for the above language is appropriate. Thus, we find that, in lieu of this stated condition “f,” above, Applicant shall 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. *See* PGCPB No. 14-128, at 32–33; 10/30/2014 TSR, at 33.

Other Technical Staff Report Comments from Agencies

The District Council also specifically adopts by reference, as if fully restated herein, Planning Board's findings and conclusions, as they relate to comments and recommendations from the Community Planning Division, Transportation Section, Countywide Planning, Subdivision Review Division, Environmental Planning, Department of Parks and Recreation, the Washington Suburban Sanitary Commission, Potomac Electric Power Company, the Prince George's County Police Department, the Prince George's County Fire/EMS Department, the Prince George's County Health Department, the Department of Permits, Inspections and Enforcement, Verizon, the Maryland State Highway Administration, and the City of Bowie. *See* PGCPB No. 14-128, at 37–61.

Issues Raised on Appeal

On December 9, 2014, after Planning Board adopted Resolution No. 14-128 at its December 4, 2014, public meeting, the Planning Board issued notice of its action in accordance with the requirements of § 27-280 of the Zoning Ordinance. The notification letter also advised all persons of record of the time for appeal from the disposition of Planning Board by filing a written appeal with the Clerk of the District Council. *See* 12/09/2014 Ltr., Kosack to St. John Properties, at 1.

Thereafter, on January 7, 2015, being within the 30-day time period for appeals recited within the Zoning Ordinance, on January 7, 2015, Appellants filed a timely joint appeal with the District Council seeking review of the subject proposal by the District Council. As reflected in the written appeal, named Appellants are Martha Ainsworth, Sally Mitchell, Bruce Pletsch, Lauren Ragsac, and Fred Tutman. *See* 01/07/2015 Ltr., Ainsworth, *et alia*, to Floyd, at 1–2. The joint appeal letter alleged the following errors as to CSP-06002-01:

1. The addition of a large residential component to Melford does not support its main purpose as an employment center.

As stated in the written appeal letter, and further amplified during its remarks at the February 23, 2015, Oral Argument concerning CSP-06002-01, Appellants argue that the *Bowie and Vicinity Master Plan and SMA* states that “[t]he primary emphasis of the overall development at Melford is on employment. Site development should maximize employment opportunities so Melford becomes a major employment center and mixed-use venue in the County. *See* 01/07/2015 Ltr., Ainsworth, *et alia*, to Floyd, at 1–2 (internal citations omitted). In support of this argument, Appellants cite additional provisions set forth in the *Bowie and Vicinity Master Plan* approved in 2006, requiring “any residential component not to exceed 866 housing units and 20-30% of gross floor area,” as well as the provisions in the 2014 General Plan Update,

Plan Prince George's 2035, claiming that the current General Plan “identifies the Bowie Town Center (of which Melford is now a part), as one of four county Employment Areas,” citing to Policy 6 of the Land Use Chapter within Section 3: Elements. *See generally* 2014 *Plan Prince George's 2035*, at 66–81; 01/07/2015 Ltr., Ainsworth, *et alia* to Floyd, at 1–2. *See also* 02/23/2015 Tr. This argument is factually and legally without merit.

Contrary to Appellants’ stated view of the land use policy for the Melford Property area, and as we discussed within the Comprehensive Plan section, appearing on pages 42–43, *supra*, we find the provisions of the 2014 General Plan inapposite to their assessment that the subject property is one of four designated Employment Areas within the 2014 Plan. *See* 2014 *Plan Prince George's 2035*, at 83 (“In support of the Plan 2035 growth concept, the eight Regional Transit Centers (which include Priority Investment Districts and Primary Employment Areas) are the focus of the county’s planned growth and mixed use development. The Local and Suburban Centers are secondary, and provide smaller scale opportunities for development... [E]mployment and office growth this is anticipated over the next 20 years is limited [within Local and Suburban Centers]). Here, as we point out in our discussion at page 42, the subject property is a designated Local Town Center in the approved General Plan. *See* 2014 *Plan Prince George's 2035*, Table 14, Att. B., at 18. Moreover, we find persuasive the Land Use Policy 10.3 articulated in the Land Use Chapter of the 2014 General Plan, which calls for the County to “evaluate master plans that include Residential / Neighborhood Services land use and zoning to reduce commercial zoning. Redesignate to residential land use as appropriate.” *See* 2014 *Plan Prince George's 2035*, at 93.

As a result, we are unpersuaded by Appellants’ view of the applicable land use policy for the subject property, find ample evidence in the record to conclude that there is substantial

evidence within the administrative record supporting the proposed development at Melford Village embodied within CSP-06002-01.

2. CSP-06002-01 is not Smart Growth and not consistent with the County's development goals in Plan [Prince George's] 2035.

Appellants next aver that the subject development proposal is not consistent with development goals in *Plan Prince George's 2035*, because:

“it will increase sprawl and auto-dependency and divert development from areas better served by existing infrastructure. It places dense residential development in the eastern boundary of the county, far from mass transit. As Melford is physically separated from the rest of Bowie and has a single entrance, retail development will be limited to “convenience retail.” Residents will be driving their cars for employment, shopping, and most other needs. The applicant’s traffic study estimated that the residential component will generate about 13,000 new daily trips. Unlike trips associated with the employment uses at Melford, the residential traffic will take place 7 days a week. The plan will exacerbate congestion and commuting times in Prince George’s County, already among the worst in the country. Instead, new housing should be focused on areas closer to transit and concentrations of jobs—such as around the County’s 15 undeveloped metro stations—and at the closer-in areas identified in *Plan 2035* that are well served by existing transit and utility infrastructure and in need of revitalization.”

See 01/07/2015 Ltr., Ainsworth, *et alia*, to Floyd, at 1–2, Annex. at 1–5. *See also* 02/23/2015 Tr.

Our review of the evidence in the administrative record, as well as the unambiguous language of the approved 2014 General Plan update pertinent to the subject development proposal plainly states specific policy designations supporting the elements within Applicant’s proposal before us—namely, for “auto-accessible centers that anchor larger areas of suburban subdivisions.... The centers typically have a walkable “core” or town center. Often the mix of uses is horizontal.... While master plans may call for future heavy or light rail extension or bus rapid transit, no transit alternatives have been approved for construction.” that flatly contradict Appellants’ arguments, above. *See* 2014 *Plan Prince George's 2035*, Table 14, Att. B., at 18. *See*

also discussion of comprehensive plan provisions applicable to the subject property, at 42–43, *supra*.

Consequently, we are unpersuaded by Appellants' view of the applicable land use policy for the subject property, and we find ample support within the administrative record from which we conclude that there is substantial evidence within the administrative record to support the proposed development at Melford Village embodied within CSP-06002-01.

3. CSP-06002-01 will have substantial adverse environmental impacts.

A final basis advanced by Appellants in the written appeal and advanced at the oral argument conducted on February 23, 2015, involves the potential environmental consequences resulting from the approved land use policy designation for the area of the Melford Property in the 2014 General Plan update with *Plan Prince George's 2035*, as follows:

The auto-dependent residential community and resulting congestion will raise greenhouse gas emissions and air pollution. The high-density 24/7 residential development will put people and pets from 2,500 dwelling units, one the edge of the Patuxent River wetlands, brimming with wildlife. The runoff from the development will go directly into the Patuxent River and the Chesapeake Bay. CSP-06002-01 does not go far enough in terms of minimizing impervious surfaces and polluted runoff at each stage of development, as required by the Master Plan. In fact, the Planning Board weakened the conditions of the previous CSP-06002 with respect to minimizing impervious surfaces. It makes no sense that this application should allow additional construction with excessive impervious surfaces that will later have to be retro-fitted using tax revenues.

In short, the Melford CSP will replace rather than promote employment, foster a dense urban and auto-dependent community far from mass transit, with substantial environmental and quality of life impacts, and divert development from areas that the County has prioritized. In light of these severe shortcomings, we do not believe that CSP-06002-01 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," as required for approval in § 27-276(b)(1) of the Zoning Ordinance. We believe that there are more reasonable alternatives to CSP-06002-01 that preserve the object of promoting an employment center, and that better protect the environment.

See 01/07/2015 Ltr., Ainsworth, *et alia*, to Floyd, at 2, Annex. at 5–6. *See also* 02/23/2015 Tr.

As a preliminary observation, we acknowledge Appellants' concerns for the health of delicate environmental resources near and around the site of the subject development proposal. However, Appellants we are unable to conclude that this argument is supported by persuasive, substantial evidence within the administrative record to meet its burden of persuasion. By contrast, we find that the general plan land use development policies, approved in the 2014 General Plan Update with *Plan Prince George's 2035* are entirely consistent with the subject proposal before us, as previously discussed in response to Appellants' claims, above, and our discussion herein as to applicable comprehensive plan provisions for CSP-06002-01. *See* 2014 *Plan Prince George's 2035*, Table 14, Att. B., at 18. *See also* discussion of comprehensive plan provisions applicable to the subject property, at 42–43, *supra*.

Thus, we are also unpersuaded by this third argument advanced by Appellants as to the applicable land use policy for the subject property to find a sufficient basis to refute the ample evidence contrary to Appellants' position in the administrative record. What's more, we find ample support within the administrative record from which we conclude that substantial evidence exists within the administrative record to support the proposed development at Melford Village embodied within CSP-06002-01. Consequently, based on the foregoing, we find Appellants' argument meritless.

In assessing this application, we take administrative notice of the prescription set forth in the Zoning Ordinance that "the burden in any zoning case shall be the applicant's." *See* § 27-142, Zoning Ordinance. As Maryland courts have long settled, when assessing the merits of whether to approve a special exception application, there is a distinction between evidence which compels a certain result and that which merely permits it. *See Jabine v. Priola*, 45 Md. App. 218,

232–33, 412 A.2d 1277 (1980), *rev'd on other grounds sub nom., Woodfield v. W. River Improvement Ass'n*, 165 Md. App. 700, 886 A.2d 944 (2005).

Moreover, when we, the administrative agency for land use and zoning proposals, review a special exception application, we note other requirements within Maryland administrative law that “[e]valuation of a special exception application is not an equation to be balanced with formulaic precision.” *See Sharp v. Howard County Bd. of Appeals*, 98 Md. App. 57, 73, 632 A.2d 248, 256 (1993). And, this lack of a precise rubric is reflected in the standard of judicial review applied to zoning decisions. *Schultz v. Pritts*, 291 Md. 1, 26, 432 A.2d 1319, 1333 (1981); *see also Alviani v. Dixon*, 365 Md. 95, 107–08, 775 A.2d 1234, 1241 (2001); *Board of County Commissioners v. Oakhill Farms*, 232 Md. 274, 283, 192 A. 2d 761, 766 (1963) (whether test of substantial evidence on the entire record or test against weight of all the evidence is followed, courts have exercised restraint so as not to substitute their judgments for that of the agency and not to choose between equally permissible inferences, or to make independent determinations of fact, as to do so constitutes non-judicial role). Rather, courts have attempted to decide whether a reasoning mind could reasonably have reached the result the agency reached upon a fair consideration of the fact picture painted by the entire record. In the cases dealing with consideration of the weight of the evidence, the matter seems to have come down to whether, all that was before the agency considered, its action was clearly erroneous or, to use the phrase which has become standard in Maryland zoning cases, not fairly debatable. *Id.* The basic reason for the fairly debatable standard is that zoning matters are, first of all, legislative functions and, absent arbitrary and capricious actions, are presumptively correct, if based upon substantial evidence, even if substantial evidence to the contrary exists. *See Cremins v. County Comm'rs of Washington County*, 164 Md. App. 426, 438, 883 A.2d 966, 973–74 (2005) (internal quotations

and citations omitted). There is substantial evidence to support the zoning agency's conclusion if reasoning minds could reasonably reach the conclusion from facts in the record. Evidence is substantial if there is a little more than a scintilla of evidence. *Id.* Thus, "fairly debatable" under Maryland administrative law is whether the agency's determination is based upon evidence from which reasonable persons could come to different conclusions. *Sembly v. County Bd. of Appeals*, 269 Md. 177, 182, 304 A.2d 814, 818 (1973). *See also Prince George's County v. Meininger*, 264 Md. 148, 151, 285 A.2d 649, 651 (1972) (internal quotations omitted); *Annapolis v. Annapolis Waterfront Co.*, 284 Md. 383, 398, 396 A.2d 1080, 1089 (1979).

Before us is an application of first revision to a conceptual site plan, CSP-06002-01. As stated in Maryland administrative law cases, Applicant's burden "assumes not merely the lesser burden of generating a fairly debatable issue so as to permit a ruling in its favor but the significantly greater burden of actually dispelling fair debate by proof so clear and decisive as legally to compel a ruling in its favor." *B. P. Oil, Inc. v. Bd. of Appeals*, 42 Md. App. 576, 580, 401 A.2d 1054 (1979).

Based on the foregoing, we are persuaded by substantial evidence within the administrative record to specifically demonstrate consistency with the comprehensive planning and zoning development policies set forth in the current general plan and master plans for the area of the property proposed for development. Moreover, our review of the proposed conditions of approval adopted by Planning Board within PGCPB No. 14-128, as modified herein, will ensure conformance with development requirements for the project set forth in the Zoning Ordinance.

Approval of CSP-06002-01 is 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 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.
 - 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, to the maximum extent possible.
 - 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.

24. The final number of affordable workforce housing units and senior multifamily units shall be submitted by the applicant prior to submittal of an application for preliminary plan of subdivision.
25. The phasing of all development proposed in CSP-06002-01 shall be determined at the time of detailed site plan.

Ordered this 23rd day of March, 2015, by the following vote:

In Favor: Council Members Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner.

Opposed: Council Member Lehman.

Abstained:

Absent: Council Member Franklin.

Vote: 7-1

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Mel Franklin, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

R E S O L U T I O N

WHEREAS, St. John Properties, Inc. is the owner of a 129.16-acre property consisting of 11 parcels, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Mixed Use-Transportation Oriented (M-X-T); and

WHEREAS, on October 28, 2016, St. John Properties, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 256 lots and 50 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-16006 for Melford Village 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 March 9, 2017, for its review and action in accordance with the Land Use Article of the 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 March 9, 2017, 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 1 Tree Conservation Plan (TCP1-044-98-05), and APPROVED a Variance from Section 25-119(d), and further APPROVED Preliminary Plan of Subdivision 4-16006, including a Variation from Section 24-128(b)(7)(A) for 256 lots and 50 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:
 - a. Provide a table or general note that demonstrates the disposition of each commercial parcel by number and each residential homeowners association (HOA) parcel by letter, and indicate if the parcels will be dedicated to the HOA, business owners administration, or other entity. The parcels (including existing tax parcels) should be renumbered or re-lettered in ascending order. Final determination of which entity will receive each parcel will be determined at the time of detailed site plan.
 - b. Provide a table on the cover sheet or update the title block to list all of the lot numbers in each block.
 - c. Label Parcel 40 as to be conveyed to the City of Bowie and update the homeowners association dedication notes on Sheet 1 accordingly.

- d. Correct General Note 13 to provide the correct number of parcels proposed for commercial and multifamily uses, TH, and two-family.
 - e. Remove the lot designations for the two over two units and relabel them as numbered parcels.
 - f. Show the required 10-foot-wide public utility easements (PUEs) along both sides of New Public Roads 'A' through 'E.' Any deviation from the 10-foot wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.
 - g. Include a location for a trailhead facility for the master plan trail along the Patuxent River.
 - h. The pedestrian network exhibits shall be revised to include the trailhead location and the additional shared-lane marking.
 - i. The applicant shall provide written documentation that the City of Bowie has approved a waiver of the street standards for the project.
2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement (PUE) along all public rights-of-way, and one side of all private streets, not including alleys. Any deviation from the 10-foot-wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.
 3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval and on the approved plan, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
 4. Prior to certification of the preliminary plan, an updated Letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, shall be submitted concerning the presence of rare, threatened and/or endangered species on the site.
 5. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for approved impacts, 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.”

6. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall provide the Environmental Planning Section with copies of all Federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
7. Prior to certification of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as applicable:
 - a. The current Environmental Planning Section approval block shall be used and all prior approval typed in.
 - b. A legend shall be provided on each sheet which shall identify all the graphic elements used on the sheet.
 - c. A woodland conservation sheet summary table shall be provided.
 - d. The term “woodland preserved-not credited” shall be replaced by “woodland retained-not credited” in the legend.
 - e. All areas shown as “opportunity areas” shall be eliminated and instead shown as afforestation/reforestation areas. “Opportunity Areas” shall be removed from the legend.
 - f. All identification information shall be provided in the woodland conservation worksheet.
 - g. Metes and bounds shall be provided for all property lines.
 - h. A scale shall be provided for the cover sheet key map.
 - i. Woodland conservation areas shall be clearly bordered.
 - j. All existing and proposed utility easements shall be shown, and no woodland conservation shall be credited in a utility easement.
 - k. Afforestation/reforestation shall not be credited for landscaping in parking lot islands.
 - l. Crediting of woodland conservation shown on property owned by M-NCPPC is subject to the written approval of the Department of Parks and Recreation, and M-NCPPC signature of an owner’s awareness block on the plan.
 - m. The amount of any woodland conservation credited on land donated to M-NCPPC shall

be separately identified in the Woodland Conservation Summary Table, and on the individual Woodland Conservation Sheet Tables.

- n. All property owned by M-NCPPC shall be clearly labeled.
- o. Woodland preservation shall not be shown or credited in the 100-year floodplain.
- p. All stormwater management easements shall be shown on the plan.
- q. All woodland conservation areas shall meet required minimum width and size design standards.
- r. SWM micro-retention basins shall not be credited as woodland conservation because the planting proposed are not consistent with the requirements of the Woodland Conservation Ordinance.
- s. The calculation of net tract area needs to be revised in the woodland conservation worksheet to show that Lot 2, in Pod 7, has been purchase by the U.S. Government, and is no longer submit to local woodland conservation requirements. This acreage should be added to the list of "Previously Dedicated Land" in the Woodland Conservation Summary Table, and woodland preservation shall not be credited on Lot 2. Affected plan sheets, calculations and tables shall be adjusted to reflect this change.
- t. All tables and calculations shall be revised as needed to reflect the required revisions.
- u. Woodland conservation credits shall be removed from any property which does not have the consent of the property owner.
- v. The woodland within the cemetery environmental setting shall be indicated as "woodland retained – not credited," and no afforestation should be shown with the approval of the TCPI.
- w. Have the revised plan signed and dated by the Qualified Professional who prepared it.
- x. Trees to be removed shall be clearly indicated on the affected plan sheets (Sheets 7 and 10), and the graphic element indicating specimen trees to be removed shall be added to the legend.
- y. Add a variance note under the woodland conservation worksheet and complete to reflect the variance approval:

“NOTE: This plan is in accordance with a variance from the strict requirements of Subtitle 25 approved by the Planning Board on March 9, 2017 for the removal of twelve specimen trees (Section 25-122(b)(1)(c)): ST- O, P, Q, R, S, T, U, V, Y, Z, AA and BB.

8. Development of this subdivision shall be in conformance with approved Type 1 Tree Conservation Plan (TCP1-044-98-05). The following note shall be placed on the Final Plat of Subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-044-98-05), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

9. At the time of detailed site plan and Type 2 tree conservation plan (TCP2) approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a historic setting vegetation management plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established. Implementation of the Plan would be subject to approval of a historic area work permit (HAWP). Development of a management plan would qualify trees within the environmental setting to be credit as “historic trees” at twice the usual woodland conservation ratio.

At the time of TCP2, applicant may credit historic trees with the environmental setting of the cemetery as follows:

- a. Permission of the owner or ownership of the property shall be demonstrated.
- b. A historic tree inventory of the environmental setting of the cemetery shall be prepared and included on the TCP2.
- c. A historic setting vegetation management plan for the cemetery shall be prepared for the purpose of identifying vegetation that should be removed to protect the existing graves on-site, to identify recommended maintenance activities, and to propose any additional planting appropriate for the site. The plan shall include a maintenance program for the cemetery to retain an open character over the known gravesites, a cost estimate for implementation of the plan and for a minimum of four years of maintenance, and shall identify the party or parties responsible for the long-term maintenance of the environmental setting.

- d. The quantity of historic tree credits in the environmental setting shall be calculated and added to the woodland conservation worksheet.
 - e. Prior to the issuance of grading permits for Melford Village which credit woodland conservation with the cemetery environmental for historic tree credit, a HAWP for implementation of the historic setting vegetation management plan shall be approved, and a bond for implementation of the plan shall be submitted. Bonding shall be held until the requirements of the plan is fully implemented, and four years of maintenance has been monitored.
10. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
- a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane. This sidewalk shall conform to the Street Sections approved as part of the Melford Village Design Guidelines, or as modified by the City of Bowie or the Maryland State Highway Administration.
 - b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.
 - c. At the time of detailed site plan, provide an exhibit that illustrates the location, limits, specification and details of all off-site improvements proffered in the bicycle pedestrian impact statement, or recommended by staff, for the review of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk treatments, ramp reconfiguration and the removal of the roundabout.
11. In conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:
- a. Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of detailed site plan.
 - b. In addition to New Road "A" and New Road "C," shared-lane Markings shall be

provided along Melford Boulevard, Currie Drive and Science Drive, or as modified by the City of Bowie.

12. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowner's association has been established. The draft covenants shall be submitted to the Subdivision Review Section to ensure that the rights of The Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Department are included. The liber/folio of the declaration of covenants shall be noted on the final plat prior to recordation.
13. Prior to approval of building permits for development within each detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association (HOA), or other appropriate community ownership association, land as identified on the approved preliminary plan of subdivision and/or DSP. Land to be conveyed shall be subject to the following:
 - a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division (DRD), Upper Marlboro.
 - b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to an HOA, or other appropriate community ownership association, shall be in accordance with an approved DSP. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and storm drain outfalls.
 - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to an HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD in accordance with the approved DSP.
 - f. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed upon receipt of the covenants/declaration for the HOA, or other appropriate community ownership association.
14. Prior to signature approval of the preliminary plan of subdivision and the Type 1 tree

conservation plan, the plans shall be revised to delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016 as required by Condition 13 of PGCPB Resolution No. 14-128 for CSP-06002-01.

15. Prior to signature approval of the preliminary plan of subdivision and Type I tree conservation plan, the applicant and the applicant's heirs, successors, and/or assignees shall clarify the ownership of the cemetery parcel associated with the Melford Historic Site (71B-016).
16. Total development shall be limited to uses which generate no more than 2,353 AM peak-hour trips and 2,766 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.
17. Prior to issuance of any residential building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction through the applicable agency's access and permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency, and per applicable City, County, and/or SHA standards and requirements:
 - a. **Melford Boulevard and Science Drive:** Convert the existing roundabout to a traditional four-legged signalized intersection, as described below:
 - (1) Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required physical and traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.
 - (2) Provide four travel lanes on the northbound approach and on the southbound approach. These shall include two travel lanes in each direction and turning lanes, as determined to be appropriate by the City of Bowie.
 - (3) Provide two travel lanes on the eastbound approach and on the westbound approach. These shall be marked and striped as determined to be appropriate by the City of Bowie.
 - b. **Melford Boulevard and Tesla Drive/site access:** Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.
 - c. **US 301 and Governors Bridge Road/Harbour Way:** Provide an additional right-turn

lane on eastbound Harbour Way and restripe the eastbound approach on Harbour Way to result in two left-turn lanes, one shared through/left-turn lane, and one right-turn lane.

18. Prior to signature approval of the preliminary plan of subdivision and Type I tree conservation plan, the applicant and the applicant's heirs, successors, and/or assignees shall revise the plans per the applicant's exhibit and demonstrate conformance to Section 27-548(h) of the Prince George's County Zoning Ordinance for all townhouse lots.
19. Pursuant to a proffer made in the traffic impact study and an agreement with the City of Bowie, prior to the first residential building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide for at least four traffic calming measures or devices along Belair Drive, west of the MD 3 interchange and per the City of Bowie standards and specifications. These measures shall be provided and reviewed with the first detailed site plan for residential development filed pursuant to this preliminary plan of subdivision.
20. A hiker-biker trail connection shall be shown on the preliminary plan of subdivision and constructed by the applicant and the applicant's heirs, successors, and/or assignees along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.
21. A 10-foot-wide hiker-biker trail shall be provided by the applicant and the applicant's heirs, successors, and/or assignees on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This segment of the trail system shall be shown on the preliminary plan of subdivision prior to signature approval. The appropriate triggers for the permitting and construction of the hiker-biker trail on Parcel 40 shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.
22. To help fulfill the purpose of Condition 19 of Conceptual Site Plan CSP-06002-01, "sharrows" shall be installed by the applicant and the applicant's heirs, successors, and/or assignees on Curie Drive (and Science Drive, beyond the Melford Village project limits). The appropriate location(s) and triggers for permitting and construction of the sharrows shall be determined at the time of detailed site plan for each phase of the project.
23. The applicant and the applicant's heirs, successors, and/or assignees shall deed Parcel 40 to the City of Bowie upon completion of all facilities on Parcels 40 and 41 (the amphitheater parcel).
24. The applicant and the applicant's heirs, successors, and/or assignees shall execute a maintenance agreement with the City of Bowie for maintenance of Parcel 40 prior to issuance of any building permits.

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 with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 47, Grid F3, and Tax Map 48, Grid A3 and consists of 11 existing parcels totaling 129.156 acres in the M-X-T Zone. Sensitive environmental features exist on the property associated with a stream system that runs along the northern, southern and eastern boundary of the site. The property is currently improved with two existing 150,000-square-foot office buildings (totaling 300,000 square feet), and the Melford and Cemetery Historic Site (71B-016). The Melford House is a 2½-story brick plantation house that was built in the 1840s.

The applicant is proposing the development of 205 townhomes, 88 two-family dwelling units on 44 parcels, 1,500 multifamily units, and 359,500 square feet of commercial uses, (consisting of 124,500 square feet of retail and 235,000 square feet of office/medical office). Of the proposed 1,500 multifamily dwelling units, approximately 500 of the units will be age-restricted and 1,000 units will be market rate units. All of the residential lots meet or exceed the 1,800 square feet minimum net lot area required in the M-X-T Zone.

“Melford Village” is the center of the overall Melford Property surrounding the Historic Melford House and cemetery, north of Melford Boulevard and includes both sides of existing Curie Drive. Vehicular access to the property is through an existing public road, Melford Boulevard, that intersects with MD 3 north of US 50/301. The development will be served by existing public rights-of-way, such as Melford Boulevard, which has an east-west vehicular flow, and Curie Drive which runs north and south. New Public Roads A through E will provide east/west and north/south connections to Melford Boulevard and Curie Drive and to the private alleys serving the attached residential dwellings. Twenty-six-foot-wide private alleys will provide vehicular driveway access to the townhouses and two-family dwellings, all of which are rear loaded. Several of the townhouse lots will have detached garages, also accessed via the private alleys.

Four (4) neighborhoods will be created by the two main boulevards, New Road “A” and Curie Drive: the northwest neighborhood, southwest neighborhood, southeast neighborhood, and northeast neighborhood, along with the commercial district at the intersection of Melford Boulevard and the future east-west boulevard (New Road “A”). A village plaza is proposed at the intersection of the future east-west boulevard and Curie Drive and will be a focal point of the project. The east-west boulevard will terminate on the eastern end of the site at a proposed amphitheater adjacent to the existing stormwater management pond that will become an amenity feature. A linear lakeside park is also proposed on the north side of the future east-west-boulevard at the entrance to the commercial district.

The proposed 500 senior age restricted units will be integrated within the multi-family buildings containing market-rate units. Specifics regarding the exact location of the senior units will be determined at the time of detailed site plan (DSP). Additionally, the southeast neighborhood will be largely developed with fee simple townhouse lots primarily served by private streets. Each of

the neighborhoods will have a variety of recreational amenities that will be determined more fully at the time of DSP. The PPS has been reviewed for conformance with the CSP.

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 and 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. CSP-06002-01 was filed by the Applicant on June 9, 2014. At its meeting on April 21, 2014, the Bowie City Council conducted a public hearing on CSP-06002-01 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). The City Council voted to approve CSP-06002-01 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 Planning Board held its public hearing on CSP-06002-01 on November 13, 2014. The Planning Board issued Resolution No. 14-128 approving CSP-06002-01. On February 23, 2015, the District Council held Oral Argument based on an appeal filed by local citizen opponents and took the case under advisement. On March 23, 2015, the District Council issued a Notice of Final Decision and Order of Approval with Conditions

affirming the Planning Board's decision in CSP-06002-01.

In addition, several prior PPS applications have been approved over the years for various portions of the overall Melford Property, (4-98706, 4-07055, 4-88030 and 4-02093).

3. **Setting**—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.

This application consists of 129.16 acres that is located in the center portion of the overall 431-acre Melford development.

The site is bounded to the north by office and medical office uses in the Mixed-Use Transportation-Oriented (M-X-T) Zone, and beyond 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; to the east by vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Mixed Use Transportation-Oriented (M-X-T) Zone, and beyond, the Patuxent River and the U.S. Air Force transmitter station located in Anne Arundel County; to the south by office, medical office, warehouse and institutional uses in the Mixed Use - Transportation Oriented (M-X-T) Zone, and beyond 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. The property is located within the City of Bowie.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

4. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)		Mixed-Use Development
Acreage	129.16	129.16
Gross Floor Area		359,500 sq. ft. (124,500 sq. ft. commercial/retail, & 235,000 sq. ft. office/medical office)
Parcels	11	50
Outlots	0	0
Dwelling Units:	Total	Total
Attached (TH)	0	293
Two-family attached		(88 of which are two-over-two units)
Multifamily	0	1,500
		(500 of which are senior age restricted)
Variance	No	Yes
		Section 25-119(d)
Variation	No	Yes
		24-128(b)(7)(A)

Pursuant to Section 24-113 of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on November 18, 2016. The requested variation to Section 24-128(b)(7)(A) for private roads and easements for approximately 68 townhomes that will be located on lots served by private alleys without frontage on a public street was also heard at the SDRC meeting on November 18, 2016 as required by Section 24-113(b) of the Subdivision Regulations.

5. **Environmental**—The revised PPS and Type 1 Tree Conservation Plan, TCP1-044-98-05, has been reviewed for Melford Village, stamped as received by the Countywide Planning Division on December 29, 2017.

Background

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
A-9401	N/A	District Council	Approved	10/10/2001	PGCPB No. 02-43
A-9401-02	N/A	N/A	Dormant	N/A	N/A
CSP-06002	TCPI-044-98-02	District Council	Approved	5/11/2009	Order of Approval
CSP-06002-01	TCPI-044-98-04	District Council	Approved	3/23/2015	Order of Approval
4-16006	TCPI-044-98-05	Planning Board	Pending	3/2/2017	Pending

The plans for the site were previously reviewed when it was zoned E-I-A and known as the University of Maryland Science and Technology Center. The site was rezoned 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 County Council Resolution CR-11-2006.

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 previous approvals by the Planning Board of a PPS (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 a site under the M-X-T requirements includes approval of a CSP and DSP. The subject property was first reviewed under the M-X-T zoning requirements with Conceptual Site Plan CSP-06002 and TCP1-044-98-02. A Natural Resources Inventory, NRI-054-06, was approved for the site on February 21, 2008, which was valid for five years; it was reapproved in March of 2016 under the requirements of the Subdivision Regulations that came into effect in 2010.

A revision to a CSP, as required for the M-X-T Zone, and a revised TCP1, for the purpose of developing 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" was approved by the District Council on March 23, 2015 subject to an Order of Approval with Conditions. The current application is a new PPS and revised TCP1 necessary to implement the CSP design for the development consisting of single-family attached dwellings, multifamily residential, age-restricted multifamily as well as commercial and office/retail on a 129.16 gross tract area.

Grandfathering

The site is grandfathered from the requirements of Subtitle 25, Division 2 that became effective on September 1, 2010 and February 1, 2012 because the site has an approved TCPI and TCPII. A revision to the TCP1 is proposed with the current application. The site is not grandfathered from the requirements of Subtitle 24, which became effective on September 1, 2010 and February 1, 2012 by approval of a PPS. The current application is a new PPS, which will be subject to current subdivision requirements, including a revised NRI.

Site Description

The overall Melford development of which this application is a part, is 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. According to the "Soil Web Survey" the principal soils on the site are in the Adelpia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and then other pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property. According to available information, Marlboro clay is not found to occur in the vicinity of this property. 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 2005 *Approved Countywide Green Infrastructure Plan*, all three network features (Regulated Areas, Evaluation Areas and Network Gaps) are present on the Melford site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River.

Conformance with Plan Prince George's 2035 Approved General Plan

According to the approved General Plan, the site is located within an Employment Center, and designated Bowie Town Center as shown on the Growth Policy Map. It is also located in Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by the General Plan. The mix of uses proposed is consistent with the vision, policies and strategies of the Prince George's 2035 General Plan.

Plan Prince George's 2035 Approved General Plan supersedes and amends the February 2006 *Approved Bowie and Vicinity Master Plan and Sectional Map Amendment* pursuant to language contained in County Council Resolution CR-26-2014, and authorizing PPS to be designed "to conform with the land use policy recommendations for centers, as approved within the current County General Plan."

The Plan Prince Georges 2035 General Plan amended the previous Bowie Town Center boundary to include the 430 + acre Melford development as one of the five "local town centers." The Bowie Town Center boundary as amended is extensive in area, and includes Melford and the southeast quadrant formed by the interchanges of MD 197, US 50 and US 301/50, including the Bowie Town Center. The term Town Centers (Local) is described as:

"A range of auto-accessible centers that anchor larger areas of suburban subdivision. 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."

The Melford Village proposal approved in Conceptual Site Plan CSP-06002-01 and carried forward with the current PPS is in general conformance with the description of the Town Center (local) found in *Plan Prince George's 2035*, and generally consistent with the policies and strategies of the Plan Prince George's 2035 General Plan as related to a local Town Center.

Master Plan Conformance

The master plan for this area is the 2006 *Approved Bowie and Vicinity Master Plan and Sectional Map Amendment* (Bowie and Vicinity Master Plan and SMA). In the Bowie and Vicinity Master Plan and SMA, the Environmental Infrastructure section contains goals, policies and strategies.

The following master plan guidelines have been determined to be applicable to the current project. 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 identified green infrastructure network within the master plan area.

Strategies:

1. **Use designated green infrastructure network to identify opportunities for environmental preservation and restoration during the development review process.**
2. **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. Protect secondary corridors (Horsepen Branch, Northeast Branch, Black Branch, Mill Branch, and District Branch) to restore and enhance environmental features and habitat.**
3. **Carefully evaluate land development proposals in the vicinity of identified Special Conservation Areas (SCA) (the Beltsville Agricultural Research Center to the north, along with the Patuxent Research Refuge; Belt Woods in the western portion of the master plan area; and the Patuxent River) to ensure that the SCAs are not impacted and that connections are either maintained or restored.**

This development fronts on the Patuxent River, a Green Infrastructure primary corridor, and a Special Conservation Area (SCA). The PPS conformance with the 2005 *Approved Countywide Green Infrastructure Plan* will be provided further below.

4. **Target public land acquisition programs within the designated green infrastructure network in order to preserve, enhance or restore essential features and special habitat areas.**

Extensive Patuxent River waterfront and wetlands adjacent to this application are already owned by M-NCPPC, consistent with protection policies for the Patuxent River Park.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Strategies:

- 1. Ensure the use of low impact-development techniques to the extent possible during the development process.**

The City of Bowie has approval authority over Stormwater Management Concept Plan (01-114-207NE15) for this site, covering Pods 1, 2, 5 and portions of 7 was approved by the city manager on March 10, 2014, with an expiration date of March 10, 2017. The stormwater management concept plan shows stormwater to be treated on-site with numerous micro-bioretenion facilities, in addition to the regional ponds located adjacent to the river frontage.

- 2. During the development review process evaluate streams that are to receive stormwater discharge for water quality and stream stability. Unstable streams and streams with degraded water quality should be restored, and this mitigation should be considered as part of the stormwater management requirements.**

No undisturbed streams will be directly impacted by the current proposal.

- 3. Encourage the use of conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications.**

The use of native species for on-site planting is encouraged and required in the Landscape Manual to reduce water consumption and the need for fertilizers or chemical applications, and will be demonstrated on the Type II Tree Conservation Plan and Landscaping Plan as required.

Policy 3: Protect and enhance tree cover within the master plan area.

The Woodland and Wildlife Habitat Conservation Ordinance requires the protection and enhancement of woodlands throughout the County and the state, based on the approved land-use category designated by zoning.

Strategies

- 1. Encourage the planting of trees in developed areas and established communities to increase the overall tree cover.**
- 2. Provide a minimum of ten percent tree cover on all development projects. This can be met through the provision of preserved areas or landscape trees.**
- 3. Establish street trees in planting strips designed to promote long-term growth and increase tree cover.**
- 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.

Street trees will be provided in accordance with the Prince George's County Department of Public Works and Transportation (DPW&T) standards, and landscaping materials will be required in accordance with the 2010 *Prince George's County Landscape Manual* at the time of DSP. The tree canopy coverage requirements of Subtitle 25, Division 3 will also be evaluated at the time of DSP.

Policy 5: Reduce light pollution and intrusion into residential, rural, and environmentally sensitive areas.

Strategies:

1. **Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations, and car lots so that light intrusion on adjacent properties is minimized. Limit the total amount of light output from these uses.**
2. **Require the use of full cut-off optic light fixtures for all proposed uses.**
3. **Discourage the use of streetlights and entrance lighting except where warranted by safety concerns.**

The minimization of light intrusion from this site onto the adjacent river and conservation areas shall be addressed at the time of DSP, and the use of alternative lighting technologies and the limiting of total light output should be demonstrated. Full cut-off optic light fixtures should be used.

Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.

Strategies:

1. **Evaluate development proposals using Phase I noise studies and noise models.**
2. **Provide adequate setbacks for projects located adjacent to existing and proposed noise generators.**
3. **Provide the use of approved attenuation measures when noise issues are identified.**

The site fronts on US 50 and US 301, which are Master Plan of Transportation designated freeways which are generally regulated for noise, as discussed further.

The current application can be found consistent with the policies and strategies of the Bowie and Vicinity Master Plan and SMA.

Conformance with the 2010 Approved Water Resources Functional Master Plan

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies

related to the sustainability, protection and preservation of drinking water, stormwater, and wastewater systems within the County, on a countywide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, County ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), the Prince George's County Department of Health, the Prince George's County Department of the Environment, the Prince George's Soil Conservation District, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban and Sanitary Commission are also deemed to be consistent with this master plan.

The current application can be found consistent with the policies and strategies of the 2010 *Approved Water Resources Functional Master Plan*.

Conformance with the 2005 Approved Countywide Green Infrastructure Plan

The development site contains areas delineated as Regulated Areas, Evaluation Areas and Network Gap on the 2005 *Approved Countywide Green Infrastructure Plan*. The adjacent Patuxent River is a designated 'Primary Corridor' in the master plan's green infrastructure network. All wetland, stream and floodplain areas and buffers are preserved and maintained to protect sensitive environmental features and enhance water quality to the fullest extent practicable. In addition, the applicant has donated approximately 100 acres of parkland adjacent to the Patuxent River to M-NCPPC for incorporation into the Patuxent River Park, which will serve as a significant buffer between the project and the Patuxent River.

The current application can be found consistent with the policies and strategies contained in the 2005 Approved Countywide Green Infrastructure Plan.

Conditions of Previous Approvals: CSP-06002 and TCP1-044-98-02

An Amended Order Modifying and affirming in Part a Planning Board Decision with Conditions found in PGCPB Resolution 07-09(C) was approved on October 9, 2009. The Planning Board's decision (PGCPB Resolution No. 07-09(C)) was subject to the following conditions which are environmental in nature, and shown in **bold**. Responses are provided below.

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 impact review area relates to the Melford Historic site and its environmental setting, which will be reviewed by the Urban Design Section and the Historic Preservation Section, and does not impact the regulated environmental features of the site.

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 TCPI 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 revisions were made and the certificate was issued.

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.**

The revisions were made for all listed features, except for the master- planned trail proposed on Parkland, and two connections from the internal trail system to the master planned system, which was allowed per Condition 29(b) of Conceptual Site Plan CSP-06002, and the certificate was issued.

The required 100-foot natural buffer and the 150-foot-wide buffer on the 100-year floodplain have been shown correctly on the TCP1 revision currently under review. During the review of any further application, this guideline will further be evaluated, and if any clearing is proposed within these buffers it must either be removed or the "natural

buffer alternative” shall be provided.

16. **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 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 with the current PPS review, along with restoration of natural buffers in the Environmental Review section below.

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.**

The portions of the linear wetland located in the southeast corner of this site which are located on the subject property, along with a block of wetlands and wetlands buffers located on Lots 4 and 6 have been totally protected under the current development plan.

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.**

Minimization of impervious surfaces is a zoning concern with regards to required green space requirements consistent with the M-X-T Zone, which will be further reviewed with the DSP; and a SWM management concern to be addressed by the City of Bowie under its stormwater management authority, and the review of on-site soil conditions. Structured parking is subject to review at the time of DSP.

- 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 plans correctly delineated the 100-foot-wide “natural buffer and 150-foot-wide building and parking setbacks. The open space network, and impacts to environmentally sensitive areas are evaluated below.

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 stream buffers shown on the current plan are consistent with the approved NRI for the site and the condition. A revised NRI applying current stream buffer requirements was approved on March 1, 2016 at staff level, and these buffer requirements were used in delineating the primary management area (PMA) for the site.

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.**

The technical design of stormwater management facilities and associated landscaping is subject to approval by the City of Bowie. Coordination of the stormwater management landscape plans with the overall landscape plan for the site will occur with the review of the DSP.

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

Lighting systems will be reviewed at the time of DSP for conformance to this condition of approval.

Conditions of Previous Approvals: CSP-06002-01 and TCP1-044-98-04

An Order of Approval for CSP-06002-01 by the District Council was approved on March 23, 2015, subject to the following conditions which are environmental in nature, and are shown in **bold font**. Comments are provided in regular font.

1. **Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:**

- 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.**

The revisions were made and the certificate was issued.

- 4. At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:**

- 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.**

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 was submitted during the revision to the natural resources inventory (NRI-154-06-01), as discussed further.

- 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.**

There are no anticipated nor identified new impacts to regulated environmental features proposed with the current application.

- d. The preliminary plan application package shall contain a copy of the erosion and sediment control concept plan.**

The application package does contain a copy of the erosion and sediment control concept plan for the project, which will be further reviewed with the DSP.

- 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.**

There are no anticipated nor identified new impacts to regulated environmental features

proposed with the current application.

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.**

The portions of the linear wetland located in the southeast corner of this site, which are located on the subject property, along with a block of wetlands and wetlands buffers located on Lots 4 and 6 have been totally protected under the current development plan.

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.**
 - 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.**

Conditions a, c, and d shall be addressed at the time of DSP. Condition b does not apply.

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 NRI, which is reflected in the current plans under review.

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

The existing environmental setting for Melford and the Cemetery have been shown on the current plans and labeled, although the graphic pattern is not included in the legend and should be.

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.

The current application shows no impacts to regulated environmental features of the site. If impacts are proposed with future application, consistency with environmental or other master plan considerations will be further evaluated.

Natural Resource Inventory Plan/Existing Features

A Natural Resource Inventory, NRI-054-06, was approved for the subject property on February 21, 2008. A revised NRI (NRI-054-06-01) was required for the current application, because the previous NRI had exceeded the validity period, and the stream buffers required for regulated streams effective September 1, 2010 needed to be addressed for approval prior to PPS application in accordance with a Letter of Agreement dated October 10, 2013 from Christopher Rizzi, Greenman-Pedersen, Inc and Katina Shoulars, Supervisor of the Environmental Planning Section, which outlined the amended materials required for submittal with the revised NRI. The revised NRI was approved on March 1, 2016, and was submitted with the current application.

The environmental and cultural features identified on the NRI, and the delineation of the PMA have been correctly transposed onto the TCP1.

Rare, Threatened and Endangered Species

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 of 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 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.

Prior to certification of the PPS, an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, shall be submitted concerning the presence of rare,

threatened and/or endangered species on the site as an amendment to the approved NRI prior to approval.

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include streams, wetlands and buffers, and 100-year floodplain, which are shown on the NRI, and the delineated PMA which includes the contiguous regulated environmental features of the site.

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact.

The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

Impacts to regulated environmental features must first be avoided and then minimized. If impacts to the regulated environmental features are proposed, a statement of justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification must address how each impact has been avoided and/or minimized and should include 8.5 by 11 exhibits of the proposed disturbance.

The current application is a revision to an approved TCP1 found to have satisfied this finding, and no significant change to the limit of disturbance or additional impacts to regulated environmental features is currently proposed. The current TCP1 shows cumulative impacts of 4,358 square feet to the 100-foot-wide "natural stream buffer" for future sewer connections, and 6,394 square feet to the 150-foot-wide "floodplain buffer" for future SWM outfall structures, which were previously approved under an earlier development application for the implementation of the regional stormwater management ponds.

At the time of DSP, if amended environmental information is submitted and/or additional impacts are proposed to regulated environmental features, a full review of additional environmental impacts to regulated environmental features will be performed, and justification of requested impacts will be required.

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 Conceptual Site Plan CSP-06002-01 and Type 1 Tree Conservation Plan TCP1-044-98-04.

Tree Conservation Plan

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The site already has an approved Type 1 and Type 2 Tree Conservation Plan. A revised TCP1 (TCP1-044-98-05) was submitted with the PPS.

Type 1 Tree Conservation Plan TCP1-044-98-05 covers a 431.55-acre gross tract area, which is portion area of the Melford development (formerly University of Maryland Science and Tech Center) which is subject to the ordinance, and is larger than the PPS currently under review. The woodland conservation threshold is 44.38 acres, based on the M-X-T zoning and a net tract area of 295.86 acres. The site contains 176.47 acres of upland woodlands and 89.26 acres of wooded floodplain. The revised TCP1 proposes clearing 121.39 acres of the upland woodlands, and 0.30 acres of wooded floodplain. No off-site clearing is proposed. Previously dedicated rights-of-way have been subtracted from the gross tract area consistent with the previous TCP1 approval. Based upon the clearing proposed, the total woodland conservation requirement for the development is currently calculated to 45.58 acres.

The revised TCP1 proposes to meet the overall requirement (431.55 acres) with 54.36 acres of on-site preservation, 6.37 acres of on-site afforestation/reforestation, 6.812 acres of afforestation/reforestation in natural regeneration, and 5.50 acres of Specimen/Historic Tree Canopy Credit. The entire requirement is proposed to be met on-site, and no off-site woodland conservation is proposed.

Recently a portion of the Melford site, which is included in the boundaries of the TCP1, was transferred to the federal government for construction of the National Holocaust Museum warehouse facility, and is no longer subject to the local WCO. The area of the transferred property shall be deducted from the net tract area, similarly to the way other federal sites in the Melford development are handled, and no woodland conservation can be credited on property owned by the federal government.

The calculation of net tract area needs to be revised in the woodland conservation worksheet to show that Lot 2, in Pod 7, which is 7.61 acres in area, has been purchase by the U.S. Government, and is no longer subject to local woodland conservation requirements. Federal projects are subject to review by the Maryland State Forest Service for compliance with the Clean Water Act. This acreage should be added to the list of "Previously Dedicated Land" in the Woodland Conservation Summary Table, and woodland preservation should no longer be credited on Lot 2. Affected plan sheets, calculations and tables shall be adjusted to reflect this change.

The TCP1 also shows preservation and afforestation proposed on the 1.13-acre cemetery and

environmental setting, although the ownership of the cemetery has not been determined and the cemetery is not a part of this PPS. Any crediting of woodland conservation area within the cemetery environmental setting can only occur with the consent of the owner. The woodland within the environmental setting shall be indicated as “woodland retained – not credited, and no afforestation should be shown with the approval of the TCP1.

In review of the TCP1, it was determined that the use of “opportunity areas for regeneration” is not an appropriate methodology in the location proposed on this site. All areas shown as “opportunity areas” shall be eliminated and instead shown as afforestation reforestation areas, and “opportunity areas” shall be eliminated from the legend.

The TCP1 shows woodland conservation being provided on property currently owned by M-NCPPC. Written permission from the Department of Parks and Recreation is required, and the amount of woodland conservation provided on M-NCPPC shall be clearly demonstrated on the plan.

The TCP1 requires technical revisions to be in conformance with the applicable Woodland Conservation Ordinance, the Environmental Planning Section policies, and the Environmental Technical Manual prior to certification of the PPS.

Preservation of Specimen, Historic and Champion Trees

Effective on September 1, 2010, TCP applications are required to meet of the requirements of Subtitle 25, Division 2 which includes the preservation of specimen, champion and historic trees, every reasonable effort should be made to preserve the trees in place, with consideration of different species’ ability to withstand construction disturbance.

After consideration has been given to the preservation of the specimen or historic trees and there remains a need to remove any, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Subtitle 25 provided all the required findings in Section 25-119(d) can be met and the request is not less stringent than the requirements of the applicable provisions of COMAR. An application for a variance must be accompanied by a letter of justification stating the reasons for the request and how the request meets each of the required findings.

The NRI and TCP1 indicate that there are 44 specimen trees located on the TCP1, all are located outside of the environmental setting of the historic site. A Subtitle 25 variance application for the twelve specimen trees proposed for removal was submitted along with a Statement of Justification, and will be evaluated below.

The TCP1 indicates that there are forty “historic” trees located within the environmental setting for the Melford Historic Site (71B-016) listed on a separate “Historic Tree Table.” No historic trees are proposed for removal. The applicant has requested Specimen /Historic Tree Canopy Credits for 2.75 acres of critical root zone (CRZ) area, which is credited at a rate of two square feet of woodland conservation credit for every one-square-foot of the CRZ area, resulting in credits for 5.50 acres of woodland conservation.

The Historic Tree Table does not address individual trees located within the environmental setting of the Cemetery (71B-016), although the area is proposed to be credited as preservation and afforestation/reforestation. Because the ownership of the cemetery is unknown at this time, and not under the control of the applicant, the cemetery should be shown as “woodland retained - not credited.” The applicant has also credited afforestation/reforestation achieved through natural regeneration on the cemetery environmental setting. The applicant cannot credit woodland conservation on property they don’t control without the consent of the owner, and any planting within an environmental setting is further subject to a Historic Area Work Permit.

The Environmental Planning Section and the Historic Preservation Section noted, and the Planning Board finds, that some vegetation removal in the cemetery is appropriate to protect and conserve the existing gravesites. Under the current situation of unknown ownership, no credit can be given for woodland conservation located within the environmental setting.

Subtitle 25 Variance for the Removal of Specimen, Historic or Champion Trees

A Subtitle 25 Variance Application and a statement of justification for the removal of 12 specimen trees located in Melford Village was received by the Development Review Division on October 5, 2016. A total of 44 specimen trees have been identified on-site, within the boundary of this PPS, including the Melford historic site.

The specimen trees proposed for removal are those indicated in the table below:

ID	Common Name/ Scientific Name	DBH (inches)	Condition Score/ Condition Rating		Comments	Proposed Disposition
O	Yellow poplar <i>Liriodendron tulipifera</i>	32	23	Fair		Removal
P	Pitch pine <i>Pinus rigida</i>	43	26	Good		Removal
Q	Elm sp. <i>Ulmus sp.</i>	37	20	Poor		Removal
R	Elm sp. <i>Ulmus sp.</i>	44	21	Poor		Removal
S	Elm sp. <i>Ulmus sp.</i>	33	20	Poor		Removal
T	Elm sp. <i>Ulmus sp.</i>	35	12	Very poor	Declining health	Removal
U	Elm sp. <i>Ulmus sp.</i>	35	21	Poor		Removal
V	White ash <i>Fraxinus americana</i>	30	19	Poor		Removal
Y	Elm sp. <i>Ulmus sp.</i>	32	18	Poor		Removal
Z	Black Walnut <i>Juglans nigra</i>	36	23	Fair		Removal

ID	Common Name/ Scientific Name	DBH (inches)	Condition Score/ Condition Rating		Comments	Proposed Disposition
AA	Yellow poplar <i>Liriodendron tulipifera</i>	32	27	Good		Removal
BB	Sycamore <i>Platanus occidentalis</i>	41	27	Good		Removal

The statement of justification submitted describes the need for a developable area to meet the anticipated development pattern of the M-X-T Zone, and the condition of many of the trees as the main reasons for their removal. Nine of the trees identified are in very poor to fair health, with three being in good health. The trees are basically in two geographical areas of the property.

Nine of the trees are located in close proximity (less than 200 feet) to the Melford historic site, although none are located within the environmental setting. Three of the trees are located within the required Type "E" bufferyard (minimum building setback of 60 feet in width, with a minimum landscaped yard of 50 feet, and in poor to very poor condition. Five of the trees located outside the bufferyard are in very poor to fair health. Due to the stress of construction and the development density proposed would be unlikely to thrive. The remaining specimen tree located approximate 200 feet west of the Melford environmental setting is a 43-inch DBH pitch pine in an area proposed for commercial/retail development. While its construction tolerance is moderate to good, the mass grading and fill proposed for development of the site would significantly change the elevation of the area, and its retention is not compatible within the desired pattern of development.

The remaining three specimen trees proposed for removal are located near to a riparian buffer in the northeast section of the development, where large multifamily development is proposed. One of the trees, a 36-inch DBH black walnut is in poor condition and not good candidate for retention. One tree is a 32-inch tulip poplar in good condition, but is a species that is known to have poor construction tolerance due to its tuberous roots, and is also not a good candidate for retention. The remaining tree is a 41-inch DBH sycamore in good condition, which is generally tolerant to construction. Retention of this tree is not feasible in its current location because of the large footprints and mass grading required for the scale of building proposed, which requires a grading cuts of ten to fifteen feet within the vicinity of the tree.

Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The letter of justification submitted seeks to address the required findings for the removal of on-site specimen trees.

(A) Special conditions peculiar to the property have caused the unwarranted hardship

The statement of justification indicates that the preservation of the twelve identified specimen trees for which this variance is requested is not feasible due to mass grading necessary to fulfill the desired development pattern of the M-X-T Zone. Nine of the trees are in declining health (O, Q, R, S, T, U, V, Y, and Z) or construction intolerant and would be unlikely to survive construction activities. The retention of the three other

specimen trees (P, AA and BB) is not feasible due to their location where extensive cut or fill is required for development of the site. The redesign of the site to retain two specimen trees would pose an unwarranted hardship on the development of the site.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

The statement of justification states that the expectation to retain all specimen trees on the site would prevent the applicant from utilizing the developable area of the proposed in accordance with M-X-T zoning granted to the project, and with the expectations of the General Plan and applicable master plan. The strict enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants

The statement of justification states that the applicable Zoning Ordinance development requirements are in effect for M-X-T property, and that no special privilege would be conferred by granting the variance. All applicants have the right to request a variance to remove specimen trees should they prove special circumstances exist that merit their removal.

The requested variance for the removal of specimen trees does not confer any special privilege beyond that granted by the zoning of the property, and the development proposed is in accordance with all other development requirements.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant

The statement of justification indicates that the presence and location of specimen trees is the result of actions by the applicant, and that the existing conditions and circumstances on the site are also not the result of actions by the applicant. The need for the variance is largely based on the existing conditions of the site and the health of trees, and is not the result of actions by the applicant.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property

The statement of justification indicates that the request to remove the specimen trees is not related to a land or building use on a neighboring property. The request to remove the trees does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality

The statement of justification states that stormwater management will be provided and

water quality will be addressed in accordance with County guidelines. Water quality will not be adversely impacted if the site is developed in accordance with county water quality regulations.

The Planning Board approves the variance request for twelve specimen trees (O, P, Q, R, S, T, U, V, Y, Z, AA and BB) based on the above findings.

Noise Impacts and Mitigation

Policies contained in the General Plan call for the reduction of adverse transportation noise impacts to meet State of Maryland noise standards. Noise is generally regulated along roads with a classification of arterial or higher, where residential uses are proposed because these roadways carry traffic that results in noise levels above 65 dBA Ldn. The Melford Villages development is located in the northeast quadrant of the intersection of two roadways classified as freeways.

Robert Crain Highway (US 301) is an existing source of traffic-generated noise, and a master planned freeway (F-10). Using the Environmental Planning Section Noise Model and applying a traffic count at build-out of 72,949 and a traffic speed of 55 miles per hour, the anticipated ground floor 65 dBA Ldn noise contour would lie approximately 470 feet from the center line of US 301.

John Hanson Highway (US 50) is an existing source of traffic-generated noise, and a master planned freeway (F-4). Using the Environmental Planning Section Noise Model and applying a traffic count at build-out of 120,680 and a traffic speed of 65 mph, the anticipated ground floor 65 dBA Ldn noise contour would lie approximately 869 feet from the center line of US 301.

The located of these conservative noise contours was plotted on the TCP1 to evaluate potential impacts areas to residential uses, which were not previously evaluated on the development site due to the prior zoning categorization.

The 65 dBA noise contour related to US 50 falls just south of the boundary of the current development proposal, basically running along Melford Boulevard. Just north of Melford Boulevard the plan proposes single-family attached units which are outside of the 65 dBA contour. In conjunction with the lower topography of the adjacent roadway and intervening buildings providing additional shielding, no noise mitigation measures are recommended.

The 65 dBA noise contour related to US 301 runs parallel to the freeway on the western portion of the property, approximately 1,100 feet from closest residential units in the current development proposal. No noise impacts are indicated, and noise mitigation measures are not recommended.

Sediment and Erosion Control

Prior to grading of the site, the county requires the approval of an Erosion and Sediment Control Plan. The Tree Conservation Plan 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 Concept Grading, Erosion and Sediment Control Plan (CSC 186-16) was approved by the Prince George's Soil

Conservation District on June 30, 2016 and is valid until June 30, 2019.

An erosion and sediment control concept plan must be submitted at the time of PPS so that the limits of disturbance for the project can be verified as shown on the TCP. A copy of the approved erosion and sediment control concept plan will be required prior to certification of the PPS.

Soils

According to the “Soil Web Survey” the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and the other pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property.

6. **Community Planning**—The subject application is located in Planning Area 71B within the City of Bowie, and within the 2006 Bowie and Vicinity Master Plan and SMA, which rezoned the property from the E-I-A Zone to the M-X-T Zone and recommended a mixed-use development (residential, office/employment/retail/hotel uses) land use for the subject property. This application proposes a mixed-use development which conforms to the land use recommendation within the master plan.

Plan Prince George’s 2035 created new Center designations to replace those found in the 2002 Approved General Plan. The General Plan established five Town Centers. Town Centers are focal points of concentrated residential development and limited commercial activity serving established communities. The proposed application is located within the Bowie Town Center. Town Center designations in the General Plan, as identified in the Plan 2035 Center Classification System, offer the following general guidelines.

- a. **New housing mix: Low rise apartments, and condos, townhouses and small single family lots**—This is evident as this application proposes attached and multifamily residential development.
- b. **Average Net Housing Density for New Development: 10-60 Dwelling Units/Acre**—This application is proposing 15 dwelling units per acre.
- c. **FAR for New Commercial Development: 1-2.5**—This application is proposing a 0.07 FAR for new commercial development which is less than the recommended 1–2.5 FAR guideline for Town Centers. However, it appears that the proposed FAR is greater than the FAR on the previously approved Conceptual Site Plan CSP-06002-01 for the Melford development, which proposes an underlying FAR ranging from 0.46 to 0.68.
- d. **Transportation Characteristics: Largely automobile-oriented with access from arterial highways. Limited bus service along with on-demand bus service**—Overall, the centers are less dense and intense than other center types and may be larger than one-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. As development in the Bowie Town Center evolves, this application may create a more robust demand for bus service.

An evaluation of the following policies and strategies from pages 110–118 of Plan Prince George's 2035 revealed the following relevancy to the proposed application:

Policy 1: Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.

This application is not located in a regional transit district.

LU1.1 To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are designated as Downtowns (see the Strategic Investment Program under the Implementation section).

This is not relevant to this review.

LU1.2 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.

The Zoning Ordinance is currently being updated. This is not relevant to this review.

LU1.3 Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired population and employment targets set forth by the Center Classification System (see Table 16).

This is not relevant to this review.

LU1.4 Annually review and report on County growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.

This is not relevant to this review.

LU1.5 Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program

under the Section V: Implementation).

This will be part of the County's CIP review.

LU1.6 Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.

This is not relevant to this review.

Policy 2: Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.

The development is served by public water and sewer.

LU2.1 Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of the Environment (DoE) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.

This is not relevant to this review.

LU2.2 Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the County's Water and Sewer Plan.

This is not relevant to this review.

Policy 3 Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.

This is reflected in the General Plan and master plan comments above.

LU3.1 Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.

This is not relevant to this review.

LU3.2 Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center

Classification System (see Table 16). (See also Section V: Implementation, under Plan Administration for Amendments and Updates.)

LU3.3 Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.

This is not relevant to this review.

Policy 4 Phase new residential development to coincide with the provision of public facilities and services.

This is not relevant to this review. Adequate public facilities will be evaluated and determined.

LU4.1 Annually evaluate the County's residential and employment forecast projections to identify the amount of new land area required to meet demand.

This is not relevant to this review.

LU4.2 Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the County code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.

This is not relevant to this review.

LU4.3 Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.

This is not relevant to this review.

LU4.4 Identify additional strategies that may reduce the amount of residential and commercial development that is no longer economically viable and has been approved but not constructed throughout the County. Evaluate various codes and procedures including validity periods and the effect on adequate public facilities.

This is not relevant to this review.

Policy 5 Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.

This is not relevant to this review.

Policy 6 Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).

This application supports this policy.

LU6.1 Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).

This application is consistent with the Economic Development Corporation's mission of providing employment opportunities.

Policy 7 Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.

This application supports this policy. This application provides a mix of uses and is located in a Town Center.

LU7.1 Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.

This is not relevant to this review. An updated Bowie and Vicinity Master Plan is in the Planning Department's FY18 approved budget.

LU7.2 Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.

The Zoning Ordinance update is currently in progress.

Policy 8 Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.

Policy 8 and the sub-land use are not relevant to this review.

LU8.1 Coordinate land use planning with County municipalities.

LU8.2 Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the County's Green Infrastructure Plan.

LU8.3 Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.

LU8.4 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they help protect, strengthen, and revitalize the Established Communities.

LU8.5 Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.

Policy 9 Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.

This application is in a Town Center. This is not relevant to this review.

LU9.1 Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.

This is not relevant to this review.

LU9.2 Develop a countywide strategic plan for future retail development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.

The Zoning Ordinance is currently being updated. Also, a new Bowie and Vicinity Master Plan is in the FY18 budget.

Policy 10 Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.

Policy 10 and the sub-land use are not relevant to this review.

LU10.1 Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.

LU10.2 Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and

public facilities are in place to serve projected development.

LU10.3 Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).

Policy 11 Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.

Policy 11 and the sub-land use are not relevant to this review.

LU11.1 Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.

LU11.2 Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.

LU11.3 Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations, update and revise development standards, and identify post-reclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.

LU11.4 To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.

Policy 12 Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.

Policy 12 and the sub-land use are not relevant to this review.

LU12.1 Participate in the Washington Metropolitan Council of Governments'

regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.

LU12.2 Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning, residential and commercial pipeline development, and the Growth Management Goals (see Table 17).

LU12.3 Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.

Master Plan/Sector Plan

The Bowie and Vicinity Master Plan and SMA approved a residential cap of 866 dwelling units as part of the mix of uses for this development. The District Council, through its approval of Conceptual Site Plan CSP-06002/01, approved 2,500 residential units consistin of 500 townhouse units, 1,000 multifamily units, and 1,000 senior age-restricted multifamily units. The allowable density increased from 10 to 60 dwelling units per acre by its General Plan designation as a Town Center. The applicant is requesting 15 dwelling units per acre. The following strategies are taken from the master plan and are for review.

- (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.**
- (6) Retail uses shall be designed to:**
 - 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.**
- (10) **All residential development proposals shall demonstrate that interior noise levels will conform to State of Maryland (COMAR) noise regulations.**
 - (11) **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.**
 - (12) **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.**
 - (13) **Fifty percent of parking for multifamily uses shall be structured parking.**
 - (14) **The design of the stormwater management ponds shall show them as amenities with gentle natural slopes and extensive native planting.**
 - (15) **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.**
 - (16) **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**
 - (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.**

The following strategies should be forwarded to the Historic Preservation Section for its review:

- (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.**
- (17) **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.**
- (18) **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.**
- (19) **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.**
- (20) **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.**
- (21) **Any Detailed Site Plan shall demonstrate that proposed buildings do not obstruct the historic vista of the Melford House.**
- (24) **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.**

- (25) **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.**
- (26) **Appropriate signage should be placed near the historic site illustrating the history of the area.**
- (27) **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.**

Planning Issues

There are no General Plan or master plan issues raised by this application.

- 7. **Parks and Recreation**—The Department of Parks and Recreation (DPR) has reviewed the PPS for conformance with the requirements of the Basic Plan A-9401, Conceptual Site Plan CSP-06002, the 2006 Bowie and Vicinity Master Plan and SMA, the Land Preservation and Recreation Program for Prince George’s County, the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, the “Prince George’s County Subdivision Regulations (Subtitle 24)” regulations as they pertain to public parks and recreation and facilities.

Findings

The applicant is proposing mixed use of residential and commercial uses on the site, including 205 townhouses, 88 two-family attached units and 1,500 multifamily dwelling units. Section 24-134 of the Prince George’s County Subdivision Regulations requires the mandatory dedication of 11 acres of land suitable for active and passive recreation to serve the proposed development. However, Section 24-134(a)(3)(D) of the Subdivision Regulations also states that any resubdivision of property on which land was previously dedicated or fee in lieu paid, the applicant shall be credited to the extent that the land dedication or fee would otherwise be required upon such resubdivision.

The mandatory dedication requirement of Section 24-134 of the Subdivision Regulations has been previously met for this property by the dedication of 96.5 acres of land adjacent to this subdivision. The land that was dedicated is suitable for active and passive recreation.

In addition, Condition 29 of SP-06002 sets up the framework for the applicant to construct the master plan trail and trailhead facilities on dedicated parkland, contribute \$250,000 for the design and construction of the Green Branch Athletic Complex located in close proximity to the subject development, and provide on-site private recreational amenities, including open plazas, courtyards, pocket parks, three clubhouses with outdoor pools, and an amphitheater.

8. **Trails**—The PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements. Because the site is located in the Bowie Gateway Center, it is subject to the requirements of Section 24-124.01 and the “Transportation Review Guidelines, Part 2, 2013” at the time of PPS.

Type of Master Plan Bikeway or Trail

Municipal R.O.W.*	<u> X </u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.*	<u> </u>	Nature Trails	<u> </u>
SHA R.O.W.*	<u> </u>	M-NCPPC – Parks	<u> X </u>
HOA	<u> X </u>	Bicycle Parking	<u> X </u>
Sidewalks	<u> X </u>	Trail Access	<u> </u>

*If a master plan trail is within a city, county, or state right-of-way, an additional two to four feet of dedication may be required to accommodate construction of the trail.

Review Comments (Master Plan Compliance and Prior Approvals)

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.

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 PPS includes the M-NCPPC 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 previously approved CSP-06002/01 (Declaration of Finality) included the following conditions of approval related to bicycle and pedestrian access:

2. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:

- 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.**

This sidewalk connection will be the required off-site improvement required pursuant to Section 24.124.01 of the Subdivision Regulations. The off-site improvement was proffered in the bicycle pedestrian impact statement (BPIS) and is currently being coordinated with the City of Bowie and the Maryland State Highway Administration (SHA). This sidewalk should be consistent with the street sections approved for Melford.

3. Prior to certificate of approval of the conceptual site plan (CSP), the Melford Village Design Guidelines (Guidelines) shall be revised as follows:

- 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.**

Street cross sections and the applicability of sharrows has been evaluated with the City of Bowie and the applicant has made the recommended changes. As shown on the pedestrian exhibit map, Shared-lane Markings are proposed along New Road "A", New Road "C" and a portion of Melford Boulevard.

4. At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:

- 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.**

As requested, the applicant has submitted a Pedestrian Network exhibit that shows the proposed sidewalk network, trails, and on-road bicycle facilities. This exhibit also shows proposed public school bus stop locations, as requested by Prince George's County Public Schools. The Applicant has also submitted copies of their correspondence with WMATA concerning the feasibility of public bus service within the property.

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

- 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.**

Adequate pedestrian scale lighting will be evaluated as part of the DSP.

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.

Sidewalks are reflected along both sides of all internal roads. Wide sidewalks are provided along commercial areas and other areas of higher density. Trails and on-road bicycle facilities supplement the sidewalk network. The street sections have been reviewed and approved by the City of Bowie, which will serve as the operating agency for the internal roads.

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.

Pedestrian safety features, bicycle parking, and other amenities will be addressed at the time of details site plan.

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.

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. The Transportation Planning Section and the City of Bowie recommended one additional trail connection linking the lower pond with the upper pond, and this has been added by the applicant to the Pedestrian Network exhibit.

- 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.**

This connection will be coordinated with the appropriate road agencies and the City of Bowie at the time of PPS, per Section 24-124.01 of the Subdivision Regulations. This off-site improvement has been the subject of discussion between the City of Bowie and SHA and final design drawings are recommended by the time of DSP.

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. Standards and guidelines pertaining to trail or pedestrian access are provided 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 PPS 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 appropriate destinations.

The subject application includes sidewalks on both sides of the internal roads and several internal trail/bike 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 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/bike routes.

Proposed On-Site Bicycle and Pedestrian Improvements:

Standard or wide sidewalks are proposed along both sides of all internal roads. Shared-lane markings are proposed along several roads, and a condition of approval has been recommended for the expansion of this bicycle network on the site. Trails supplement the sidewalk network by providing paths in a more park like setting around stormwater management ponds and on dedicated parkland. The street sections have been reviewed and approved by the City of Bowie, which will serve as the operating agency for the internal roads. One additional trail segment between the master plan trail and the existing trail around the “lower” pond has been recommended by the Transportation Planning Section and the City of Bowie, and the applicant has incorporated this connection into the plans.

Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements:

Due to the location of the subject site within a designated corridor, the application is subject to CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) includes the following guidance regarding off-site improvements:

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to**

a nearby destination, including a public school, park, shopping center, or line of transit within available rights-of-way.

County Council Bill CB-2-2012 also included specific guidance regarding the cost cap for the off-site improvements. The amount of the improvements is calculated according to Section 24-124.01(c):

The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.

Based on the proposed 124,500 square feet of retail, 100,000 square feet of office space, 135,000 square feet of medical office space and approximately 1,800 dwelling units, the site has a cost cap of \$665,825.

Section 24-124.01 also provided specific guidance regarding the types of off-site bicycle and pedestrian improvements that may be required, per Section 24-124.01(d):

- (d) **Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**
- 1. installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
 - 2. installing or improving streetlights;**
 - 3. building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
 - 4. providing sidewalks or designated walkways through large expanses of surface parking;**
 - 5. installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
 - 6. installing street trees.**

A scoping agreement meeting was held with the applicant in March 2016. The requirements of Section 24-124.01, the "Transportation Review Guidelines, Part 2, 2013" and possible off-site improvements were discussed at that time. Sidewalk access along Melford Boulevard/Belair Drive was identified as the primary off-site pedestrian need. This sidewalk will serve as a connection from the existing portion of the City of Bowie to the subject site and will provide

pedestrian access under the MD 3 interchange with Belair Drive. The City of Bowie has supported this improvement. A meeting was held with the City of Bowie on August 30, 2016 and it was confirmed at this time that the applicant has been working with both the City of Bowie and SHA on planning for this needed off-site improvement. The necessary BPIS was submitted on June 1, 2016 and the following off-site improvements were proffered:

- a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane.
- b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.
- c. Remove the roundabout at the intersection of Melford Boulevard and Science Drive and construct a signal with signalized pedestrian crossings that meet current standards.

The Planning Board supports the proffered improvements as a way to calm traffic along this segment of road and provide a pedestrian connection between the proposed development and the existing development in the City of Bowie. It was further noted in the BPIS that while a cost estimate has not been finalized for this work, it is estimated to cost approximately \$500,000, which is within the cost cap.

Section 24-121.01(f) of the Subdivision Regulations explains how the improvements can be determined and finalized at the time of DSP.

- (f) **If a conceptual or detailed site plan approval is required for any development within the subdivision, the developer/property owner shall include, in addition to all other required information in the site plan, a pedestrian and bikeway facilities plan showing the exact location, size, dimensions, type, and description of all existing and proposed easements and rights-of-way and the appurtenant existing and proposed pedestrian and bikeway facilities throughout the subdivision and within the designated walking or biking distance of the subdivision specified in Subsection (c) of this Section, along with the location, types, and description of major improvements, property/lot lines, and owners that are within fifty (50) feet of the subject easements and rights-of-way.**

At the time of DSP, an exhibit will be provided showing the locations, limits, specifications and details of all off-site improvements.

Demonstrated nexus between the subject application and the off-site improvements:

Section 24-124.01(c) requires that a demonstrated nexus be found with the subject application in order for the Planning Board to require the construction of off-site pedestrian and bikeway facilities. This section is copied below, and the demonstrated nexus between each of the proffered off-site improvements and the subject application is summarized below.

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

Demonstrated Nexus Finding:

The proffered off-site improvements along Melford Boulevard and Belair Drive will consist of sidewalk construction, traffic calming, and the reconfiguration/elimination of some of the ramps and traffic circles near the MD 3 interchange. These improvements will provide a complete pedestrian connection between the subject site and the existing residential community in the City of Bowie west of MD 3. This sidewalk will serve the future residents and employees by providing one sidewalk connection between the Melford development and the City of Bowie.

Finding of Adequate Bicycle and Pedestrian Facilities:

Section 24-124.01 requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of PPS. More specifically, Section 24-124.01(b)(1) and (2) includes the following criteria for determining adequacy:

- (b) **Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**
1. **The finding of adequate public pedestrian facilities shall include, at a minimum, the following criteria:**
 - A. **The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area; and**
 - B. **The presence of elements that make is safer, easier and more inviting**

for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, “bulb out” curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage. (These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones).

Currently no sidewalk access exists between Melford and the City of Bowie. The development is separated from the municipality by a high-speed road and an interchange involving ramps and multiple turning movements. Due to the width and design of Melford Boulevard at this location, automobile traffic travels at a high rate of speed, further discouraging bicycle and pedestrian movement. The proffered package of off-site improvements will provide this missing sidewalk connection, as well as incorporate features designed to calm traffic and make the road more accessible and inviting to pedestrians. In addition to the sidewalk, the applicant will be removing one traffic circle, removing the channelized northbound movement, and providing pedestrian signals as needed. These improvements will make it so that Melford will be accessible by pedestrians from the City of Bowie. The proffered off-site improvements meet the intent of Section 24-124.01 and these adequate pedestrian facilities will serve to connect the subject site with the municipality. Internal to the site, standard or wide sidewalks will be provided along both sides of all internal roads. The existing trail around the “lower pond” will be connected to the master plan trail along the Patuxent River with an on-road trail connection, as shown on the Pedestrian Network Exhibit. The sidewalks and trails provided on-site and the package of off-site improvements will provide adequate pedestrian facilities for the subject site.

2. **The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**
 - A. **the degree to which bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**
 - B. **the presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**
 - C. **the degree to which protected bike lanes, on-street vehicle parking, medians or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and**

- D. the availability of safe, accessible and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.**

A network of on-road bicycle facilities is also proposed for the subject application. Per the direction of the City of Bowie, shared-lane markings are proposed along New Road "A" and New Road "C." These facilities will connect to the existing signed bicycle routes already implemented by the City of Bowie and will provide access through the site to the master plan trail along the Patuxent River. Shared-lane markings are also recommended by the Transportation Planning Section and the City of Bowie along Melford Boulevard, Currie Drive and Science Drive. Supplementing the on-road bike routes will be the trail along the Patuxent River and the existing trail around the "lower pond". In conjunction with the planned sidewalk network, these facilities will serve to accommodate non-motorized modes and meet the intent of Section 24-124.01 for the provision of adequate bicycle facilities.

9. **Transportation**—The subject property consists of approximately 129.16 acres of land in the M-X-T Zone. The property is located in the northeast quadrant of US 50/US 301 (John Hanson Highway) and MD 3 (Crain Highway). The applicant is proposing the development of 293 townhouses (205 townhouses and 88 two-family units), 1,500 multifamily residences (500 age-restricted and 1,000 market rate), 124,500 square feet of retail space, and 235,000 square feet of commercial office space.

Analysis of Traffic Impacts

Trip Generation

The application is a PPS for a mixed-use subdivision. It needs to be noted that that the traffic study uses 300 townhouses, and 293 are currently proposed. Also, the traffic study uses a mix of general office (100,000 square feet) and medical/professional office (135,000 square feet). The table below summarizes the trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site. The use quantities in the traffic study will be used; the slight reduction in the number of townhouses will be accommodated within these numbers.

Trip Generation Summary, 4-16006, Melford								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Multifamily Residences	1,500	units	156	624	780	585	315	900
Townhouses (293 in current proposal; 300 in study)	300	units	42	168	210	156	84	240
Total Residential Trips			198	792	990	741	399	1,140
Less Internal Trip Capture			-7	-40	-47	-53	-30	-83
Net Residential Trips			191	752	943	688	369	1,057
Retail	124,500	square feet	110	68	178	333	361	694
Less Internal Trip Capture			-34	-14	-51	-37	-54	-91
Pass-By Trip Reduction (40 percent)			-30	-22	-51	-118	-123	-241
Net Retail Trips			46	32	78	178	184	362
General Office	100,000	square feet	180	20	200	35	150	185
Medical/Professional Office	135,000	square feet	311	74	385	162	351	513
Total Commercial Office Trips			491	94	585	197	501	698
Less Internal Trip Capture			-17	-4	-21	-11	-17	-28
Net Commercial Office			474	90	564	186	484	670
Total Trips Utilized in Analysis			711	874	1,585	1,052	1,037	2,089

The traffic generated by the proposed PPS would impact the following intersections, interchanges, and links in the transportation system:

- MD 3 and MD 450
- MD 3 SB Ramps and Belair Drive
- MD 3 NB Ramps and Belair Drive
- US 301 and Governors Bridge Road
- Melford Boulevard and Science Drive
- Melford Boulevard and Tesla Drive/site access
- Melford Boulevard and Tesla Drive/Curie Drive
- Science Drive and Curie Drive

The application is supported by a traffic study dated July 2016. The study was provided by the applicant and referred to SHA, DPW&T, DPIE, and the City of Bowie. Comments from the City of Bowie are contained in the City's staff report to the Bowie Advisory Planning Board, and the City's official position will become part of the record for this case.

Existing Traffic

Growth Policy - Service Level 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. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. Once the CLV exceeds 1,150, this 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.

Roundabout Intersections: The procedure for roundabouts utilizes a volume to capacity (v/c) analysis. Where the analysis indicates a v/c ratio greater than 0.850 for the intersection, geometric improvements or trip reduction measures should be considered that will reduce the v/c ratio to an acceptable level. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.

The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 3 & MD 450	1,713	1,593	F
Belair Drive and MD 3 SB Ramps	438	343	A	A
Belair Drive and MD 3 NB Ramps	228	454	A	A
US 301 and Governors Bridge Road/Harbor Way	1,096	1,333	B	D
Melford Boulevard and Science Drive	0.255*	0.219*	--	--
Curie Drive & Science Drive	0.033*	0.061*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.				

Background Traffic

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program (CIP). Background traffic has been developed for the study area using other approved, but unbuilt, parcels within Melford; no other background development was identified. A 1.0 percent annual growth rate for a period of six years has been assumed. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 3 & MD 450	1,977	1,825	F
Belair Drive and MD 3 SB Ramps	751	504	A	A
Belair Drive and MD 3 NB Ramps	512	889	A	A
US 301 and Governors Bridge Road/Harbor Way	1,293	1,507	C	E
Melford Boulevard and Science Drive	1.146*	0.871*	--	--
Curie Drive & Science Drive	0.322*	0.272*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.				

Total Traffic

Under total traffic, the following critical intersections, interchanges, and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines," including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 3 & MD 450	2,044	1,904	F
Belair Drive and MD 3 SB Ramps	878	667	A	A
Belair Drive and MD 3 NB Ramps	629	1,185	A	A
US 301 and Governors Bridge Road/Harbor Way	1,338	1,570	D	E
Melford Boulevard and Science Drive	1.498*	1.980*	--	--
Melford Boulevard and Tesla Drive/site access	909	1,387	A	D
Melford Boulevard and Tesla Drive/Curie Drive	0.770*	0.793*	--	--
Curie Drive & Science Drive	0.349*	0.289*	--	--

*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.

It is found that several critical intersections operate unacceptably under total traffic in one or both peak hours. The following is noted:

Melford Boulevard and Tesla Drive/site access: The traffic study recommends signalization at this location. Consistent with the City of Bowie’s recommendation, it is recommended that a traffic signal warrant be provided during the review of each DSP for development. When a signal is deemed warranted by the City, the appropriate triggers for the permitting and construction of the signal improvements shall be determined.

Melford Boulevard and Science Drive: The traffic study recommends conversion of the existing roundabout to a four-way intersection, and also recommends signalization at this location. Consistent with the City of Bowie’s recommendation, it is recommended that a traffic signal warrant be provided during the review of each DSP for development. When a signal is deemed warranted by the City, the appropriate triggers for the permitting and construction of the signal improvements shall be determined.

US 301 and Governors Bridge Road/Harbour Way: The applicant proposes mitigation at this location. The mitigation is to construct a new right-turn lane along eastbound Harbor Way and redesignate the lane use to result in a double-left, one shared-left/through, and one right-turn lane. As the responsible permitting agency for this improvement, SHA reviewed this proposal. SHA did not raise a concern with it. The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
US 301 and Governors Bridge Road/Harbor Way				
Background Conditions	C/1,293	E/1,507		
Total Traffic Conditions	D/1,338	E/1,570	N/A	+63
Total Traffic Conditions w/Mitigation	N/A	E/1,466	N/A	-104

To achieve the policy LOS D, the provision of a grade-separated section along US 301 with interchanges would be needed. This improvement, even considering the size of the subject development, would not meet the rough proportionality concept. All alternatives for constructing such an improvement were in excess of \$80 million, according to SHA planning documents for the MD 3 Transportation Corridor Study. This cost is disproportionate to the impacts of this single developer. The following are noted:

- a. As the CLV at the critical intersection during the AM peak hour under total traffic is acceptable, the proposed mitigation actions are not needed.
- b. As the CLV at the critical intersection during the PM peak hour under total traffic is between 1,450 and 1,813, the proposed mitigation actions must mitigate at least 150 percent of the trips generated by the subject property. The above table indicates that the proposed mitigation action would mitigate at least 150 percent of the trips generated by the subject property ($104/63 = 165$ percent).

In consideration of the findings above, it is determined that the applicant's proposed mitigation meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations.

MD 3 and MD 450: The applicant proposes mitigation at this location. The mitigation is to construct a fourth northbound and southbound through lane through the intersection (this improvement has already been constructed by this applicant). As the responsible permitting agency for this improvement, SHA has reviewed this proposal. SHA did not raise a concern with it and permitted it to be constructed. The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 3 and MD 450				
Background Conditions	F/1,977	F/1,825		
Total Traffic Conditions	F/2,044	F/1,904	+67	+79
Total Traffic Conditions w/Mitigation	F/1,729	F/1,754	-315	-150

To achieve the policy LOS D, the provision of a grade-separated section along US 301 with interchanges would be needed. This improvement, even considering the size of the subject development, would not meet the rough proportionality concept. The cost of SHA's planned project to accomplish these improvements is well over \$100 million, and this cost is disproportionate to the impacts of this single developer. The following are noted:

- a. As the CLV at the critical intersection during the AM peak hour under total traffic is above 1,813, the proposed mitigation actions must mitigate at least 100 percent of the trips generated by the subject property, and the actions must reduce the CLV to no worse than 1,813. The above table indicates that the proposed mitigation action would mitigate at least 100 percent of site-generated trips (470 percent) and result in a CLV of 1,813 or better.
- b. As the CLV at the critical intersection during the PM peak hour under total traffic is above 1,813, the proposed mitigation actions must mitigate at least 100 percent of the trips generated by the subject property, and the actions must reduce the CLV to no worse than 1,813. The above table indicates that the proposed mitigation action would mitigate at least 100 percent of site-generated trips (190 percent) and result in a CLV of 1,813 or better.

In consideration of the findings above, it is determined that the applicant's proposed mitigation at MD 3 and MD 450 meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations. It is noted that the mitigation improvements have already been constructed by this applicant, and there will not be a condition pursuant to this mitigation.

With all improvements in place, the following critical intersections, interchanges, and links identified above would operate as follows:

TOTAL TRAFFIC CONDITIONS w/IMPROVEMENTS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 3 & MD 450	1,729***	1,754***	F
Belair Drive and MD 3 SB Ramps	878	667	A	A
Belair Drive and MD 3 NB Ramps	629	1,185	A	A
US 301 and Governors Bridge Road/Harbor Way	1,270***	1,466***	C	E
Melford Boulevard and Science Drive	1.498**	1.980**	--	--
Melford Boulevard and Tesla Drive/site access	909	1,387	A	D
Melford Boulevard and Tesla Drive/Curie Drive	0.770*	0.793*	--	--
Curie Drive & Science Drive	0.349*	0.289*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered. **With signalization. ***With mitigation improvements.				

The trip cap is a somewhat complex issue. The complexity is the result of initial subdivision findings in the 1980s, multiple subdivisions on the property, and a CSP that applied to parts of the property. The current subdivision includes areas previously subdivided, but does not include the entire area of the CSP. All applications had adequacy findings and all had trip caps imposed. It is something of a puzzle to allot the various entitlements, recognize uses already built, and assure conformity with past applications. The following table attempts to simplify these issues; the traffic study has a more complete demonstration of the components of the site:

Trip Cap Summary, Melford, 4-06006			
Description	Source	AM Peak Hour Trips	PM Peak Hour Trips
Overall Melford Site	This was determined from the 2006 traffic study	4,917	4,871
Trip Cap for CSP-06002	The trips allotted to the Census Bureau, IDA, and SDP-0405 were removed from the overall trip cap for Melford. These three built uses were part of 4-98076 but were not part of CSP-06002.	4,498	4,475
Trip Cap for CSP-06002/01	The 01 revision of the CSP did not include Pod 6, Lot 3, thereby requiring an adjustment to the cap. This is the trip cap for the CSP to which this preliminary plan must conform.	4,441	4,424
Area of CSP-06002/01 not included in this preliminary plan	This quantity removes the following: Block 2, Lots 1-4; Block 4, Lots 1-3 and 5; Pod 6, Lots 1-2 and 4-6; Pod 7; and P2.	1,618	1,615
Trip generation of proposal	This is the trip generation for the new development on the site, as taken from the table earlier in this memorandum.	1,585	2,089

Trip Cap Summary, Melford, 4-06006			
Description	Source	AM Peak Hour Trips	PM Peak Hour Trips
Trip generation of Block 3, Lots 1-2	This area had to be added to the preliminary plan after the traffic analyses were done.	768	677
Total trip generation of 4-16006	Proposal plus Block 3, Lots 1-2. This is the recommended trip cap for 4-16006.	2,353	2,766
Trip generation of areas covered by CSP-06002/01	This is the trip cap for 4-16006 plus the area of CSP-06002/01 not included in this preliminary plan. This must be compared to the trip cap for CSP-06002/01 to ensure conformity with the CSP.	3,971	4,381

As noted in the table, an additional area with existing entitlements was added to the area of the subdivision over the course of the review. The proposed development, at full buildout, is projected to generate 1,585 and 2,089 new vehicle trips during the AM and PM peak hours, respectively. When the area of existing entitlements was added, the trip cap became 2,353 AM and 2,766 PM trips. Also, in comparing the bold numbers in the table above, the trip generation within the areas covered by the underlying CSP is less than the trip cap for CSP-06002/01; therefore, the trip generation of the PPS conforms to the trip cap of the CSP.

Agency Comments

As noted earlier, the traffic impact study was forwarded to the County and SHA for comment. The County and SHA each offered comments, as follows:

- a. The County raises issues with the analysis of the roundabout at Melford Boulevard and Science Drive. While these comments are acknowledged, it is also recommended that this roundabout be converted to a signalized intersection (if warrants are met). This improvement, plus other BPIS improvements cited in the comments, will be under the City of Bowie’s purview as the improvements are designed.
- b. The initial SHA letter dated September 13, 2016 (Young to Lenhart) concurred with the initial study. The second SHA letter dated January 26, 2017 (Young to Lenhart) agreed to the proposed mitigation at US 301 and Governors Bridge Road/Harbor Way.

The traffic study was also referred to the City of Bowie. No comments were received; however, comments from the City of Bowie are contained in the City’s staff report to the Bowie Advisory Planning Board, and the City’s official position will become part of the record for this case.

Plan Comments

Access and circulation are acceptable.

The site is within or adjacent to the following master-planned transportation facilities:

- MD 3 (F-10) is a master planned freeway facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.
- US 50/US 301 (F-4) is a master planned freeway facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.
- Melford Boulevard (C-309) is a master planned collector facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.

In consideration of the existing traffic that uses Belair Drive west of the site, along with traffic to be generated by the site, the applicant has coordinated with the City of Bowie. As a result of such meetings, the applicant has proffered the installation of four traffic calming devices along Belair Drive between Kenhill Drive and the MD 3 interchange. The City of Bowie has agreed with this proposal, and the City Council has included a condition of approval requiring the installation of these four traffic calming devices prior to issuance of any residential building permits for Melford Village. It shall be noted, however, that this condition is proffered in the traffic study to address citizen and City concerns. While the City's recommended condition is included in the Planning Board's decision in this PPS, it is not a condition associated with transportation adequacy.

Conclusion

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations, with conditions.

10. **Schools—Residential Uses** — The PPS was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003.

**Impact on Affected Public School Clusters
 Multifamily Dwelling Units**

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 4	High School Cluster 4
Dwelling Units	1,500	1,500	1,500
Pupil Yield Factor	0.119	0.054	0.074
Subdivision Enrollment	178	81	111
Actual Enrollment	11,626	4,454	8,008
Total Enrollment	11,804	4,535	8,119
State Rated Capacity	14,216	5,518	9,389
Percent Capacity	83%	82%	86%

Single-Family Attached Units

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 4	High School Cluster 4
Dwelling Units	293 DU	293 DU	293 DU
Pupil Yield Factor	0.145	0.076	0.108
Subdivision Enrollment	42	22	32
Actual Enrollment	11,626	4,454	8,008
Total Enrollment	11,668	4,476	8,040
State Rated Capacity	14,216	5,518	9,389
Percent Capacity	82%	81%	86%

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or CSP that abuts an 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. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$9,017 and \$15,458 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within a ¼ mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the Approved Bowie State Marc Station Sector Plan and Sectional Map Amendment. The bill also established

an exemption for studio or efficiency apartments that are located within the county urban centers and corridors as defined in §27A-106 of the County Code; within an approved transit district overlay zone; or where there is no approved transit district overlay zone then within a ¼ mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

Schools–Commercial Uses

The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.

11. **Fire and Rescue**—The PPS was reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e) (1) (E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Northview Fire/EMS Co. 816, a first due response station (a maximum of seven (7) minutes travel time), is located at 14901 Health Center Drive. “In the Fire/EMS Department’s Statement of Adequate Apparatus, as of May 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County.”

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed near the subject site. The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure.”

Fire and Rescue–Commercial Uses

The PPS was reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e) (1) (E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Northview Fire/EMS, Company 816, a first due response station (a maximum of seven minutes travel time), is located at 14901 Health Center Drive.

“In the Fire/EMS Department’s Statement of Adequate Apparatus, as of May 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County.”

12. **Police Facilities—Mixed-Use Residential:** The subject property is in Police District II, Bowie. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the Planning Department on October 28, 2016.

Based on the most recent available information provided by the Police Department as of December 2015, the police response time standards of 10 minutes for emergency calls and the 25 minutes for nonemergency calls are met.

Commercial Uses: The proposed development is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all the facilities used by the Prince George’s County Police Department and the July 1, 2015 (U.S. Census Bureau) county population estimate is 909,535. Using 141 square feet per 1,000 residents, it calculates to 128,244 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

13. **Water and Sewer Categories—**Section 24-122.01(b)(1) states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System Adequate for Development Planning, and will therefore be served by public systems. The property is within Tier 1 under the Sustainable Growth Act and will therefore, be served by public systems.
14. **Use Conversion—**The subject application is proposing the development of 205 townhomes, 88 two-over-two units, 1,500 multifamily dwelling units, and 359,500 square feet of commercial uses, (consisting of 124,500 square feet of retail and 235,000 square feet of office/medical office). If a substantial revision to the use on the subject property is proposed that affects Subtitle 24 adequacy and findings as set forth in the resolution of approval and the signature approved plan, a new preliminary plan of subdivision shall be required prior to approval of any building permits.
15. **Public Utility Easement (PUE)—**Section 24-122 of the Subdivision Regulations requires a public utility easement (PUE) along both sides of all public rights-of-way. The property’s street frontage is along Melford Boulevard and Currie Drive which are recorded rights-of-way via plats NLP 152-16 and REP 211-66, and 10-foot-wide PUE’s are recorded along those streets. These PUEs will be re-established with all new final plats. New Public Roads A through E are also proposed on the PPS, and the required 10-foot-wide PUE’s along both sides of the public streets are not labeled on the PPS as required by Section 24-122 of the Subdivision Regulations and should be. The applicant will be required to revise the PPS to show the required 10-foot-wide PUEs along both sides of the public streets prior to signature approval of the PPS.

In accordance with the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the owner's dedication on the final plat:

“Utility easements are granted pursuant to the terms and provisions recorded among the Prince Georges County Land Records of Prince George's County in Liber 3703 at Folio 748.”

16. **Stormwater Management**—The City of Bowie has approval authority over Stormwater Management Concept plan for this site. Approval No. 01-114-207NE15, covering Pods 1, 2, 5 and portions of 7, was approved by the city manager on March 10, 2014, with an expiration date of March 10, 2017. In addition to the major “regional” facilities already constructed, the approved stormwater plan proposes stormwater management features such as micro-bioretenion and ESD elements.

The City of Bowie will review for conformance to the SWM concept plan and technical approval at the time of grading permit to ensure that development does not result in any on-site or downstream flooding. Development must be in conformance with that approved plan and subsequent approvals.

17. **Historic**—The Prince George's County Historic Preservation Commission reviewed the PPS application at its December 20, 2016 meeting. The Historic Preservation Commission voted 6-0-1 (the Chairman voted “present) in favor of the recommendation.

Findings

The subject property includes the Melford Historic Site (71B-016). The associated cemetery is shown on the PPS but is not included. 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 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 PPS 4-16006, St. John Properties, and the cemetery parcel is owned by Marlborough CL Inc., a defunct corporation.

Approved by the District Council on March 25, 2015, Conceptual Site Plan CSP-06002-01 proposed four-story multifamily buildings to the east and south of the Melford Historic Site. The subject PPS proposes townhouses to the east and south of the Melford Historic Site that will have a front or side facing the historic site. Compared to CSP-06002-01, the current PPS proposes to

site the townhouses further from the Melford House Environmental Setting to provide additional green space and buffering opportunities between the Historic Site and the proposed development to the south and east.

Townhouse units are proposed to the east of the Melford House in the viewshed area from the house to the Patuxent River. The substitution of the townhouse units will provide for a more open view to the east from the Melford House as the topography and housing units will step down from west to east. A road along the east side of the Melford House Environmental Setting shown on CSP-06002-01 has been removed and additional green space is proposed in that area. The Melford Village Plaza has been moved to the west so that it will be located adjacent to the northeast corner of the Melford House Environmental Setting. This will create more open space next to the Historic Site in that area and encourage pedestrian traffic around the historic site. Currie Drive has also been slightly reconfigured to accommodate the Village Plaza.

Conceptual Site Plan CSP-06002-01 proposed a senior living facility to the north of the Melford historic site. The site of that facility has been moved to the southeast of the Melford historic site. Detailed Site Plan DSP-11018-02, Thrive at Melford Village, was reviewed by the Planning Board on September 29, 2016 and PGCPB Resolution No. 16-115 was adopted on October 13, 2016. The applicant now proposes a three-and-four-story, multifamily building to the north of Melford House. The bulk of the building will be stepped back to reduce the massing on the south side of the new construction facing the historic site.

Parallel parking will be provided along Melford Boulevard and will allow for parking opportunities for visitors to the Melford Historic Site. Therefore, a large parking lot will not be required within the Melford House Environmental Setting.

One-story retail buildings will be located to the west of the Melford Historic Site. The arrangement of the parking areas will provide a more open view to the west from the historic site.

Among those conditions approved by the District Council in its review of CSP-06002-01, the following are applicable to the subject PPS:

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

- 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.**

Condition 9 will need addressed at the time of DSP.

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

The applicant should correct notations on all plans to include the following text "Melford and Cemetery Environmental Setting (Historic Site 71B-016)." The impact review area is not clearly visible on the PPS or the TCP. A condition has been established to require this revision prior to signature approval of the PPS and TCP1.

- 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.**

Compliance with Conditions 14 and 15 will need to be demonstrated at the time of DSP.

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.**

The most recent quarterly report was received by the Historic Preservation Section in October 2016. Compliance with this condition will need to be demonstrated again at the time of DSP.

Conclusions

The subject application's proposed lotting pattern will provide additional green space and more buffering opportunities around the Melford and Cemetery Historic Site. The proposed reduction in massing on the south and east sides of the Melford House will provide a more open view towards the east and the Patuxent River. The proposed multifamily building to the north of the Melford House will be stepped back to reduce the massing of new construction in this location.

The applicant should clarify the issue of ownership of the cemetery parcel portion of the Melford Historic Site, which is not included in the subject application. A quick-claim deed by the owner of the surrounding property is recommended that could result in the cemetery eventually being conveyed to the homeowners association (HOA).

18. **Urban Design**—The subject site is mostly vacant and is located in the center of the existing Melford commercial development, which is located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301). The entire Melford property 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 beyond; 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.

Conformance with the Requirements of the Zoning Ordinance

- a. The specified residential and commercial uses are permitted in the M-X-T Zone. DSP review is required.
- b. Conformance with the following Zoning Ordinance regulations is required for the proposed development at the time of the required DSP review including, but not limited to, the following:
 - Section 27-543(a) regarding the uses allowed in the Mixed Use–Transportation Oriented (M-X-T) Zone;
 - Section 27-544 regarding regulations in the M-X-T Zone;

- Section 27-547(b) regarding the Table of Uses for the M-X-T Zone;
 - Section 27-548(h) regarding the requirements for townhouses in the M-X-T Zone.
- c. Section 27-548(h) includes some requirements as follows:

Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width...

The submitted PPS shows all 205 townhouse lots as greater than 1,800 square feet and arranged in 39 total building groups. Of these 39 groups, a total of ten groups, or 26 percent, have more than six dwelling units. This is more than the 20 percent allowed by this section and the applicant did not apply for a variance from this requirement.

Therefore, prior to signature approval of the PPS, the layout shall be revised to be in conformance with the requirements of zoning.

Conformance with Conditions of Prior Approvals

Conceptual Site Plan CSP-06002-01: CSP-06002-01 was approved by the Planning Board on November 13, 2014 (PGCPB Resolution No. 14-128). Subsequently, on March 23, 2015 the District Council issued an order of approval of the case, subject to 25 conditions. Each applicable condition is included in **boldface** type below, followed by the comments:

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 Transportation Planning Section should review the proposed development for conformance to this established trip cap.

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.**

This was evaluated as a part of the transportation analysis contained in the Transportation finding.
 - 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.**

This condition is addressed in the Environmental finding of this resolution.
 - 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.**

This condition is addressed in the Environmental finding of this resolution.
 - d. **The preliminary plan application package shall contain a copy of the erosion and sediment control concept plan.**

This plan was submitted with this PPS application.
 - 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.**

The applicant filed information related to transit service, which will be further evaluated at the time of DSP.
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.

This condition is evaluated in the Environmental finding.

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.**

Environmental impacts are addressed in the Environmental finding of this resolution.

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.**

Impervious surface locations and amounts will be determined with the required DSP. The proposed multifamily residential parcels are proposed to include some structured parking.
 - 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.**

This condition is addressed in the Environmental finding of this resolution.

- 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.**

This condition is addressed with the review of the tree conservation plans.

- 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 applicant submitted an open space network exhibit with the PPS package. This demonstrates spaces throughout the site that link different uses and are accessible from the public streets, including an amphitheater at the terminus of a public road and varying open spaces along the main public road through the townhouse portion of the 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.**

The information is provided on the TCP1 and discussed in the Environmental finding of this resolution.

- 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.**

This condition is applicable at the time of DSP. However, the applicant submitted exhibits with the PPS package demonstrating that the proposed open space parcels will be able to accommodate appropriate private recreational facilities.

- 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.**
- 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, to the maximum extent possible.**
- m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.**

These conditions are applicable at the time of DSP. However, the parcels and illustrative layout provided with the PPS should allow for public amenity spaces, sufficient sidewalk areas, room for screening parking and locating it to the rear and side of pad sites, the ability for the commercial uses to share parking, open spaces between pad sites and opportunity for outdoor seating areas. The techniques for creating a sense of place will include details of signage, wayfinding, and a consistent approach to treatment of site plan elements throughout the site.

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

This information has not been provided on all plans and is conditioned.

- 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.**

The submitted PPS appears to include a sufficient land area around the historic environmental setting to allow for appropriate buffering. This issue will be examined further at the time of DSP when it will be subject to the requirements of the Landscape Manual.

- 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.**

This condition is addressed in the Historic finding of this resolution.

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.**

This condition is addressed in the Trails finding of this resolution.

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.**

The proposed PPS does differ some from the illustrative plan in the CSP as allowed.

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

This is noted. No additional research and development flex space uses are proposed with the subject PPS.

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.**

The applicant submitted an open space network exhibit with the PPS package. This shows the location for the required DPR facilities, as well as appropriate and developable areas for private recreational facilities on HOA parcels.

- 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.**
- 24. The final number of affordable workforce housing units and senior multifamily units shall be submitted by the applicant prior to submittal of an application for preliminary plan of subdivision.**

The applicant has noted on the PPS that five percent of the multifamily residential units will be affordable workforce housing and 33 percent of the multifamily residential units will be senior age-restricted. Given that approximately 1,500 multifamily units are proposed, this equates to approximately 75 affordable workforce housing and 495 senior multifamily units. Final numbers will be determined at the time of DSP; however, the Planning Board found that these numbers are sufficient to meet the intent of the condition.

Conformance with the 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). Conformance with the requirements of the Landscape Manual should be determined at the time of DSP review when detailed information is submitted. The following discussion of the relevant provisions of the Landscape Manual is provided for informational purposes.

- a. **Section 4.1, Residential Requirements**—Requires a certain number of plants be provided for residential dwellings depending on their size and type.
- b. **Section 4.2, Requirements for Landscape Strips along Streets**—Requires a landscape strip be provided for all nonresidential uses and parking lots abutting all public and private streets, which may occur within the development depending on the final site design.
- c. **Section 4.3, Parking Lot Requirements**—Specifies that parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide visual relief from the view of large expanses of pavement.
- d. **Section 4.4, Screening Requirements**—Requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The location of the loading and trash areas for the commercial development, and its relationship with the adjoining residential uses, should be carefully considered at the time of DSP. The submitted PPS appears to provide a layout that will be able to accommodate appropriate relationships, such as separation by a public street or room for buffering.
- e. **Section 4.6, Buffering Development from Streets**— This section's requirements will apply to the proposed development by requiring buffering of rear yards of townhouses from streets. The submitted PPS appears to provide sufficient space for these buffers; however, this will have to be closely examined at the time of DSP when specific house sitings are provided.
- f. **Section 4.7, Buffering Incompatible Uses**—Requires that vegetated buffers be included along shared property lines where the abutting uses are deemed incompatible by the Landscape Manual. A Section 4.7 buffer is not normally required between incompatible uses within the M-X-T Zone such as the residential and commercial portions of the development, as ownership is common between the uses and they are both included on a single DSP. Concerns were noted about the interface between the commercial section and the residential section; however, the proposed layout shows a public road in between the uses in one area and a large HOA parcel in the other area. This layout would allow for an appropriate interface between the incompatible commercial and residential uses through buffering, fencing and/or upgrades to architecture. This issue will be examined more closely at the time of DSP.
- g. **Section 4.9, Sustainable Landscaping Requirements**—Requires that a percentage of

the plant materials be native plants, along with other sustainable practices.

- h. **Section 4.10, Street Trees Along Private Streets**—Requires street trees along private streets, which appear to be proposed with this plan.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet or greater of gross floor area or disturbance and require a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. Conformance with the Tree Canopy Coverage Ordinance will be evaluated at the time of DSP approval.

Other Design Issues

During plan review, it was noted that in multiple locations, groups of townhouse lots abutted against each other with no gap. This is not an acceptable layout as it does not leave any room for access between lots to the fronts or rears of internal lots and it creates insufficient distance between buildings. After discussion, the applicant produced an exhibit demonstrating an adjusted lot layout showing a minimum of 12 feet between building groups and a minimum of eight-foot-wide homeowner's parcel on at least one end of every building group. This is sufficient to address Urban Design's concerns regarding access and open spaces. However, this exhibit did not demonstrate conformance to all Zoning Ordinance requirements as discussed above. Therefore, a condition requiring these revisions prior to signature approval has been established by the Planning Board.

Some proposed townhouse lots are extra-long at more than 100 feet deep. There are concerns that this could result in excessive driveway lengths and impervious surface on these lots. This issue will have to be carefully considered during the final design stages, once architecture and final building siting are determined.

Concerns were also noted about the large multifamily parcel located along the north side of the main east-west boulevard, across from the historic Melford House. The architecture, massing and siting of the building on this parcel needs to be closely examined at the time of DSP to ensure it maintains an appropriate relationship with the historic house and that it maintains an active main-street character along the primary east-west boulevard.

- 19. **Conceptual Site Plan CSP-06002-01**—On November 13, 2014, the Planning Board approved Conceptual Site Plan 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 as amendments to an approved CSP with 1,547,874 square feet of approved office/research and development uses. The resolution of approval for CSP-06002-01, (PGCPB Resolution No. 14-128), was adopted by the Planning Board on December 4, 2014. The application included approximately 276 acres of the central and southern portions of the Melford property. More information concerning Conceptual Site Plan CSP-06002-01 is contained in the Urban Design finding.

20. **City of Bowie**—On February 6, 2017, the Bowie City Council conducted a public hearing on the subject PPS. The proposal includes 1,793 dwelling units, including 293 townhouse units, 1,000 multifamily market rate units, 500 senior age-restricted multifamily units and 359,500 square feet of commercial and office uses, including up to 124,500 square feet of retail uses and 235,000 square feet of office/medical uses.

The subject site is located east of MD 3/Belair Drive/Melford Boulevard interchange, near the intersection of Melford Boulevard and Tesla Drive. The property is zoned M-X-T (Mixed-Use Transportation-Oriented), where the proposed mixed-use development is permitted by right under the Prince George’s County Zoning Ordinance. At the conclusion of the public hearing, the City Council voted to recommend **approval** of the PPS with the following conditions:

- “1. Total development within the 129-acre Melford Village property shall be limited to uses that generate no more than 2,353 AM and 2,766 PM peak-hour vehicle trips. Any development with an impact beyond that identified herein above shall require a revision to the Preliminary Plan with a new determination of the adequacy of transportation facilities.
- “2. Prior to the issuance of any building permits for lots within Preliminary Plan 4-16006, the following road improvement(s) 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 US 301/Gov. Bridge Road/Harbour Way intersection
The applicant shall provide an additional right turn lane on eastbound Harbour Way and re-stripe the eastbound approach on Harbour Way to result in two left turn lanes, one shared left turn and thru lane, and one right turn lane.
- “3. Traffic signal warrant studies of the intersections of Melford Boulevard/Tesla Drive and the entrance to the commercial mixed-use area (Road A) and Melford Boulevard/Science Drive shall be provided during review of each Detailed Site Plan. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at Detailed Site Plan.
- “4. Prior to the issuance of a building permit for the 300th dwelling unit or more than 100,000 square feet of new, non-residential development within the boundaries of the Preliminary Plan, whichever comes first, the following specific pedestrian improvements shall be completed:
 - “a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane; and

- “b. Remove the northbound channelized right lane at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn lane shall be reconstructed and relocated to the existing traffic signal, and pedestrian signals shall be included to support the new pedestrian connection.
 - “5. A hiker-biker trail connection shall be shown on the Preliminary Plan and constructed along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first Detailed Site Plan for the Northeast Neighborhood.
 - “6. A 10-foot-wide hiker-biker trail shall be provided on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This missing segment of the trail system shall be shown on the Preliminary Plan prior to signature approval.
 - “7. To help fulfill the purpose of Condition #19 of #CSP-06002-01, “sharrows” shall be installed on Curie Drive (and Science Drive, beyond the Melford Village project limits).
 - “8. The developer shall deed Parcel 40 to the City upon completion of all facilities on both Parcel 40 and 41 (the amphitheater parcel).
 - “9. The applicant shall execute a maintenance agreement with the City for maintenance of Parcel 40, prior to the issuance of any building permits.”
21. **Variation Request**—The applicant has requested a variation from Section 24-128(b)(7)(A) of the Subdivision Regulations for approximately 68 townhomes that will be located on lots served by private alleys without frontage on a public street. The proposed alleys meet all the dimensional requirements of the Subdivision Regulations and will allow for an efficient and safe circulation pattern for residents of the development.

Section 24-128(b)(7) of the Subdivision Regulations states the following:

Section. 24-128—Private roads and easements.

(b) The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements under the following conditions:

(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 Permitting, Inspections, and Enforcement or the Department of Public Works and Transportation.

Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of variation request:

Section 24-113 Variations

- (a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision

Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The applicant is requesting a variation from the requirements in Section 24-128(b)(7)(A) requiring that townhomes served by alleys have frontage on a public street. The “practical difficulty” in this case results from the site constraints within Melford Village which prohibit the lotting pattern for 68 townhouse units from being served by alleys while maintaining frontage on a public street. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots).

All of the aforementioned site constraints limit the areas where lots and public streets and alleys can be located. The hardship/practical difficulties related to the aforementioned site constraints would be largely eliminated if the request is granted to utilize alleys to access the rear of 68 townhouse units. If the variation request is not allowed, it is not possible for the applicant to create an efficient subdivision layout with the 68 townhouse units utilizing alleys and having frontage on a public street, and will create practical difficulties for the applicant in its pursuit to develop the site in the manner contemplated in CSP-06002-01. The granting of the variation request is consistent with the relevant purposes of the subdivision regulations and will not harm the public interest as explained herein. Therefore, the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to any other property.

- (2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The property has several conditions which are unique, and are not applicable generally to other abutting properties. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots).

Beginning from the west, the portion of Melford Village designed for townhouse units contains the environmental setting for the historic Melford House. On the east end of the same area of Melford Village contains sensitive environmental features (such as a stream, wetlands and woodland) which are slated for preservation. Between the historic environmental setting (to the west) and the sensitive environmental features (to the east) contains a sloping topography that falls from west to east. The natural changes in topography limit the placement of where sticks of townhouses (and by association the location of the necessary road/alleys to serve the townhouse units) can be placed. In sum, the aforementioned site constraints are unique to this portion of Melford Village and are not generally applicable to other properties.

Therefore, for these reasons, the conditions on which the variation is based are unique to this property.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and

Granting the variation will not be in violation of any law, ordinance, or regulation. To the contrary, the granting of the variation request would allow the applicant to create the compact residential density contemplated in CSP-06002-01 without negatively impacting the environmental and historic setbacks required by other County ordinances and/or regulations. The variation to Section 24-128(b)(7) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation.

(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

The site constraints within Melford Village prohibit 68 townhouse units from being served by alleys while maintaining frontage on a public

street. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots). All of the aforementioned site constraints limit the areas where lots and streets/alleys can be located. The hardship/practical difficulties related to the aforementioned site constraints would be largely eliminated if the applicant could utilize alleys to access the rear of 68 townhouse units without frontage on a public street. If the instant variation request is not allowed, it is not possible for the applicant to create an efficient subdivision layout with the subject 68 townhouse units utilizing alleys and having frontage on a public street. If the strict letter of these regulations are carried out, it would result in loss of lots

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The subject property is zoned M-X-T; therefore, this provision does not apply.

The site is unique to the surrounding properties and the variation request is supported by the required findings. Approval of the variation will not have the effect of nullifying the intent and purpose of the Subdivision Regulations.

Therefore, the Planning Board approves the variation to Section 24-128(b)(7)(A) of the Subdivision Regulations for approximately 68 townhomes that will be located on lots served by private alleys without frontage on a public street.

22. **At the Public Hearing**—At the public hearing for this application on March 9, 2017, the applicant's legal representative requested that additional findings (Applicant's Exhibit 2) be added addressing the Land Use Policy recommendations in Plan Prince George's 2035.

This PPS conforms to the regulations and required findings of Subtitles 24 and 27 of the County Code as set forth in this resolution, with conditions. Further, the PPS conforms to the specific requirements of Subtitle 24 as follows:

Section 24-121. Planning and design requirements.

(a) **The Planning Board shall require that proposed subdivisions conform to the following:**

- (1) **All lots shall be designed to be located wholly within the County and platted in conformance with all requirements of the Zoning Ordinance applicable to the subject property.**

The proposed parcels and lots are wholly within the County and will be platted in accordance with all applicable requirements. The PPS meets the requirements of the Zoning Ordinance (Subtitle 27), with the conditions of approval.

- (2) **In cases where the proposed subdivision is situated in a portion of the Regional District not planned to be served by public water and/or sewerage facilities, proposed lots shall be designed to meet the minimum lot size requirements for individual systems, as contained in Subtitle 22 of this Code and in the Comprehensive Ten Year Water and Sewerage Plan.**

This standard is not applicable to the instant PPS.

- (3) **When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. As used in this Section, a planned roadway or transit right-of-way shall mean a road or right-of-way shown in a currently approved State Highway plan, General Plan, or master plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least two hundred (200) feet away from the intersection of any roadway of collector or higher classification.**

The PPS application complies with this standard, no individual lots within the project plan will front or access directly onto nearby arterial roadways.

- (4) **Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.**

The PPS application complies with this standard, no individual lots within the project plan will be adjacent to a roadway of arterial (or higher) classification or a planned transit right-of-way.

- (5) **The preliminary plan and final plat shall conform to the area master plan, including maps and text, unless the Planning Board finds that events have occurred to render the relevant plan recommendations no longer appropriate or the District Council has not imposed the recommended zoning. Notwithstanding any other requirement of this Section, a proposed preliminary plan or final plat of subdivision may be designed to conform with the land use policy recommendations for centers, as approved within the current County general plan, unless the District Council has not imposed the recommended zoning.**

The mixed-use development proposed for Melford Village in this PPS has been designed to conform to the land use policy recommendations contained within Plan Prince George's 2035 for a "Local Town Center." As an additional basis for its final decision, the Planning Board also adopts and incorporates, by reference, the applicant's analysis set forth in its supplemental statement of justification dated January 9, 2017 regarding the instant application's conformance to the land use policy recommendations for centers in Plan Prince George's 2035. Further, the Planning Board also deems that Melford will also remain a viable "Employment Area" as designated in Plan Prince George's 2035. The Planning Board also adopts and incorporates, by reference, the research memorandum from the M-NCPPC Special Projects Section dated October 10, 2014, and included in the findings of approval in the resolution for CSP-06002/01 (PGCPB No. 14-128) to conclude that approval of the uses in this PPS will allow Melford to remain a viable employment area within the County.

- (6) **When indicated by a master plan or the General Plan or when requested by a public agency, land may be placed in reservation, pursuant to Division 7 of this Subtitle.**

Neither the applicable master plan or General Plan calls for the reservation of any land. Additionally, no public agency has requested the reservation of any land within the boundaries of this PPS.

- (7) **Provision shall be made for the eventual ownership of outlots or residue parcels by incorporating them into platted lots or into adjacent parcels or by other means deemed acceptable by the Planning Board.**

The conditions of approval ensure the eventual ownership of residue lots and/or outlots by the City of Bowie or an HOA, or appropriate community ownership association.

- (8) **Corner lots shall be rounded with a radius of not less than twenty (20) feet or provided with an equivalent truncation.**

Corner lots proposed in the instant PPS meets this requirement.

- (9) **Walkways, with rights-of-way not less than ten (10) feet wide, shall be provided through all blocks over seven hundred fifty (750) feet long, when deemed necessary by the Planning Board.**

Melford Village is designed in compliance with the above standards.

- (10) **Generally, subdivisions shall be designed to avoid unnecessary and costly roads, utility extensions, grading, and energy consumption.**

Melford Village is designed in compliance with the above standards. The project takes advantage of significant infrastructure (including roads, utilities, and stormwater management facilities) already in existence within the greater Melford project.

- (11) **Significant natural features which are impossible or difficult to reproduce, such as waterways, streams, hills, wooded lands, and specimen trees, should be preserved to the degree practicable.**

Significant natural features within Melford Village have been preserved to the maximum degree practicable. The proposed development respects all applicable environmental buffers and setbacks, as discussed more fully in Finding 5.

- (13) **Generally, lots, except at corners, should have access to only one (1) street.**

The PPS is designed in compliance with the above standards.

- (14) **If an entrance feature or gateway sign is proposed in a residential subdivision, it shall be identified on the preliminary plan on a separate Homeowners' Association parcel, or easement located on a homeowner's lot, and be designed in accordance with the standards in Section 27-624 of the Zoning Ordinance. A Homeowners' Association or other entity or person designated in a maintenance arrangement approved by the Department of Environmental Resources, shall be responsible for the maintenance of the entrance feature or gateway sign.**

The overall Melford project currently has approved gateway signage as part of a prior DSP application. Said signage has already been constructed.

- (15) **The Planning Board shall not approve a preliminary plan of subdivision until evidence is submitted that a stormwater management concept plan has been approved by the Department of Environmental Resources or the municipality having approval authority, unless the Planning Board finds that such approval will not affect the subdivision.**

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

- (16) **Except as indicated in Section 24-132, the subdivision shall be designed and platted in accordance with the provisions for woodland conservation and tree preservation contained in Subtitle 25.**

A revised TCP1 has been submitted with this application in conformance with requirements in Subtitle 25 of the County Code. The PPS has been designed in accordance with the County's woodland conservation requirements, as more fully discussed in Finding 5.

- (17) **Historic resources should be preserved.**

All historic resources within the PPS have been preserved, as discussed more fully in Finding 17. Further details regarding historic preservation will be determined at the time of DSP.

- (18) **Significant archeological sites identified in accordance with the Planning Board Guidelines for Archeological Review should be preserved in place, to the extent practicable and should be interpreted as appropriate.**

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. Based on the above site conditions, the M-NCPPC's Historic Preservation Section determined that the site did not retain its integrity and no further work was recommended.

- (19) **Condominium townhouse dwelling units approved after September 1, 2012 shall conform to the lot standards of this Subtitle and Subtitle 27 for possible future conversion to fee simple lots.**

The proposed townhouse lots are intended to be fee-simple ownership.

Section 24-123. General requirements.

- (a) **The Planning Board shall require that preliminary plan conform to the following:**
- (1) **The rights-of-way of all highways, streets, and transit facilities shown on the General Plan, functional master plans, and area master plans shall be shown on the preliminary plan and, when reserved or dedicated, shown on the final plat.**

The master plan rights-of-way have been previously dedicated and are shown on the PPS.

- (2) **All proposed streets shall be continuous and in alignment with existing or platted streets in adjoining subdivisions so as to create a street network that is functional and easily understandable. Generally, streets should cross other streets at right angles.**

All streets proposed in this application have been designed in an organized and hierarchical manner to facilitate safe and efficient movement of vehicular and pedestrian traffic.

- (3) **All internal subdivision streets shall be wholly within the County and shall not be designed to directly connect to an adjacent county unless the applicant has obtained the prior written approval of the District Council and the appropriate land use authority of the adjacent County.**

(A) **An applicant must file a written request for said approval. The request shall be filed with the Clerk of the District Council. The District Council must either approve or disapprove said request within forty-five (45) days from the date of filing. Failure of the District Council to act within said forty-five (45) day period shall constitute an approval of the request. For purposes of this provision an internal subdivision street shall be deemed to be a public roadway having a right-of-way width of eighty (80) feet or less.**

(B) **After public hearing before the District Council, the Council shall not allow the proposed bi-county subdivision unless it finds that delivery of public safety services, utility services, and tax collection will be timely and adequate for the lots in Prince George's County.**

All proposed streets are located within the County.

- (4) **All streets proposed for dedication to public use shall be designed to the standards of the County road ordinance and street standards for width and minimum curve radii or to the standards of municipalities having jurisdiction. Variations from these standards may be granted by the Planning Board upon the recommendation of the Department of Permitting, Inspections, and Enforcement or upon the recommendation of the municipality or other governmental authority having jurisdiction.**

All proposed public streets within Melford Village are within the jurisdiction of the City of Bowie. As such, all roadways either meet the required street sections standards, or will have obtained the necessary waivers/variations from the City of Bowie.

- (5) **Arterial highways shall have a minimum right-of-way width of one hundred and twenty (120) feet; collector streets, a minimum right-of-way width of eighty (80) feet; and parkways, such right-of-way width as may be designated by the Planning Board. The width of secondary subdivision streets shall be not less than fifty (50) feet and the width of primary subdivision streets not less than sixty (60) feet.**

Melford Boulevard is a collector road (C-309) in the Bowie and Vicinity Master Plan and SMA (between MD 3 and Curie/Tesla Drive) with a recommended right-of-way of 80 to 140 feet. The actual right-of-way ranges along Melford Boulevard from approximately 100 to 160 feet in width.

- (6) **Land for bike trails and pedestrian circulation systems shall be shown on the preliminary plan and, where dedicated or reserved, shown on the final plat when the trails are indicated on a master plan, the County Trails Plan, or where the property abuts an existing or dedicated trail, unless the Board finds that previously proposed trails are no longer warranted. Land for bike trails and pedestrian circulation have been provided in this PPS application.**

Land for bike trails and pedestrian circulation has been provided in this PPS application, as discussed more fully in Finding 8.

Section 24-124. Adequate roads required.

- (a) **Before any preliminary plan may be approved, the Planning Board shall find that:**
- (1) **There will be adequate access roads available to serve traffic which would be generated by the proposed subdivision, or there is a proposal for such roads on an adopted and approved master plan and construction scheduled with one hundred percent (100%) of the construction funds allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, and/or such roads are incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1);**

The applicant prepared a traffic impact study dated July 23, 2016 and updated on September 27, 2016, in accordance with the methodologies in the "Transportation Review Guidelines, Part 1" (Guidelines). Furthermore, the applicant prepared a supplement to the September 27, 2016 traffic study dated January 19, 2017 for SHA's review in evaluating the proposed mitigation plan for US 301 at Governor Bridge Road/Harbour Way.

Based on the analyses contained in the above referenced reports and the findings and conclusions in Finding 9, this PPS satisfies the requirements of Section 24-124 of the Subdivision Regulations.

- (6) **Consideration of certain mitigating actions is appropriate as defined in the approved "Guidelines for Mitigation Actions," and as provided below:**
- (A) **Projected traffic service in the study area, which shall be based on existing traffic, traffic generated by other approved development, and growth in through traffic as defined in the "Guidelines," is calculated to be greater than the acceptable level of service; and**
- (B) **The provisions for adequate roads, as described in Subparagraph (a)(1), above, are not met.**
- (i) **Where projected traffic service is calculated to be greater than or equal to twenty-five percent (25%) above, the acceptable peak-hour service level threshold as defined in the "Guidelines," the Planning Board may require that any physical improvement or trip reduction programs participated in, or funded by, the subdivider or his heirs, successors, and assigns shall fully abate the impact of all traffic generated by the proposed subdivision in the study area. Following the development of the proposed subdivision and implementation of the approved mitigation action, the total traffic service will be reduced to no higher than twenty-five percent (25%) above the acceptable peak-hour service level threshold as defined in the "Guidelines" (total traffic service shall be based on projected traffic and traffic generated by the proposed development); or**
- (ii) **Where projected traffic service is calculated to be greater than but less than twenty-five percent (25%) above the acceptable peak-hour service level threshold as defined in the "Guidelines," the Planning Board may require that any physical improvements or trip reduction programs fully funded by the subdivider or his heirs, successors, and assigns shall fully abate the impact of one hundred and fifty percent (150%) of all traffic generated by the proposed subdivision in the study area. Following the development of the proposed subdivision and implementation of the mitigation action, the total traffic service within the study area will be reduced to no lower than the acceptable peak-hour service level threshold defined in the "Guidelines"; or**

- (C) Where existing traffic service in the service area is at the acceptable peak-hour service level threshold or better, as defined in the "Guidelines," and if the total traffic service in the study area is no greater than ten percent (10%) above the acceptable peak-hour service level threshold as defined in the "Guidelines" and the proposed subdivision generates less than twenty-five (25) A.M. or P.M. peak-hour trips, the Planning Board may require that the subdivider or his heirs, successors, and assigns shall be responsible for the pro rata cost of the physical improvements necessary to alleviate the inadequacy as defined in the "Guidelines."
- (D) Planning Board action on a mitigation action may be appealed to the District Council by the applicant or by any party of record. The appeal shall be filed with the Clerk of the Council within thirty (30) days following notice of action on the mitigation proposal by the Planning Board to all parties of record. The Planning Board shall give notice of its action by sending a copy to each party of record by first-class mail, postage prepaid. The appeal shall be based upon the record as made before the Planning Board and shall set forth the reasons for the appeal. In deciding an appeal of a mitigation action, the Council shall exercise original jurisdiction. For any such appeal, the Council may, based on the record, approve, approve with conditions, remand, or deny the mitigation action; or

The applicant's proposed mitigation meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations, as more fully discussed in Finding 9.

Section 24-130 - Stream, wetland, and water quality protection and stormwater management.

- (a) Proposed subdivisions shall be designed to minimize the effects of development on land, streams and wetlands, to assist in the attainment and maintenance of water quality standards, and to preserve and enhance the environmental quality of stream valleys.

The PPS meets the above requirements, as more fully discussed in Finding 5.

- (b) The Planning Board shall require that proposed subdivisions conform to the following:
 - (1) The preliminary plan shall demonstrate adequate control of the increased runoff due to the ten (10) year storm or such other standards as State law or the County shall adopt.
 - (2) The stormwater control shall be provided on-site unless the Planning Board,

on recommendation from the County, waives this requirement.

Stormwater and sediment and erosion controls will be provided on-site that are adequate to control the 10-year storm and stormwater impacts as described in the approved stormwater management concept plan and the approved Concept Grading, Erosion And Sediment Control Plan (CSC 186-16), as more fully discussed in Finding 5.

(3) The submission of a storm drainage and stormwater management concept plan, and approval thereof by the County, may be required prior to PPS approval.

The site has an approved City of Bowie Stormwater Management Concept Plan, 01-0114-207NE15, which is valid until March 10, 2017. The applicant provided an exhibit (Applicant's Exhibit #1) at the public hearing on March 9, 2017 indicating that they have received preliminary approval from the City of Bowie for an extension of the current stormwater management concept plan.

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 9, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of April 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:JF:rpg

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 December 7, 2017, regarding Detailed Site Plan DSP-17020 for Melford Town Center - Infrastructure, the Planning Board finds:

1. **Request:** The subject application is for a detailed site plan (DSP) for grading and infrastructure only, specifically, clearing, grading, installing utility pipes and retaining walls, and developing a public roadway.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use	Vacant	Vacant
Total DSP Acreage	87.32	82.60
Area of Dedication	0	4.72

3. **Location:** The entire Melford property is located in the northeast quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/301 (John Hanson Highway), in Planning Area 71B and Council District 4, within the municipal boundary of the City of Bowie. The specific area of this DSP is located to the north of Melford Boulevard, on both sides of Curie Drive.

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 (M-NCPPC) in the Reserved-Open-Space (R-O-S) 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 John Hanson Highway/Robert Crain 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 Robert Crain Highway (MD 3) right-of-way. The specific area of this DSP is central within the Melford development, on both sides of Curie Drive.

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 and Sectional Map Amendment for Bowie and Vicinity* (Bowie Master Plan and SMA) rezoned the property from the E-I-A Zone to the Mixed-Use Transportation-Oriented (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. 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 existing 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.

Subsequently, Conceptual Site Plan CSP-06002-01, was approved by the Planning Board on December 4, 2014 (PGCPB Resolution No. 14-128) 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 conceptual site plan development. The CSP 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.

Preliminary Plan of Subdivision PPS 4-16006 (PGCPB Resolution No. 17-45) for the town center development was approved by the Planning Board on March 9, 2017, subject to 24 conditions.

The site also has an approved City of Bowie Stormwater Management Concept Plan, 01-0317-207NE15, which is valid until March 20, 2020.

6. **Design Features:** The subject application is for infrastructure only and does not propose any residential units or commercial square footage. The proposed infrastructure includes rough grading of portions of the 87.32-acre site, construction of the new east/west boulevard (connecting Melford Boulevard to Curie Drive and beyond to the east), installation of certain utilities, and the erection of a retaining wall. The roadway runs in an east-west direction and turns to intersect with Curie Drive. The proposed roadway has a right-of-way width of 80 feet with a median. Since the development is within the City of Bowie, the applicant has requested a waiver from the City's standard street section that was approved by the City on June 6, 2017. The development of this roadways will include street trees, sidewalks and utilities.

7. **Prince George's County 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 Prince George's County Zoning Ordinance as follows:
- a. The subject application is in conformance with the requirements of the following sections of the Zoning Ordinance:
 - (1) Section 27-547, Uses Permitted, as no uses are proposed with this application.
 - (2) Section 27-548, Regulations, because it does not propose any building floor area, new lots, residential units, or other structures, except for a public roadway and underground utility pipes.
 - (3) Section 27-274, Site Design Guidelines, because it does not propose any site development, except for a public roadway and underground utility pipes.
 - (4) Section 27-574, Number of spaces required in the M-X-T Zone and in a Metro Planned Community, as no use that requires parking is proposed.
 - b. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:
 - (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 grading and road construction do not change that finding. Compliance with this requirement will have to be further reviewed at the time of a full DSP.
 - (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, 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 infrastructure only and does not show the details of any other development on the site. Any future development on the site will be reviewed for conformance with this requirement.

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

The subject DSP is for infrastructure only and does not show the details of any other development on the site. Any future development on the site will be reviewed for conformance with this requirement.

- (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 for infrastructure only and does not show the details of any other development on the site. Any future development on the site will be reviewed for conformance with this requirement.

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

The subject DSP is for infrastructure only, and is not proposed to be staged. Any future development on the site will be reviewed for conformance with this requirement.

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

The subject DSP is for infrastructure only and does not show the details of any other development on the site. The sidewalks proposed with the public roadway are convenient and comprehensive. Any future development on the site will be reviewed for conformance with this requirement.

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

The subject DSP is for infrastructure only and does not show the details of any other development on the site. Any future development on the site will be reviewed for conformance with this requirement.

- (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 not applicable to this infrastructure DSP.

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

The subject DSP is for infrastructure only, and does not show the details of the final development on the site. The proposed infrastructure development will not require service by public facilities. However, the transportation adequacy finding was made for the subject property within the past year with the approval of PPS 4-16006.

- (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; therefore, this DSP is not subject to this requirement.

8. **Conceptual Site Plan CSP-06002-01:** Conceptual Site Plan CSP-06002-01 was approved by the Planning Board on December 4, 2014 (PGCPB Resolution No. 14-128). The CSP 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 subject to 25 conditions. The following conditions of approval of the CSP relate to the review of this DSP:

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.**

This condition established a trip cap for development within the subject property; however, no development is proposed by this DSP. Therefore, conformance with this condition will be monitored with future DSPs.

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.**

This condition will be further reviewed at time of a full-scale DSP when building location is provided.

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.**
 - 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.**

This condition will be further reviewed at time of a full-scale DSP when detailed site improvement information is available. For those relevant to the review of this infrastructure DSP, clearing for the infrastructure development is minimized to the extent practical.

- 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 NRI, and 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.**

The subject DSP does not propose any new stormwater management ponds.

- 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.**

The subject detailed site plan includes a portion of the historic environmental setting. However, it is for infrastructure only, so any future DSP for full-scale development should provide for public interpretation.

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

The subject DSP only proposes public street lights, which will be per the City of Bowie's standards.

- 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 subject detailed site plan is for infrastructure only and includes the Impact Review Area; however, no architecture is proposed with this plan. These conditions will be reviewed with future detailed site plans.

- 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.**

The DSP is for infrastructure only and covers a segment of the property located in the middle of the site that is away from US 50/301.

- 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 infrastructure only and does not propose any recreational facilities. Therefore, this condition is not applicable and will be addressed with future DSPs that include full development of the subject property.

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 facades 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, to the maximum extent possible.**
- m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.**

The subject detailed site plan is for infrastructure only and does not include any development. This condition will be reviewed with future detailed site plans.

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

The applicant has delineated and noted the environmental setting and the impact review area on all plans.

- 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.**

The applicant submitted Historic Area Work Permit 2017-040 that included a plan and timetable

for the protection, stabilization, restoration and planned adaptive reuse of the buildings and gardens associated with the Melford, Outbuildings and Cemetery Historic Site, 71B-016. The application proposes the adaptive reuse of the property as an on-site office for the owner/developer of the surrounding property, MSTC XVI, LLC, an entity owned and controlled by St. John Properties, Inc. The application outlines the individual elements of the historic site and potential alterations to the property that would facilitate the proposed adaptive reuse. These alterations may include the provision of handicap accessibility, on-site parking, the restoration of the terraced gardens, the provision of pedestrian access to the property, and the restoration of the associated Duckett Family graveyard (currently not controlled by the applicant). The applicant provided a timetable for the proposed alterations and adaptive reuse.

The Historic Preservation Commission (HPC) at its September 19, 2017 meeting, reviewed the application and found that the applicant's submittal presented a proposed preservation plan and timetable for the reuse of the Melford & Cemetery Historic Site in compliance with this condition. The task and timetable outline represents a reasonable approach to the adaptive reuse of the property and proposes *de minimis* and reversible impacts to its salient historic features. Although the applicant does not control the Duckett Family Cemetery at this time, the stated intention to acquire this significant element of the historic site is encouraged and should occur as quickly as possible to forestall further deterioration and initiate long-deferred maintenance. Once restored and maintained, the cemetery will serve as an important open space element and amenity within the developing property.

- 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.**

The subject DSP is for infrastructure only and not for architecture. This condition will be reviewed with future detailed site plans.

- 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.**

The most recent quarterly report was received by the Historic Preservation Section in September 2017. This condition is still valid for future detailed site plans.

- 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.

Standard sidewalks have been shown on both sides of the proposed public roadway. Since the roadway is under the jurisdiction of the City of Bowie, the City's DPW&T will enforce their standards.

- 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.**

For this segment of the roadway included in this DSP, the above elements have been provided on the plan. Once again, since the roadway is under the jurisdiction of the City of Bowie, the City's DPW&T will enforce their standards.

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

No flex space is proposed in this DSP.

- 25. The phasing of all development proposed in CSP-06002-01 shall be determined at the time of detailed site plan.**

This condition will be reviewed with future full-scale detailed site plans when development is proposed.

9. **Preliminary Plan of Subdivision 4-16006:** Preliminary Plan 4-16006 was approved on March 9, 2017. The resolution of approval (PGCPB Resolution No. 17-45) with 24 conditions, was adopted by the Planning Board on April 6, 2017. The following conditions of approval of the preliminary plan relate to the review of this DSP:

- 2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement (PUE) along all public rights-of-way, and one side of all private streets, not including alleys. Any deviation from the 10-foot-wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.**

The subject property has clearly delineated the ten-foot-wide public utility easement (PUE) along all public rights-of-way. No private streets or alleys are proposed at this time.

- 9. At the time of detailed site plan and Type 2 tree conservation plan (TCP2) approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a historic setting vegetation management plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established.**

Implementation of the Plan would be subject to approval of a historic area work permit (HAWP). Development of a management plan would qualify trees within the environmental setting to be credit as “historic trees” at twice the usual woodland conservation ratio.

At the time of TCP2, applicant may credit historic trees with the environmental setting of the cemetery as follows:

- a. **Permission of the owner or ownership of the property shall be demonstrated.**
- b. **A historic tree inventory of the environmental setting of the cemetery shall be prepared and included on the TCP2.**
- c. **A historic setting vegetation management plan for the cemetery shall be prepared for the purpose of identifying vegetation that should be removed to protect the existing graves on-site, to identify recommended maintenance activities, and to propose any additional planting appropriate for the site. The plan shall include a maintenance program for the cemetery to retain an open character over the known gravesites, a cost estimate for implementation of the plan and for a minimum of four years of maintenance, and shall identify the party or parties responsible for the long-term maintenance of the environmental setting.**
- d. **The quantity of historic tree credits in the environmental setting shall be calculated and added to the woodland conservation worksheet.**
- e. **Prior to the issuance of grading permits for Melford Village which credit woodland conservation with the cemetery environmental for historic tree credit, a HAWP for implementation of the historic setting vegetation management plan shall be approved, and a bond for implementation of the plan shall be submitted. Bonding shall be held until the requirements of the plan is fully implemented, and four years of maintenance has been monitored.**

The applicant is currently pursuing ownership of the cemetery through the Prince George's County Tax Sale procedure. The revised TCPII submitted with the current application does not include crediting woodland conservation within the environmental setting of the cemetery parcel. Future ownership of the cemetery, and intention to receive credits for woodland conservation within the environmental setting will require a revision to the Type II Tree Conservation Plan (TCPII).

10. **Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below**

or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:

- a. **Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane. This sidewalk shall conform to the Street Sections approved as part of the Melford Village Design Guidelines, or as modified by the City of Bowie or the Maryland State Highway Administration.**
- b. **Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.**
- c. **At the time of detailed site plan, provide an exhibit that illustrates the location, limits, specification and details of all off-site improvements proffered in the bicycle pedestrian impact statement, or recommended by staff, for the review of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk treatments, ramp reconfiguration and the removal of the roundabout.**

An exhibit (or construction plans) should be submitted for the off-site improvements consistent with this condition at the time of the first full-scale DSP. The applicant, the City of Bowie, and the State Highway Administration have been working on the designs for these improvements consistent with prior approvals.

11. **In conformance with the 2009 Approved Countywide Master Plan of Transportation (MPOT) and the 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:**

- a. **Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of detailed site plan.**

The details for the trailhead should be provided at the time of the first full scale DSP.

- b. **In addition to New Road "A" and New Road "C," shared-lane Markings shall be provided along Melford Boulevard, Currie Drive and Science Drive,**

or as modified by the City of Bowie.

Road cross sections were approved as part of the Preliminary Plan. Discussions with the City of Bowie have indicated that the City's Department of Public Works has reviewed and approved the road cross sections included in DSP-17020. No changes are necessary to the road cross sections shown in the submitted plans.

10. **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 proposed development of infrastructure only is exempt from conformance with the requirements of the Landscape Manual because it does not propose a change in intensity of use, or an increase of gross floor area or impervious area, except for a public roadway, on the subject property. Conformance with the requirements of the Landscape Manual should be determined when a more detailed plan of development is submitted for review.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The site already has an approved Type 1 and Type 2 Tree Conservation Plan. A revised Type II Tree Conservation Plan (TCP1I-036-99-11) was submitted with the detailed site plan application.

Type II Tree Conservation Plan TCP1I-036-99-05-11, covers a gross tract area of 428.15 acres, which is the portion of the Melford development (formerly University of Maryland Science and Tech Center) which is subject to the Woodland Conservation Ordinance, and is significantly larger than the DSP plan under review.

The woodland conservation threshold for the site is 42.73 acres, based on the M-X-T zoning and a net tract area of 284.85 acres. The site contains 171.12 acres of upland woodlands and 89.26 acres of wooded floodplain. The revised TCP1I proposes clearing 119.81 acres of upland woodlands, and 0.30 acre of wooded floodplain. No off-site clearing is proposed. Two federal projects (the Institute for Defense Analysis and the Holocaust Museum Analysis) and previously dedicated rights-of-way have been subtracted from the gross tract area consistent with the previous TCPI approval. Based upon the clearing proposed, the total woodland conservation requirement for the development as currently calculated is 72.98 acres.

The revised TCP1I proposes to meet the requirement with 48.47 acres of on-site preservation, including 10.45 acres of woodland conservation located on property owned by M-NCPPC; 12.63 acres of on-site afforestation/reforestation; 5.50 acres of Specimen/Historic Tree Credit; and 6.38 acres of off-site woodland conservation credit.

The calculation of net tract area needs to be revised in the woodland conservation worksheet to show that Lot 2, in Pod 7, which is 7.61 acres in area, has been purchased by the U.S. Government, and is no longer subject to local woodland conservation requirements. Federal

projects are subject to review by the Maryland State Forest Service for compliance with the Clean Water Act. This acreage should be added to the list of “Previously Dedicated Land” in the Woodland Conservation Summary Table, and woodland preservation should no longer be credited on Lot 2. Affected plan sheets, calculations and tables shall be adjusted to reflect this change.

The TCP1 plan originally proposed preservation, afforestation and Specimen/Historic Tree Credits within the 1.13-acre cemetery and environmental setting, but this is not proposed with the current revision because of unresolved ownership issues.

The TCPII shows woodland conservation being provided on property currently owned by M-NCPPC, consistent with the most recent revision to the TCPI. At the time of preliminary plan certification, written permission from the Department of Parks and Recreation (DPR) was provided by Helen Asan of the DPR Planning and Development Section agreeing to provide 10.45 acres of preservation on M-NCPPC property.

The TCPII requires technical revisions to be in conformance with the applicable Woodland Conservation Ordinance, Environmental Planning Section policies and the Environmental Technical Manual prior to certification of the detailed site plan. The environmental conditions have been included in this approval.

12. **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 (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 ten percent of the gross tract area in tree canopy coverage. The subject property is 87.32 acres in size, resulting in a TCC requirement of 8.73 acres. Since this DSP is for infrastructure only, conformance with the TCC requirements will be reviewed at time of full-scale DSP.
13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—The Planning Board reviewed a discussion of the relevant conditions of approval of Conceptual Site Plan CSP-06002-01, located in Finding 8 above. Multiple conditions of the CSP are not applicable to this infrastructure only DSP, and will have to be enforced with future DSPs.

The subject application does not include the Melford House and Cemetery Historic Site (71B-016), but proposes grading that is adjacent to it. Built in the 1840s, Melford is a two-and-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.

- b. **Community Planning**—Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application. Per *Plan Prince George's 2035 Approved General Plan* (General Plan), this application is located within a designated Town Center, specifically in the Bowie Town Center. Town Centers are focal points of concentrated residential development and limited commercial activity serving Established Communities. The Bowie and Vicinity Master Plan recommends mixed-use development.
- c. **Transportation Planning**—The site plan is a requirement of the M-X-T Zone. The transportation-related findings are limited to the particular circumstance in which at least six years have elapsed since a finding of adequacy was made. In this case, the transportation adequacy finding was made within the past year, and so any transportation requirements are related to issues of access and circulation, as defined by the site design guidelines in Section 27-274(a)(2)(C) of the Zoning Ordinance.

It needs to be noted that the site plan is strictly for infrastructure, involving grading along with street, retaining wall, and utility construction. As such, no development is being proposed or approved with this plan. The prior application PPS 4-16006 contains several traffic-related conditions, all of which will be enforced with future site plans and permits involving full development of the subject property.

The street construction proposed under this plan involves streets to be maintained by the City of Bowie. Therefore, the City should determine the acceptability of the typical sections and all characteristics of the alignments. However, the bulb of the cul-de-sac is shown to be approximately 80 feet. The City should determine if that is acceptable for fire trucks serving the area.

Overall, from the standpoint of transportation, the Planning Board found that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance.

- d. **Subdivision Review**— The Planning Board reviewed an analysis of the DSP's conformance with the PPS conditions, which is incorporated into Finding 9 above. There are no subdivision-related conditions of approval.
- e. **Trails**—The Planning Board reviewed the submitted Detailed Site Plan application referenced above for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment* (area master plan), in order to implement planned trails, bikeways, and pedestrian improvements. Because the site is located in the Bowie

Gateway Center, it was subject to the requirements of Section 24-124.01 of the Subdivision Regulations and the “Transportation Review Guidelines – Part 2, 2013” at the time of Preliminary Plan.

The 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 master plan trails and internal bikeways were addressed with conditions of approval for Preliminary Plan 4-16006. The Preliminary Plan also included the approved cross sections for the internal roads. Lastly, the Preliminary Plan included a requirement for an off-site sidewalk and an off-site exhibit at the time of DSP.

There are two trails-related conditions of approval requiring information to be provided at time of the first DSP for full development of the property.

- f. **The Department of Parks and Recreation (DPR)**—In a memorandum dated September 22, 2017 (Asan to Kosack), DPR indicated that they had no comments on the subject DSP.
- g. **Environmental Planning**—The Planning Board reviewed an analysis of the DSP’s conformance with the previous conditions of approval, which is incorporated into Findings 8 and 9 above, and a discussion of the DSP’s conformance with the WCO, as discussed in Finding 10 above. They also reviewed the following discussion:
 - (1) **Site Description:** The overall property is 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. According to the "Soil Web Survey" the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and then other pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property. According to available information, Marlboro or Christiana clays are not found to occur in the vicinity of this property. US 50 (John Hanson Highway) and US 301 (Crain Highway) are both classified as 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 within the vicinity of the site. There are no designated scenic and/or historic roads in the vicinity of this property. The 2017 Countywide Green Infrastructure Plan was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017. According to the approved Countywide Green Infrastructure Plan, the site contains Regulated Area and Evaluation Area within the designated network of the plan. This property drains to an unnamed tributary located in the Patuxent River basin and is located directly adjacent to the Patuxent River. The site is located within an Employment Center, the designated Bowie Town Center, as shown on the Growth Policy Map, and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*.

- (2) **Natural Resources Inventory:** A Natural Resource Inventory, NRI-054-06, was approved for the subject property on February 21, 2008. A revised NRI (NRI-054-06-01) was required for the current application, because the previous NRI had exceeded the validity period, and the stream buffers required for regulated streams effective September 1, 2010 needed to be addressed.

The environmental and cultural features identified on the revised NRI, and the delineation of the Primary Management Area (PMA) have been correctly transposed onto the current application plans.

- (3) **Rare, Threatened and Endangered Species:** 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. Review of an MDNR database indicate that there were more 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. An updated letter from the Department of Natural Resources regarding the presence of RTE on the site was submitted as an amendment to the

revised NRI, and the finding of no records of RTE in the upland portions of the site was confirmed.

- (4) **Regulated Environmental Features/ Primary Management Area:** The on-site regulated environmental features include streams, wetlands and buffers, and 100-year floodplain, which are shown on the revised NRI, and the delineated primary management area (PMA), which includes the contiguous regulated environmental features of the site.

The current application is a DSP and revised TCPII, previously found to have satisfied this finding. No significant change to the limit of disturbance or additional impacts to regulated environmental features are currently proposed. With approval of the preliminary plan and revised TCPI, cumulative impacts of 4,358 square feet to the 100-foot-wide “natural stream buffer” for sewer connections, and 6,394 square feet to the 150-foot-wide “floodplain buffer” for stormwater outfall structures, which were previously approved under earlier development application, were reapproved. These impacts have been previously implemented with construction of the regional stormwater management ponds.

- (5) **Specimen, Historic and Champion Trees:** Effective on September 1, 2010, TCP applications are required to meet of the requirements of Subtitle 25, Division 2 which includes the preservation of specimen, champion and historic trees. Every reasonable effort should be made to preserve the trees in place, with consideration of different species’ ability to withstand construction disturbance.

After consideration has been given to the preservation of the specimen or historic trees, and there remains a need to remove any, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Subtitle 25, provided all the required findings in Section 25-119(d) can be met and the request is not less stringent than the requirements of the applicable provisions of COMAR.

The NRI and TCPI indicated that there are 44 specimen trees located on the TCPI, all are located outside of the environmental setting of the historic site. A Subtitle 25 variance application for the removal of twelve specimen trees was submitted and approved with the preliminary plan.

The Historic Tree Table does not address individual trees located within the environmental setting of the Cemetery (71B-016), although the area may be proposed to be credited as preservation, afforestation/reforestation, or specimen/historic credits in the future. Because the ownership of the cemetery is not under the control of the applicant, the applicant cannot credit woodland conservation on property they don’t control without the consent of the owner, and within an environmental setting planting is further subject to a Historic Area Work Permit.

The Environmental Planning Section (EPS) and the Historic Preservation Section are concerned that some vegetation removal in the cemetery is appropriate to protect and conserve the existing gravesites.

- (6) **Noise Impacts and Mitigation:** The Melford Town Center development is in the northeast quadrant of the intersection of two roadways classified as freeways. US 301 (Crain Highway) is an existing source of traffic-generated noise, and a master planned freeway (F-10). Using the EPS Noise Model and applying a traffic count at build-out of 72,949 and a traffic speed of 55 mph, the anticipated ground floor 65 dBA Ldn noise contour would lie approximately 470 feet from the center line of US 301.

US 50 (John Hanson Highway) is an existing source of traffic-generated noise, and a master planned freeway (F-4). Using the EPS Noise Model and applying a traffic count at build-out of 120,680 and a traffic speed of 65 mph, the anticipated ground floor 65 dBA Ldn noise contour would lie approximately 869 feet from the center line of US 301.

The location of these conservative noise contours was plotted on the TCPI to evaluate potential impacts areas to residential uses, which were not previously evaluated on the development site due to the prior zoning categorization.

The 65 dBA noise contour related to US 50 falls just south of the boundary of the current development proposal, basically running along Melford Boulevard. The 65 dBA noise contour related to US 301 runs parallel to the freeway on the western portion of the property. No noise impacts and noise mitigation measures will be evaluated with future DSPs that propose development on the site.

- (7) **Stormwater Management:** The conceptual and technical design of stormwater management facilities and associated landscaping is subject to approval by the City of Bowie. In addition to the major “regional” facilities already constructed, the approved stormwater plan proposes stormwater management features, such as micro-bioretenment and ESD elements.
- (8) **Sediment and Erosion Control:** Prior to grading of the site, the county requires the approval of an Erosion and Sediment Control Plan. The Tree Conservation Plan 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 Concept Grading, Erosion and Sediment Control Plan (CSC#186-16F) was approved by the Prince George’s Soil Conservation District on June 30, 2016 and is valid until June 30, 2019.

A copy of the Final Erosion and Sediment Control Plan must be submitted at the

time of permit review so that the limits of disturbance for the project can be verified as in conformance with the TCP II.

- (9) **Soils:** According to the “Soil Web Survey”, the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and the others pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property.

This information is provided for the applicant’s benefit, and may affect the architectural design of structures, grading requirements, and stormwater management elements of the site. DPIE may require a soils report in conformance with County Council Bill CB-94-2004 during the permit process review.

The Planning Board found to approve Detailed Site Plan DSP-17020 and revised Type II Tree Conservation Plan TCP II-036-99-11, subject to environmental conditions that have been included in this approval.

- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not provide comments on the subject application.
- i. **Prince George’s County Police Department**—The Police Department did not provide comments on the subject application.
- j. **Prince George’s County Health Department**—In a memorandum dated October 5, 2017 (Johnson to Kosack), the Environmental Engineering/Policy Program of the Health Department had the following comments/ recommendations:
- (1) During the demolition/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.

The above comment is noted and has been transmitted to the applicant. A site plan note to this effect should be provided on the detailed site plan.

- (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George’s County Code.

The above comment is noted and has been transmitted to the applicant. A site plan note to

this effect should be provided on the detailed site plan.

- (3) Miscellaneous solid waste materials (debris, tires) must be collected and properly disposed to the municipal waste landfill.

The comment has been transmitted to the applicant.

- (4) Any wells or septic system components discovered in the course of site development and grading must be backfilled and/or sealed in accordance with Health Department requirements.

The comment has been transmitted to the applicant.

- k. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated September 27, 2017, WSSC offered comments on this DSP that will be enforced through their separate permitting process.
 - l. **Verizon**—Verizon did not provide comments on the subject application.
 - m. **Baltimore Gas and Electric (BGE)**—BGE did not provide comments on the subject application.
 - n. **City of Bowie**—In a letter dated June 6, 2017 (Robinson to Hewlett), the City of Bowie indicated that the City reviewed the subject DSP and determined that the proposed grading and infrastructure shown on the plan is consistent with the City Council's prior review of the PPS and there are no issues. In addition, the applicant must submit the detailed stormwater management, storm drain and paving plans to the City for approval at the appropriate time. The City of Bowie has no objection to the approval of the DSP.
14. As required by Section 27-285(b) of the Zoning Ordinance, the required findings for a DSP are as follows:
- (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.**

To the extent they are applicable, the subject DSP for infrastructure 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 as set forth herein.

The Planning Board recognizes that the applicant's statement of justification (SOJ) dated July 25, 2017 discusses, in detail, the application's conformance to Section 27-281 (Purposes of

Detailed Site Plans) of the Zoning Ordinance and the site design guidelines set forth in Section 27-274. This discussion is found on pages 8–18 of the applicant’s SOJ. The Planning Board agrees with the applicant’s SOJ, in this regard, and incorporates it by reference in its approval of DSP-17020.

- (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).**

This DSP is in general conformance with Conceptual Site Plan CSP-06002-01, as discussed in Finding 8 above.

- (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.**

Based upon the foregoing analysis, this DSP for infrastructure satisfies the site design guidelines as contained in Section 27-274 of the Zoning Ordinance, prevents off-site 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.

Again, the applicant’s SOJ dated July 25, 2017 discusses, in detail, the application’s conformance to Section 27-281 and the site design guidelines set forth in Section 27-274. This discussion is found on pages 8–18 of the applicant’s SOJ. The Planning Board agrees with the applicant’s SOJ, in this regard, and incorporates it by reference in its approval of DSP-17020.

- (4) **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 in accordance with the requirement of Subtitle 24-130(b)(5).**

The Planning Board found that 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-06002-01 and Type 1 Tree Conservation Plan TCPI-044-98-04; and Preliminary Plan 4-16006 and TCPI-044-98-05. 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 Type II Tree Conservation Plan TCPII-036-99-11, and further APPROVED Detailed Site Plan DSP-17020 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. Clarify the limits and acreage of the DSP on the plan and in the notes.
- b. Demonstrate on the plans temporary accesses to the Melford and Cemetery Historic Site that will be maintained throughout the development process.
- c. Provide the follow site plan notes:

“During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

“During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”
- d. Revise the Type II Tree Conservation Plan as follows:
 - (1) The Environmental Planning Section approval block shall be expanded to include a signature line for the current revision and future revisions. The approval block shall be revised to include the associated case numbers, if applicable, for prior revisions.
 - (2) A revision note shall be added to the cover sheet providing details about the purpose and effects of the ‘11’ revision. The TCP number on the approval block shall be provided in the following format: “TCPII-036-99.”
 - (3) The owner’s awareness on the cover sheet should reference the owner of the Melford Town Center project area, and be signed prior to certification.
 - (4) The limits of the detailed site plan should be indicated on the overall cover sheet map, and be labeled with the DSP application number. The limits of the DSP shall also be shown on individual sheets as appropriate, and the graphic element delineated the limits of the DSP shall be included in the legend.
 - (5) The disposition column in the Specimen Tree Table and the Historic Tree Table shall be completed.
 - (6) A legend shall be provided on all applicable plan sheets. The graphic patterns for woodland conservation methodologies shall be legible in the legend.
 - (7) On all plan sheets, woodland conservation areas shall be labeled by methodology and area.

- (8) Remove all references on plan sheets to the FEMA floodplain panels.
- (9) On Sheet 3, revise the plan to match utility easements shown on the approved TCPI. All existing and proposed utility easements shall be shown, and no woodland conservation shall be credited in a public utility easement.
- (10) Metes and bounds shall be provided for all property lines.
- (11) Identify the graphic pattern used on Sheet 6 on the east side of Curie Drive, and add to legend, or remove from sheet.
- (12) Woodland conservation areas shall be clearly bordered.
- (13) Revise applicable sheets to show the proposed trail and limits of disturbance (LOD) associated with the trail proposed on M-NCPPC property.
- (14) All stormwater management easements shall be shown on the plan.
- (15) All woodland conservation areas shall meet applicable required minimum width and size design standards.
- (16) A planting schedule shall be added to detail sheet to address afforestation/reforestation areas proposed.
- (17) A detail for permanent tree protection fence shall be shown on the detail sheet, including the posting of a woodland conservation sign on the fence.
- (18) Delineate on the plan the location of the permanent tree protection device to protect the vulnerable edges of woodland conservation planting area associated with the current DSP. Add the graphic element to the legend.
- (19) Delineate on the plan the location of temporary tree protection devices for woodland preservation areas retained within the construction zone for the limits of DSP. Add the graphic element to the legend.
- (20) Revise the Woodland Conservation Summary Table to add the acreage of Lot 2, in Pod 7, to the list of "Previously Dedicated Land," and woodland preservation should no longer be credited on Lot 2. Affected plan sheets, calculations and tables shall be adjusted to reflect this change.
- (21) All tables and calculations shall be revised as needed to reflect the required revisions.
- (22) Have the revised plan signed and dated by the Qualified Professional who prepared it.

2. At time of the first detailed site plan that proposes development of the subject property, the applicant shall:
 - a. Provide an exhibit that illustrates the location, limits, specifications and details of all off-site improvements required in Condition 10 of PPS 4-16006 (PGCPB Resolution No. 17-45).
 - b. Provide the design and details for the trailhead facility required in Condition 11 of Preliminary Plan of Subdivision 4-16006 (PGCPB Resolution No. 17-45).
3. Prior to issuance of grading permits for the site, the applicant shall:
 - a. Submit a copy of the technical stormwater management plan to be reviewed for conformance with the detailed site plan and the Type II tree conservation plan.
 - b. Submit a copy of the approved erosion and sediment control plan, to be reviewed for conformance with the limit of disturbance shown on the Type II tree conservation plan.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, December 7, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of December 2017.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:JK:arj

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November 14, 2019

VIA HAND DELIVERY

Mr. Henry Zhang
Master Planner, Urban Design Section
Development Review Division
Prince George's County Planning Department
The Maryland-National Capital Park and Planning Commission

**RE: Detailed Site Plan 19052 (the "Melford Mansions")
Melford Town Center (formerly known as "Melford Village")
REVISED STATEMENT OF JUSTIFICATION**

Dear Jill:

On behalf of our client, St. John Properties, Inc. (the "Applicant"), please accept this revised Statement of Justification in support of Detailed Site Plan **19052** for nine (9) multifamily residential buildings and one (1) clubhouse building (the "DSP"). Specifically, the proposed application requests approval of a detailed site plan for 435 multifamily units within nine separate residential buildings and one 12,000 ± square foot clubhouse within the northeast neighborhood of the Melford Town Center project to be known as the "Melford Mansions". The Melford Town Center represents a portion of the overall Melford mixed-use project.

I. DESCRIPTION OF SUBJECT PROPERTY

The subject property is located at 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. The site is in the Mixed-Use Transportation Oriented (M-X-T) Zone. This Melford Town Center consists of 129.16 acres located in the center portion of the overall Melford development. The site is bounded to the north by office and medical office uses in the M-X-T Zone; to the east by vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the M-X-T Zone; to the south by office, medical office, and research and development uses ("flex-space") in the M-X-T Zone, and beyond 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. The property is located within the City of Bowie.

II. ZONING AND DEVELOPMENT HISTORY

In 1982, the overall Melford development (formerly known as the “Maryland Science and Technology Center”) was rezoned from the R-R (Rural-Residential) zone to the E-I-A (Employment and Industrial Area) zone for the development of up to 6.4 million sq. ft. A Comprehensive Design Plan (CDP) was approved for the property in 1986. Between 1986 and 2005, several Specific Design Plans (SDPs) and Preliminary Plans of Subdivision were approved for the development.

In 2006, the overall Melford development was rezoned from the E-I-A zone to the M-X-T zone, via the *2006 Bowie and Vicinity Master Plan and Sectional Map Amendment* (the “2006 Master Plan”). A Conceptual Site Plan (#CSP-06002) was approved by the District Council in 2009, which allowed additional development of up to 425,000 square feet of office space, 330,000 square feet of flex space and 200,000 square feet of retail space over and above the existing (or approved) 1.5 million square feet of employment space. In 2014, the County Council approved an update to the County’s General Plan (the “2035 General Plan”) which focused future residential and commercial growth in different development “centers” designated throughout the County. The 2035 General Plan designated the entire Melford project as part of the “Bowie Town Center.” Said center designation anticipates an increased residential density and mix of uses for the Melford development.

In 2015, a revised Conceptual Site Plan (CSP-06002/01) for a mixed-use development containing up to 2,500 single-family attached and multi-family (both market and senior age-restricted) residential units, 260,000 square feet of office space and 268,500 square feet of retail space was approved by the District Council. The vast majority of these additional uses will be located within the Melford Town Center boundaries.

On or about March 9, 2017, the Prince George’s County Planning Board approved Preliminary Plan 4-16006 (the “PPS”) for the Melford Town Center project. The PPS approved 256 lots and 50 parcels to accommodate 359,500 square feet of commercial uses (124,500 square feet of commercial/retail, & 235,000 square feet of office/medical office) and 1,793 residential dwelling units (293 attached units and 1,500 multifamily units). Multiple detailed site plans have been approved for the project including a plan for rough grading (DSP-17020), a 388-unit multifamily building (the “Aspen”; DSP-18007), 57,845 square feet of retail (the “Retail Village East”; DSP-18026) and infrastructure for townhouses/attached units (DSP-18034).

III. OVERVIEW

The instant DSP request is for construction of 435 multifamily units within nine (9) separate residential buildings and one 12,000 ± square foot clubhouse within the “Northeast” neighborhood of the Melford Town Center. The proposed multifamily buildings will be located on approximately 10.954 acres located near the intersection of the future “Lake Melford Avenue” and existing Curie Drive. Details related to the proposed buildings are as follows:

Building Information:

I. Overall Residential Building Totals:

Building	Unit Total	Residential GFA	1st Floor Garage GFA	Garage Level (Basement)
1	43	55,388	5,112	-
2	41	53,000	7,500	-
3	44	56,162	4,338	-
4	38	48,400	-	12,100
5	38	48,400	-	12,100
6	43	54,730	5,770	-
7	45	58,270	2,230	-
A	72	94,068	18,792	22,572
B	71	94,068	18,792	22,572
9 Building Total:	435	562,486	62,534	69,344

II. Residential Unit Type Breakdown:

Building	One (1) Bedroom	Two (2) Bedroom	Two (2) Bedroom DEN	Three (3) Bedroom
1	16	22	4	1
2	16	20	4	1
3	17	22	4	1
4	14	19	4	1
5	14	19	4	1
6	17	21	4	1
7	16	24	4	1
A	40	12	0	20
B	38	12	0	21
Total:	188	171	28	48
Percentages:	43%	39%	6%	11%

435
100%

III. Amenity Building Totals:

Building	GFA
Club House	10,250
Bathhouse	1,750
Total:	12,000

IV. GFA Totals:

	Residential GFA	1st Floor Garage GFA	G1 Level (Basement GFA)	Club House GFA	Bathhouse GFA	Total GFA	Total GFA Basement Included
GFA Total	562,486	62,534		10,250	1,750	637,020	
G1 Level (Basement GFA)			69,344			69,344	706,364

The multifamily buildings will be 4 to 5 stories in height with either individual interior garage spaces (with individual garage doors and driveways) or podium style structured parking opportunities (Buildings "A" and "B"). Surface parking spaces will also be provided and will be available to residents through controlled access points. The clubhouse building will include a pool and bathhouse and will be 1 story in height. The building architecture for this project has been inspired by the Melford House and Belair Mansion as well as the adjacent Aspen building (to be constructed). The buildings offer a variety of building materials and features including brick veneer (in six colors), four masonry colors, eight colors of cementitious siding, asphalt shingles and standing seam metal roof element in three colors. The buildings also use a variety of columns and dormers to create interest and connect the structures to other prominent buildings

in the area. All the buildings, except the 1 story clubhouse, are served by elevators. The project also includes the final portion of the plaza at the intersection of Lake Melford Avenue and Curie Drive intersection. The initial portion of this plaza was approved as part of the detailed site plan for the adjacent Aspen multifamily building. The current proposal for the remaining area of the plaza has a deliberately “greener” feel with more grass and plantings that will create a softer transition to the Mansion buildings.

The Detailed Site Plan has been prepared in accordance with the following criteria:

1. Requirements for development in the M-X-T Zone
2. Requirements for the approval of Detailed Site Plans

IV. DEVELOPMENT SUMMARY & PLANNING CONSIDERATIONS

1. **Development Data Summary** - The following information relates to the subject DSP application:

Zone	EXISTING	PROPOSED
	M-X-T	M-X-T
Use(s)	Vacant Site	Multifamily Residential
Acreage (Gross)	53.95(Existing Par.)	10.954
Building Square Feet (GSF)	0	562,486
Structured Garages (GSF)	0	131,876
Parking Spaces	--	--
Standard Spaces	0	485
Compact Spaces	0	168
Handicapped Spaces	0	25
Van Accessible	0	13
Total spaces	0	697
Loading Spaces (15 ft. x 33 ft.)	0	2
Residential Units	N/A	435
Variance	No	No

2. **General and Master Plan Compliance:**

Plan Prince George’s 2035 Approved General Plan – The DSP is only for residential uses. Notwithstanding, the uses presented in this DSP will be used to ultimately support the total mix of uses approved in the CSP and the PPS (including retail and office uses). Said applications were approved, in part, based on the recommendations of the approved 2035 General Plan. 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. 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. All of these elements form the essence of the Melford Town Center.

The Melford Town Center proposal approved in CSP-06002-01, and carried forth through PPS 4-16006, does not exceed the development limits for a "Local Town Center" as defined by the 2035 General Plan. Specifically, the proposed development for CSP-06002-01 was based on the gross acreage of approximately 276.68 acres (roughly 9.0 dwelling units per acre, and less than 10-60 dwelling units per acre recommended for Town Centers), with an overall floor area ratio ("FAR") of .47-.70 (less than the 1.0-2.5 FAR recommended for Town Centers). Further, the overall Melford project is primarily automobile oriented with access from two arterial highways (via an interchange with US 50/MD 3). The existing transportation infrastructure abutting the overall Melford project was the result of a significant public investment by the State of Maryland through the construction of elevated interchange ramps leading from US 50/MD 3 directly into the main entrance of the project. Notwithstanding this automobile orientation and infrastructure, the compact and sustainable layout of the Melford Town Center and its mix of uses encourages workers and residents at Melford to live, work and play in the same area. By locating residences and jobs proximate to each other, this thoughtful neighborhood planning concept incorporates sustainable design elements that encourage walking, bicycling, and the potential for public transportation for daily commuting. As evidenced by the approved Design Guidelines for the Melford Town Center approved in the CSP (and as reflected in the lotting and street grid patterns proposed in the approved PPS), the Melford Town Center will have a "walkable core" consisting of the main plaza with a horizontal mix of uses including office, retail and residential. Further, the Melford Town Center plan represents a vibrant and compact mix of dwelling types including multifamily units (both market rate and senior age restricted) and townhomes.

The instant detailed site plan represents a portion of the overall residential density and use mix planned for the Melford Town Center through the approved CSP and PPS. The 435 residential dwelling units does not exceed the total units approved in both the CSP (2,500 units) and the PPS (1,793). Furthermore, the location of the Melford Mansions (within the greater Melford Town Center) is located at the core of the overall project approved in the CSP and PPS. As such, the buildings' design, massing and location at the intersection of the future Lake Melford Avenue and existing Curie Drive provides excellent proximity to the future main plaza as well as the variety of other uses (i.e. office, (future) retail and (future) recreational amenities) within the Melford Town Center (and the overall Melford project). Thus, the development proposed in this DSP promotes the 2035 General Plan's concept of a "walkable core" with opportunities for excellent pedestrian, bicycle and automobile access to other uses located horizontally throughout the project.

2009 Master Plan of Transportation (MPOT) – There are no identified improvements pursuant to recommendations contained in this plan or 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) that impact the proposed Detailed Site Plan.

2010 Water Resources Functional Master Plan – The instant DSP been reviewed against the recommendations in this plan and have been found to be consistent with the policies therein because sensitive environmental features are preserved and the Applicant intends to use environmental site design (ESD) concepts (as required by its approved stormwater management concept plan) in developing the property as recommended by the 2010 Plan. The property is identified as having existing water and sewer category classifications of W-3 and S-3 (Public water and sewer service exist).

2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B The instant DSP is for the additional residential buildings within the Melford Town Center. The 2006 Master Plan does recognize that Melford is to be a mixed-use center with residential, office and retail components. As noted earlier, the CSP and PPS applications for the Melford Town Center established the amounts of residential and commercial/offices uses that are permitted within the overall project. Both the CSP and PPS were evaluated against the appropriate portions of the 2006 Master Plan. The 2006 Master Plan recommended that Melford be developed with up to 866 residential units. It should be noted that after approval of the 2006 Master Plan, the Prince George’s County District Council approved the 2035 General Plan, which included all of Melford with in the new “Bowie Town Center” designation. This new center designation for the project also included residential density recommendations of 10-60 dwelling units per acre within the Bowie Town Center. This drastically increased density recommendation by the later approved 2035 General Plan represents a clear rationale for a departure from the lower and obsolete density recommendations in the earlier 2006 Master Plan.

The Zoning Ordinance provides guidance regarding the impact and relationship of general plans with master plans and functional master plans. Specifically, Section 27-640 (a) of the Zoning Ordinance states the following regarding the approval of a general plan, and its effect on a previously approved master plan:

Sec. 27-640. Relationship between Master, General, and Functional Plans.

*(a) When Functional Master Plans (and amendments thereof) and General Plan amendments are approved after the adoption and approval of Area Master Plans, the **Area Master Plans shall be amended only to the extent specified by the District Council in the resolution of approval.** Any Area Master Plan or Functional Master Plan (or amendment) shall be an amendment of the General Plan unless otherwise stated by the District Council. (Emphasis Added).*

On or about May 6, 2014, the District Council approved CR-26-2014 approving the 2014 General Plan. Specifically, the opening recital in CR-26-2014 states:

WHEREAS, upon approval by the District Council, Plan Prince

George's 2035 General Plan will supersede the 2002 Prince George's County Approved General Plan and amend current approved master plans and functional master plans to incorporate the Countywide goals, objectives, policies, and strategies for the implementation of these comprehensive long-term growth and development in Prince George's County; and (Emphasis Added; See CR-26-2014, p.1).

It should be noted that the 2035 General Plan supersedes and amends the February 2006 Approved Bowie and Vicinity Master Plan and Sectional Map Amendment (the “2006 Master Plan”) pursuant to language contained in County Council Resolution CR-26-2014.

The relevant portions of the text of the 2035 General Plan states the following regarding the “implementation” of said plan and its impact on existing master plans:

PLAN ADMINISTRATION

Consistency with County Planning Efforts

Sector, Master, and Functional Plans Approved Prior to Plan 2035
Plan 2035 represents a new vision for future growth and development in the County as well as new implementation tools, priorities, and strategies. Plan 2035 recognizes, however, that a number of master and sector plans, along with development and transit district plans associated with overlay zones, are based upon recommendations in the 2002 General Plan. All planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035 shall remain in full force and effect, except the designation of tiers, corridors, and centers, until those plans are revised or superseded by subsequently adopted and approved plans. Plan 2035 is intended to represent a new vision which will be implemented over many years, through the adoption of small area sector, master and other development plans and studies, as well as through zoning via sectional map amendments. In the interim, prior to adoption or approval of superseding small area plans, and, as appropriate, Plan 2035 policies may be noted and discussed for purposes of required master plan conformance. (Emphasis Added) See 2035 General Plan, p. 270.

As mentioned previously, the 2035 General Plan establishes the long-term goals for the location, type and quantity of residential density throughout the County with an emphasis on the various “centers” (including the Bowie “Town Center”). See 2035 General Plan, p. 106-118. With regards to the “Town Center” designation for Melford, it is clear that the 2035 General Plan placed an emphasis on increased residential density and a horizontal mix of uses in such local centers. Considering that the various “center” types (including the Local “Town Center” designation) had never existed previously in any

prior County planning documents, the 2035 General Plan appropriately amended the applicable 2006 Master Plan for Melford to reflect the Local Town Center designation. As a result, previous residential density recommendations initially contained within the 2006 Master Plan have since been superseded and amended by the specific density recommendations for Local Town Centers found in the 2035 General Plan.

Prior to the approval of the 2035 Master Plan (that amended and superseded the 2006 Master Plan as discussed above), the 2006 Master Plan addressed Melford within its chapter on economic development and envisions that the overall emphasis will remain on maximizing employment so that it becomes a “major employment and mixed-use venue within the county.” The plan recommends the following in reference to Melford:

“Zoning and neo-traditional design provides a mixed-use environment at Melford to diversify economic development opportunities, consistent with public facility requirements. This mix of uses may include: office, research and development, educational, governmental, moderate density residential, retail (oriented toward serving the workers and residents of the area), hotel and conference center. Protection of environmentally sensitive areas along the Patuxent River, the ponds, the designated historic site of Melford, and its location at the MD3/US 50/US301 interchange offer unique opportunities for developing and marketing the site.”

The above master plan recommendations are supported by the addition of the proposed residential uses that are essential to the sustainability and growth of Melford as a true synergistic mixed use “center”. Additionally, the historic Melford House and the nearby Duckett family cemetery are preserved and maintained as the centerpiece of the entire development and will form the core of Melford Village.

The 2006 Master Plan also addresses the overall development of Melford as a component within the previously approved 2002 General Plan’s “Developing Tier.” Accordingly, the ultimate development within the Melford Town Center addresses all five of the 2006 Master Plan’s “planning issues” associated with the Developing Tier (2006 Master Plan page 9) by placing emphasis on the following:

- Designing a cohesive and interconnected pedestrian-oriented mixed-use environment that encourages pedestrian circulation among all elements and creates a sense of place;
- Providing far greater diversity in complementary housing types and densities than presently exist in the area;
- Protecting the character of existing neighborhoods and quality of housing simply by the project’s isolated location in the center and rear portions of the overall Melford site;
- Fulfilling the master plan’s identified need for senior housing; and
- Achieving a comprehensively designed high-quality mixed-use

community wherein all uses are located to complement one another and the site’s various amenities.

The instant DSP request for the Melford Mansions represents a proposal for development of a compact and sustainable residential buildings that fully supports the mixed-use concept approved in the CSP and the PPS. The proposed buildings will be located proximate to future retail and amenity spaces planned for the Melford Town Center (that will be reflected in future DSP applications). The development proposal is respectful to the adjacent environmental setting for the Melford historic site and avoids impacts to sensitive environmental areas within the site. The proposed building also places future residents within walking distance of employment opportunities within the greater Melford project (thus potentially reducing reliance on automobile trips). Moreover, the project leverages existing public and private roads and infrastructure to support the proposed use (including the significant public infrastructure investment made by the State of Maryland when it built direct interchange access into the site from US 50/MD 3). As such, the DSP proposal also fulfills many of the 2006 Master Plan’s pertinent goals and policies such as:

- Providing a compact, high-intensity, pedestrian-oriented community (that encourages responsible and sustainable development);
- Enhancing the compact, planned employment area at Melford;
- Preserving and enhancing environmentally sensitive areas;
- Protecting and maintaining the unique historical character of the Melford estate while creating an appropriate adaptive reuse of the mansion to make it a center piece for the community; and
- Balancing development with the provision of adequate public facilities and services that already exist.

3. Conformance with the Design Guidelines approved with CSP-06002/01:

Organizing Principles:

CSP-06002/01 includes a 67-page Design Guideline book titled “Melford Village Design Guidelines.” This book articulated the design and organizing principles for what is now known as the Melford Town Center. The Design Guidelines envisions that the Melford Town Center will become a premier mixed-use walkable community within the City of Bowie and Prince George’s County. As such, a variety of commercial and residential uses are proposed within the Design Guidelines for various areas of the overall site. The main organizing principles of the Design Guidelines (p.10) are:

1. *Axes: East-west and north-south boulevards shall intersect at the main plaza and terminate at the amphitheater.*
2. *Neighborhoods: Four neighborhoods are created by dominant axes.*

3. *Walkability: The main plaza shall be within a 5-minute walk of each neighborhood.*
4. *Development Opportunities: Parcels shall be defined by rational blocks.*
5. *Natural Amenities: Neighborhoods shall be surrounded by existing natural and historic amenities*
6. *Density: The building footprints shall define an urban edge along the axial boulevards and create desirable densities.*

RESPONSE: The proposal for the Melford Mansions is in conformance with these organizing principles for the Melford Town Center. Specifically, the development of certain multifamily buildings (Buildings 6, A and B) in this proposal will have massing along the future Lake Melford Avenue, representing a compact and rational block of development within the Northeast Neighborhood. The setback of the proposed buildings along this roadway will create an urban edge along its frontage of Lake Melford Avenue. Further, the Melford Mansions will provide the development of a significant portion of the main plaza planned for the entire project. This portion of the plaza will be within a 5-minute walk of all areas of the Melford Town Center.

Northeast Neighborhood:

The Northeast Neighborhood includes the land area for the Aspen. The Northeast Neighborhood requirements (p. 30-31) include the following:

- *Respect and respond to the primary boulevards*
- *Develop a waterfront amenity (such as an amphitheater) along the lower pond to terminate at the East-West Boulevard*
- *High density multifamily shall front the Northeast corner of the Village plaza*
- *Provide connections to surrounding developments and amenities*

RESPONSE: This detailed site plan will be developed in a manner consistent with the above requirements for the Northeast Neighborhood. The proposed buildings will have pedestrian pathways adjacent to all four sides of the Melford Mansion parcel(s) to allow for maximum interconnectivity to surrounding uses. The site will also provide access to the future master plan trail along the lower pond and land dedicated by the Applicant to the M-NCPPC. Further, the placement of the Melford Mansion buildings has been designed to activate and define its frontage along the east-west boulevard (Lake Melford Avenue) and Curie Drive (See Buildings 1, 6, 7, A and B). This will include appropriate setbacks from the edge of curb, appropriate street trees, furniture and lighting, and the opportunity to develop a substantial portion of the main plaza for the Melford Town Center. The location of the buildings (and their proposed lots) for the Melford Mansions

respects the 2 view corridors approved for the Melford House and Duckett Family Cemetery. Further, the architecture for the Melford Mansions responds to architectural cues from the Melford House including use of masonry materials, complimentary façade colors, use of metal seam roof elements, design of window elements, and the overall massing and height of the buildings (allowing the Melford House to remain the highest and most prominent structure in the center of the Melford Town Center). It should be noted that the eastern terminus of Lake Melford Boulevard will be constructed in connection with future development immediately to the east of the Melford Mansions' site. This future detailed site plan will also include details for the planned amphitheater along the lower pond that will ultimately be constructed by the Applicant.

Criteria for "Multi-Family Villas": The Melford Mansions are essentially the "multi-family villas" described in the Design Guidelines (p. 41). The following design criteria for multi-family villas are appropriate for the Melford Mansions:

- *Generally buildings placed along Lake Melford Avenue should have 80% of street facing facades between 0 and 25 feet from the back of sidewalk.*
- *Buildings along boulevards are strongly encouraged to have street-facing facades between 0 and 15 feet from sidewalk or existing PUE where feasible.*

RESPONSE: Approximately 100% of the facades of buildings 6, A and B are between 0 and 25 feet from the back of sidewalk. (See Attached Exhibit 1).

- *Garages: Private garages may be incorporated into the first floor of the building on sides not fronting a primary street. A minimum driveway depth of 18' but no more than 24' must lead to each garage permitting a second parking space for each unit.*

RESPONSE: The parking for the Melford Mansion buildings with individual garages conforms to the above criteria.

V. RELATIONSHIP TO REQUIREMENTS IN THE ZONING ORDINANCE:

A. 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 2006 Master Plan as described in Section IV of this statement of justification.

- (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: The residential buildings proposed in this DSP is geographically located at the site of a major interchange of two highways (i.e. US 50 and MD3/US 301). As mentioned in Section IV in this statement of justification, the site is also located within the boundaries of a local center as designated by the 2035 General 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 2006 Master Plan as described in Section IV in this statement of justification. The residential building proposed in this DSP will represent the first building within the vibrant mixed-use community known as the Melford Town Center. Additional details pertaining to other portions of the Melford Town Center will be determined in future DSP applications.

(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 residential buildings 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 residential buildings will be a part of the vibrant mixed-use community planned within the boundaries of the Melford Town Center. If this development were not to move forward, said residential uses 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 the Melford Town Center as contemplated in CSP-06002/01. The street system in the Melford Town Center 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 residential uses will support the eventual creation of a larger and vibrant mixed-use community (as further realized through other detailed site plan applications for the project).

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

RESPONSE: The proposed residential uses 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 the Melford Town Center.

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

RESPONSE: The proposed residential uses 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. The Stormwater Management Concept Plan (#02-0417-207NE15) was approved by the City of Bowie, with conditions, on April 19, 2017 and expires on April 19, 2020. The conditions of approval require payment of a fee-in-lieu for future retrofit by the City of existing stormwater management ponds to handle 10-year and 100-year storm attenuation. The overall Melford Town Center will have up to 10% of its surface parking spaces utilizing pervious pavement (provided underlying soil conditions allow for such materials). Moreover, the Melford Mansions will contain structured parking facilities (in the form of garages and podium style parking on the first floors of residential buildings) including a total of 234 spaces. The incorporation of structured parking represents a compact and sustainable development technique that will reduce the amount of impervious surfaces that would otherwise be needed to support a surface parking lot.

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

RESPONSE: The approval and construction of the residential building proposed in this DSP will ultimately allow the Melford Town Center to develop in a manner that will permit a flexible response to market conditions. The creation of a residential population within the Melford Town Center will encourage the development of new and complimentary retail opportunities that otherwise would not come to the site given the lack of a 24-hour population presence. The retail uses will also 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 well-conceived and thoughtful structural and architectural design elements that responds to existing site conditions (i.e. topography, environmental conditions). Further, the architecture utilizes materials that are complimentary and sympathetic to the adjacent Melford House. Specifically, the proposed building utilizes brick, other masonry materials and architectural features that respond to the federal style architectural elements present within the Melford House. The location and height of the building allows the Melford House to remain the highest building within the project, while at the same not interfering with the 2 view corridors approved as part of the CSP design guidelines.

(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:

(I) General

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

RESPONSE: The proposed residential uses in this DSP are consistent with the design approved in CSP-00002/01 for a mixed-use community. The location of the Melford Mansions buildings were designated as a future multifamily residential site in both the CSP and the PPS. Additionally, the Melford Mansions will allow for the creation of a significant portion of the main plaza within the project (at the

intersection of the future Lake Melford Avenue and Curie Drive) which was intended as a primary community element within the CSP.

(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 instant DSP proposes 234 of its parking spaces to be located within multiple structured parking facilities. Further, the structured parking will be on the respective first floor of each residential building being proposed. This will allow many persons to park their vehicle within the same building as their residential unit. The construction of the proposed structured parking in this application will reduce the provision of large, uninterrupted expanses of pavement used for a traditional surface parking lot.

(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 2 exterior loading areas are shown on the DSP and are in conformance with the above requirements.

- (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 residential uses in this DSP is consistent with the design approved in CSP-00002/01 for a mixed-use community. The construction of the east/west boulevard (Lake Melford Avenue) through the site will implement a vital circulation element identified in the CSP. The proposed driveway entrances for the Melford Mansions will be complimentary to the planned road network in this portion of the site. 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. All prominent on-site elements, such as the main entrance to each building and any structured parking garage, will be consistently lit throughout the appropriate portions of the day. The site will also incorporate full cut-off optics to limit light spill-over into adjacent properties.

(4) *Views.*

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

RESPONSE: The instant DSP proposes a thoughtfully designed residential structures that preserve scenic views. Primarily, views to and from the Melford Historic Site (both the house and cemetery) will be maintained as required by the design guidelines approved with the CSP. It should be noted that no grading is proposed within the environmental setting for the Melford House or Duckett Family Cemetery. Further, the architecture utilizes materials that are complimentary and sympathetic to the adjacent Melford House. Specifically, the proposed building utilizes brick, other masonry materials and architectural features that respond to the federal style architectural elements present within the Melford House. The location, shape and height of the building allows the Melford House to remain the highest structure and a prominent building within the project.

(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 appropriate green areas for the proposed building. Specifically, the Aspen will utilize multiple interior courtyards to place appropriate amenities for the residents. Amenities will include a clubhouse building with an outdoor pool (with courtyard, seating area, grills and a cabana-style lounge), and an associated bathhouse. The square footage of this clubhouse will be approximately 12,000 square feet. Moreover, the project will also contribute a significant portion of the main plaza that will include a gazebo, significant seating space (with street furniture/benches), and decorative pavers.

(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 contains details relating to the proposed streetscape amenities and hardscape (See Sheets 10 through 14). The proposed streetscape amenities will contribute to an attractive and coordinated design to be shared throughout future sections of the Melford Town Center development.

(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. The design of the building essentially is designed to absorb and respond to the falling grades present at the site. As such, the proposed buildings slightly steps down to be compatible with prevailing topographical conditions in this portion of the Melford Town Center.

(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: The service areas are located within each building proposed in this application. Access to loading areas will be via internal driveways and will be open to all residents. The buildings themselves will effectively screen views into the service/loading areas.

(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 includes a significant portion of the main plaza that will include a large gazebo, significant seating space (with street furniture/benches), and decorative pavers. This public space will be easily accessible to residents and visitors of the entire Melford Town Center project. The plaza space will be fed by a pedestrian sidewalk network framing both sides of the surrounding public street network.

(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 multifamily buildings in this DSP conform to the relevant portions of the Design Guidelines approved with the CSP. Specifically, the Melford Mansions represents "Multi-Family Villas" described on page 41 of the approved Design Guidelines. Additionally, the building meets all the required frontage requirements contemplated along the future east/west boulevard as described on page 37 of the approved Design Guidelines. The proposed buildings include five stores along Lake Melford Avenue, exceeding the 3-story minimum height requirement on page 38 of the Design Guidelines. Further, all elevations of the proposed building are treated like a "front-façade" by use of high quality brick and masonry materials (such as cementitious fiber board) on all sides of the building. The proposed elevations of the building utilizes a variety of colors and materials and architectural façade projections to create visual interest.

(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 neighborhood. The proposed multifamily buildings in this DSP is consistent with the design principles approved in CSP-00002/01 for “multi-family villas” to be located along the future Lake Melford Avenue. 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. 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”) that did not exist at time the 2006 Master Plan was approved. As such, the development recommendations for Melford

in the 2035 General Plan (as part of the Bowie local "town center" designation) are unquestionably more current and accurate than the earlier, arbitrary, and out of date development recommendations found in the 2006 Master Plan. Maryland appellate caselaw stands for the proposition that planning documents serve as mere guides and are not mandatory conformance elements during the review of entitlement/zoning applications such as a detailed site plan. As such, it is certainly a reasonable alternative for the Planning Board to support the proposed detailed site plan in light of its conformance to the most recent and relevant planning considerations and land use policy goals proposed for local town centers in the 2035 General 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 only street proposed for development under the current DSP is a portion of Lake Melford Boulevard. This future roadway will have wide sidewalks developed on each side of the roadway to accommodate pedestrian traffic accordingly (See DSP Sheet 9). Further details about the pedestrian system proposed for the Melford Town Center will be reflected in each proposed/approved detailed site plan (as appropriate).

(2) *The proposed floor area ratio;*

RESPONSE: The total floor area ratio proposed (via the instant and previously approved DSPs) for the Melford Town Center conceptual design plan area **0.72 FAR** (7,391,642 SF / 236.1 AC). This is well below the maximum 1.4 FAR approved for the overall Melford Town Center in the CSP.

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

RESPONSE: This DSP contains details pertaining to the location and square footage of each use on sheet(s), See the Architectural Schematic Design Package.

(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 Town Center. 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 the Melford Town Center 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 multifamily units proposed in this application (i.e., 435 units), will not exceed the total available FAR for the Melford Town Center project.

(5) Areas proposed for landscaping and screening;

RESPONSE: The Landscape Plan is shown on sheet DSP-10 and is designed in compliance with the applicable requirements of the County's 2010 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 DSP plan sheets illustrate the physical and functional relationships of the uses between each proposed multifamily building (and the associated community building). The DSP plan sheets also reflects how the proposed building relates with surrounding elements of the Melford Town Center project (via street grid, sidewalk locations, public open space location and design, etc.).

(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. Further infrastructure will be constructed as part of the initial development phases for this project. Similarly, the Applicant has completed significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for the future Melford Town Center 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 the future Melford Town Center traffic (pursuant to the County's approved Transportation Design Guidelines). It should also be noted that the Melford Town Center project was evaluated for adequate public facilities as part of the preceding PPS (4-16006). Said PPS was recently approved and it was determined that adequate public facilities either exist or will be provided by the Applicant (per condition) to serve the proposed subdivision as required under the Subdivision Regulations. The Applicant hereby incorporates the Planning Board's resolution of approval for the PPS by reference and contends that the same findings of adequacy should be made again for this DSP.

(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 (i.e. the future Lake Melford Avenue) and pedestrian systems as reflected on the DSP. Further details about the overall transportation network (including pedestrian, bicycle and automobile connectivity) will be reflected on detailed site plans for surrounding uses and in conformance with the Design Guidelines approved with CSP-06002/01. 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 2006 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 instant DSP proposes high-quality residential buildings as described herein. The proposed development has been designed in anticipation of additional uses and structures that will be developed in future phases of the project. Details regarding future uses,

building design and public amenities will be reflected in future approved/proposed detailed site plans.

- (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 (albeit through the processing and approval of separate building permits for each structure).

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

RESPONSE: The overall Melford Town Center 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. A modified grid road network will be proposed in future detailed site plans 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. In his review of the prior CSP-06002/01 application, the M-NCPPC Trails Coordinator determined that the trail limits and alignment are acceptable as shown on the submitted trail construction plans and fulfill the master plan recommendations for a trail along the stream valley.

- (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: Details pertaining to areas for pedestrian activities and gathering spaces (particularly at the community building and the plaza) have been provided in the DSP plan sheets. The design of these areas reflects a well-conceived design with attention to material type, landscaping, street furniture to give these spaces a well-defined sense of place.

- (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 the future Melford Town Center traffic (pursuant to the County's approved Transportation Design Guidelines). It should also be noted that the Melford Town Center project was evaluated for adequate public facilities as part of the preceding PPS (4-16006). Said PPS was recently approved and it was determined that adequate public facilities either exist or will be provided by the Applicant (per condition) to serve the proposed subdivision as required under the Subdivision Regulations. The Applicant hereby incorporates the Planning Board's resolution of approval for the PPS by reference and contends that the same findings of adequacy should be made again for this DSP.

(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 Town Center. 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 the Melford Town Center 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 total floor area ratio proposed (via the instant and previously approved DSPs) for the Melford Town Center conceptual design plan area **0.72 FAR** (7,391,642 SF / 236.1 AC). This is well below the maximum 1.4 FAR approved for the overall Melford Town Center in the 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 location of the proposed uses in this DSP application will be within 9 residential buildings and 1 community building.

(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. Said dimensions are consistent with the approved Design Guidelines approved as part of the CSP.

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

RESPONSE: All landscaping will be provided in accordance with all 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: The total floor area ratio proposed (via the instant and previously approved DSPs) for the Melford Town Center conceptual site plan area is 0.72 FAR (7,391,642 SF / 236.1 AC).

- (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 are proposed.

- (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 4-16006.

- (h) Townhouses developed pursuant to...*

RESPONSE: The instant DSP is for multifamily residential buildings only. No townhouses are proposed within the area of this 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 proposes multifamily buildings with a maximum of 5 stories. The building height does not exceed 91 feet.

- (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 Detailed Site Plan.

(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.

RESPONSE: The Melford Mansions DSP proposes 697 total parking spaces. This amount of spaces is consistent with the minimum number of spaces established by the Design Guidelines (p. 67, Appendix B). Further, the Design Guidelines assumes that 100% of the minimum requirement for Multi-family units (i.e. 1.5 spaces per dwelling unit or 653 spaces) will be needed between the hours of 5pm and midnight during the weekday, and 6am-midnight during the weekend (See p. 67).

(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).

RESPONSE: The number of spaces required under Section 27-568 is as follows:

1 BR	188 x 2.0/unit =	376 spaces
2BR	199 x 2.5/unit=	498 spaces
3BR	48 x 3/unit=	144spaces

TOTAL = 1018 spaces

(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.

RESPONSE: Please see attached memo from Lenhart Traffic Consultants dated May 20, 2019 demonstrating how the development in the instant DSP only requires a minimum of 696 spaces pursuant to Section 27-574 of the Zoning Ordinance.

(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.

RESPONSE: Please see attached memo from Lenhart Traffic Consultants dated May 20, 2019 demonstrating how the development in the instant DSP only requires a minimum of 696 spaces pursuant to Section 27-574 of the Zoning Ordinance.

- (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.***

RESPONSE: Please see attached memo from Lenhart Traffic Consultants dated May 20, 2019 demonstrating how the development in the instant DSP only requires a minimum of 696 spaces pursuant to Section 27-574 of the Zoning Ordinance. As such, there is no reduction of spaces necessary as the Applicant exceeds the minimum number of spaces (i.e. 697 spaces total proposed). The Melford Town Center will also have opportunities for an ample number of on-street parking spaces which residents and their

visitors can take advantage of, as shown in the parking exhibit included herein.

(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: As mentioned above, the base requirement for the Melford Mansions is 696 spaces. This DSP provides 697 spaces and is in excess of the base requirement set forth in Section 27-574(b)(3). The Melford Town Center will also have opportunities for an ample number of on-street parking spaces which residents and their visitors can take advantage of.

(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 Aspen is not proposing to meet its minimum parking requirement for off-street spaces on any lot beyond the 4 corners of this application. This DSP provides 697 spaces which is in excess of the base requirement set forth in Section 27-574(b)(3). The Melford Town Center will also have opportunities for an ample number of on-street parking spaces which residents and their visitors can take advantage of.

VI. CONFORMANCE TO CSP AND PPS CONDITIONS:

- A. The District Council approved CSP-06002/01 for a mixed-use development containing up to 2,500 single-family attached and multi-family (both market and senior age-restricted) residential units, 260,000 square feet of office space and 268,500 square feet of retail space. The following conditions are applicable to detailed site plan review:

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.*

RESPONSE: Impervious surfaces in this application are minimized to the fullest extent possible in accordance with the approved Stormwater Management Concept Plan. As mentioned previously in this statement of justification, the proposed multifamily buildings will be supported by interior structured parking elements (including either an individual garage space or podium style parking). The project will also provide 10% of its surface parking spaces with pervious pavement (if soil conditions allow).

- 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.*

RESPONSE: The instant DSP respects the approved 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.

- 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.*

RESPONSE: The utility installation proposed in this application has been designed to minimize any impacts to environmentally sensitive areas. Any area cleared for this purpose will be reforested.

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.

RESPONSE: The instant DSP space does not intrude into any planned natural open spaces shown in the CSP or PPS. Further, the proposed multifamily building does not intrude into the approved view corridors from the Melford historic site. The proposed development in this application will allow for a continuation of the planned pedestrian and street network concepts endorsed by the CSP Design Guidelines.

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

RESPONSE: The instant DSP complies with this requirement.

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.

RESPONSE: The instant DSP does not include the area of the existing stormwater pond in the northwest neighborhood of the Melford Town Center. Nonetheless, future detailed site plans will show all stormwater ponds as amenities with the required plantings.

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.

RESPONSE: The Applicant will pursue approval of interpretive signage as part of the adjacent detailed site plan for the Aspen multifamily building (DSP-18007).

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

RESPONSE: The instant DSP proposes to use full cut-off lighting systems.

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.

RESPONSE: The instant DSP does not violate the view corridor height restrictions approved in the CSP.

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.

RESPONSE: The instant DSP proposes thoughtfully designed residential structures that preserve scenic views. Primarily, views to and from the Melford Historic Site will be maintained as required by the design guidelines approved with the CSP. It should be noted that no grading is proposed within the environmental setting for the Melford House or Duckett Family Cemetery. The building architecture for this project has been inspired by the Melford House and Belair Mansion as well as the adjacent Aspen building (to be constructed). The buildings offer a variety of building materials and features including brick veneer (in six colors), four masonry colors, eight colors of cementitious siding, asphalt shingles and standing seam metal roof element in three colors. The buildings also use a variety of columns and dormers to create interest and connect the structures to other prominent buildings in the area. All the buildings, except the 1 story clubhouse, are served by elevators. The project also includes the final portion of the plaza at the intersection of Lake Melford Avenue and Curie Drive intersection. The initial portion of this plaza was approved as part of the detailed site plan for the adjacent Aspen multifamily building. The current proposal for the remaining area of the plaza has a deliberately "greener" feel with more grass and plantings that will create a softer transition to the Mansion buildings.

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.

RESPONSE: The instant DSP is not proposing any additional flex space within the Melford Town Center area. Thus, this condition does not apply.

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.*

RESPONSE: The instant DSP proposes the minimum following recreational amenities for the residents of the Mansions:

<u>SIZE AND COST ESTIMATE OF RECREATIONAL FACILITIES</u>		
	<u>SF</u>	<u>ESTIMATE</u>
<i>Clubhouse**</i>		
Fitness Center	3,150	\$630,000
Community/Game Room	2,780	\$625,500
<i>**Leasing Center/Lobby/Support</i>	<i>4,170</i>	<i>\$834,000</i>
<i>Clubhouse Total</i>	<i>10,100</i>	<i>\$2,089,500</i>
<i>Bathouse</i>	1,500	\$225,000
<i>Pool and Pool Deck</i>	7,500	\$450,000
<i>Outdoor Party/BBQ Area</i>	8,300	\$498,000
<u>TOTAL RECREATIONAL FACILITIES</u>	<u>23,230</u>	<u>\$2,428,500</u>
** Note: Non-recreational spaces such as Leasing Center/Lobby/Support spaces not included in calculations		

The above amenities will be developed with the first residential building. The pool will be open for resident use at next available season after construction. All facilities will be maintained by the management of the Melford Mansion buildings.

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, to the maximum extent possible.

m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.

RESPONSE: The instant DSP is for 9 multifamily buildings and does not propose any retail spaces or uses. The design requirements set forth in the above condition therefore does not apply to this application.

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

RESPONSE: The instant DSP reflects the environmental setting and impact review area for the historic site.

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.

RESPONSE: The applicant has complied with this condition and has obtained the required HAWP setting forth the scope and timetable for the protection, restoration and potential reuse of the Melford and Cemetery Historic Site.

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.

RESPONSE: The instant DSP does not propose any development of the Melford

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.*

RESPONSE: The applicant agrees with this condition and has filed all required quarterly condition reports.

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.*

RESPONSE: The instant DSP proposes appropriately sized sidewalks along its street frontage.

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.*

RESPONSE: The instant DSP reflects all proposed curb cuts and other appropriate curb extensions. Additional features will be shown in future 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.*

RESPONSE: The instant DSP will provide appropriate sidewalk and trail connections to the overall planned/existing pedestrian network.

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.

RESPONSE: The master plan trail and trailhead facilities (i.e. parking area) will be completed prior to the 500th building permit. Detailed plans for the construction of these facilities have been approved by DPR and will be re-submitted prior to issuance of the first residential building permit for the Aspen. The required connector trails (condition 22 (c)) will be constructed as part of the construction of the development pads/parcels nearest to the trails.

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.

RESPONSE: The Applicant agrees with this condition and will construct the required pedestrian connection prior to the building permit for the 300th dwelling unit, or subject

to the timeline approval of SHA.

25. *The phasing of all development proposed in CSP-06002-01 shall be determined at the time of detailed site plan.*

RESPONSE: The development proposed in this DSP will be completed in a single phase.

I.) The Prince George's County Planning Board approved PPS 4-16006 for the Melford Town Center project on or about March 9, 2017. The following conditions of the PPS are applicable to this DSP:

6. *Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall provide the Environmental Planning Section with copies of all Federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.*

RESPONSE: The Applicant agrees with the above condition.

9. *At the time of detailed site plan and Type 2 tree conservation plan (TCP2) approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a historic setting vegetation management plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established. Implementation of the Plan would be subject to approval of a historic area work permit (HAWP). Development of a management plan would qualify trees within the environmental setting to be credit as "historic trees" at twice the usual woodland conservation ratio.*

At the time of TCP2, applicant may credit historic trees with the environmental setting of the cemetery as follows:

a. *Permission of the owner or ownership of the property shall be demonstrated.*

b. *A historic tree inventory of the environmental setting of the cemetery shall be prepared and included on the TCP2.*

c. *A historic setting vegetation management plan for the cemetery shall be prepared for the purpose of identifying vegetation that should be removed to protect the existing graves on-site, to identify recommended maintenance activities, and to propose any additional planting appropriate for the site. The plan shall include a maintenance program for the cemetery to retain an open*

character over the known gravesites, a cost estimate for implementation of the plan and for a minimum of four years of maintenance, and shall identify the party or parties responsible for the long-term maintenance of the environmental setting.

d. The quantity of historic tree credits in the environmental setting shall be calculated and added to the woodland conservation worksheet.

e. Prior to the issuance of grading permits for Melford Village which credit woodland conservation with the cemetery environmental for historic tree credit, a HAWP for implementation of the historic setting vegetation management plan shall be approved, and a bond for implementation of the plan shall be submitted. Bonding shall be held until the requirements of the plan is fully implemented, and four years of maintenance has been monitored.

RESPONSE: The Applicant agrees with the above condition and has obtained ownership of the cemetery parcel through the Prince Georges County Tax Sale procedures. Currently, the Applicant is seeking to claim credit for woodland(s) within the cemetery parcel on the proposed TCP II. A vegetative management plan has been submitted and approved by EPS for the cemetery parcel.

10. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:

a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane. This sidewalk shall conform to the Street Sections approved as part of the Melford Village Design Guidelines, or as modified by the City of Bowie or the Maryland State Highway Administration.

b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.

c. At the time of detailed site plan, provide an exhibit that illustrates the location, limits, specification and details of all off-site improvements proffered in the bicycle pedestrian impact statement, or recommended by staff, for the review of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk treatments,

ramp reconfiguration and the removal of the roundabout.

RESPONSE: The Applicant agrees with this condition and will be making physical alterations to the MD 3 off ramp that will significantly reduce vehicle speeds, subject to the approval of SHA. The Applicant has provided the required exhibit showing the improvements approved in the bicycle pedestrian impact statement approved with the PPS. Please see the included exhibit.

11. *In conformance with the 2009 Approved Countywide Master Plan of Transportation (MPOT) and the 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:*

a. *Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of detailed site plan.*

b. *In addition to New Road "A" and New Road "C," shared-lane Markings shall be provided along Melford Boulevard, Currie Drive and Science Drive, or as modified by the City of Bowie.*

RESPONSE: The Applicant agrees with this condition and will show the trailhead details at time of detailed site plan for that portion of the Melford Town Center. The Applicant will also provide shared-lane markings as required above.

13. *Prior to approval of building permits for development within each detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association (HOA), or other appropriate community ownership association, land as identified on the approved preliminary plan of subdivision and/or DSP. Land to be conveyed shall be subject to the following:*

a. *A copy of the deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division (DRD), Upper Marlboro.*

b. *All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.*

c. *The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.*

d. Any disturbance of land to be conveyed to an HOA, or other appropriate community ownership association, shall be in accordance with an approved DSP. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and storm drain outfalls.

e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to an HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD in accordance with the approved DSP.

f. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed upon receipt of the covenants/declaration for the HOA, or other appropriate community ownership association.

RESPONSE: The instant DSP will convey any HOA parcels consistent with the above condition.

16. Total development shall be limited to uses which generate no more than 2,353 AM peak-hour trips and 2,766 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.

RESPONSE: The instant DSP does not propose any development that would cause the aforementioned trip cap to be exceeded.

17. Prior to issuance of any residential building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction through the applicable agency's access and permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency, and per applicable City, County, and/or SHA standards and requirements:

*a. **Melford Boulevard and Science Drive:** Convert the existing roundabout to a traditional four-legged signalized intersection, as described below:*

(1) Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required physical and traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.

(2) *Provide four travel lanes on the northbound approach and on the southbound approach. These shall include two travel lanes in each direction and turning lanes, as determined to be appropriate by the City of Bowie.*

(3) *Provide two travel lanes on the eastbound approach and on the westbound approach. These shall be marked and striped as determined to be appropriate by the City of Bowie.*

b. ***Melford Boulevard and Tesla Drive/site access:*** *Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.*

c. ***US 301 and Governors Bridge Road/Harbour Way:*** *Provide an additional right-turn lane on eastbound Harbour Way and restripe the eastbound approach on Harbour Way to result in two left-turn lanes, one shared through/left-turn lane, and one right-turn lane.*

RESPONSE: The Applicant agrees with this condition. The Applicant has submitted the required traffic signal warrant study for Melford Boulevard and the intersections listed above (Conditions 10 (a) and (b)), which is included herein. Presently, signalized intersections are not warranted when including vehicular trips generated by this application with existing background traffic. Further, the applicant will have the Harbour Way/US 301 intersection improvement permitted and bonded prior to issuance of the first residential building permit.

19. *Pursuant to a proffer made in the traffic impact study and an agreement with the City of Bowie, prior to the first residential building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide for at least four traffic calming measures or devices along Belair Drive, west of the MD 3 interchange and per the City of Bowie standards and specifications. These measures shall be provided and reviewed with the first detailed site plan for residential development filed pursuant to this preliminary plan of subdivision.*

RESPONSE: The Applicant will provide the above facilities in coordination with the City of Bowie.

20. *A hiker-biker trail connection shall be shown on the preliminary plan of subdivision and constructed by the applicant and the applicant's heirs, successors, and/or assignees along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the*

stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.

RESPONSE: The instant DSP does propose a hiker-biker trail connection along the norther edge of this DSP site that will ultimately connect to the future master plan trail to the east.

21. *A 10-foot-wide hiker-biker trail shall be provided by the applicant and the applicant's heirs, successors, and/or assignees on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This segment of the trail system shall be shown on the preliminary plan of subdivision prior to signature approval. The appropriate triggers for the permitting and construction of the hiker-biker trail on Parcel 40 shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.*

RESPONSE: The instant DSP does not propose any specific development for the Northeast Neighborhood that would trigger the above condition requirements.

22. *To help fulfill the purpose of Condition 19 of Conceptual Site Plan CSP-06002-01, "sharrows" shall be installed by the applicant and the applicant's heirs, successors, and/or assignees on Curie Drive (and Science Drive, beyond the Melford Village project limits). The appropriate location(s) and triggers for permitting and construction of the sharrows shall be determined at the time of detailed site plan for each phase of the project.*

RESPONSE: The Applicant proposes to locate locations "sharrows" along the portions of Curie Drive the that Melford Mansions will front.

24. *The applicant and the applicant's heirs, successors, and/or assignees shall execute a maintenance agreement with the City of Bowie for maintenance of Parcel 40 prior to issuance of any building permits.*

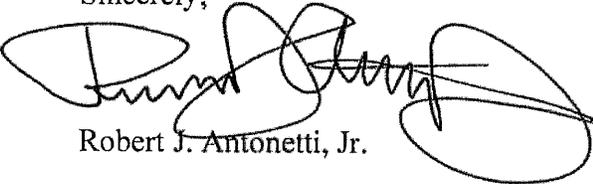
RESPONSE: The Applicant agrees with this condition and will execute the appropriate agreement prior to the first building permit for commercial or residential buildings.

VII. **CONCLUSION:**

VII. CONCLUSION:

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

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Antonetti, Jr.", written in a cursive style with large loops and flourishes.

Robert J. Antonetti, Jr.

cc: St. John Properties, Inc.

EXHIBIT'S LIST

Regular Planning Board Meeting

FEBRUARY 20, 2020

Exhibits Transmitted to Development Review Division

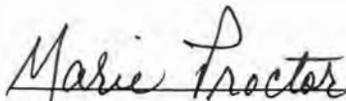
AGENDA ITEM #5 – DETAILED SITE PLAN

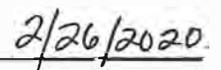
DSP-19052 THE MANSIONS AT MELFORD TOWN CENTER

The following exhibits were accepted and entered into the record:

Photo-Acreage by Parcel 11x14	Applicant's Exhibit No. 1	1-page
Site Plan (Power point)	Applicant's Exhibit No. 2	16-pages
Proposed Revisions to Conditions	Applicant's Exhibit No. 3	1-page

MARIE PROCTOR


SIGN AND DATE


FEBRUARY 20, 2020

Melford
TOWN CENTER

REC'D BY PCCPB ON 2-20-2020
ITEM # 5 CASE # DSP 19052
EXHIBIT # Applicants Exhibit 2

A.E.#2



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INCORPORATED

MELFORD MANSIONS
BOWIE, MARYLAND
JANUARY 21, 2020



Melford Mansions:
435 Units
9 Mansion Style Apartment Buildings
1 Clubhouse



🕒 **SITE PLAN**

0' 220' 440' 880'



MELFORD MANSIONS
BOWIE, MARYLAND
JANUARY 21, 2020





 **SITE PLAN**

0' 30' 60' 120'



MELFORD MANSIONS

BOWIE, MARYLAND

JANUARY 21, 2020



PRECEDENCES



HISTORIC MELFORD HOUSE - BOWIE, MD



HISTORIC BELAIR MANSION - BOWIE, MD



THE ASPEN - BOWIE, MD

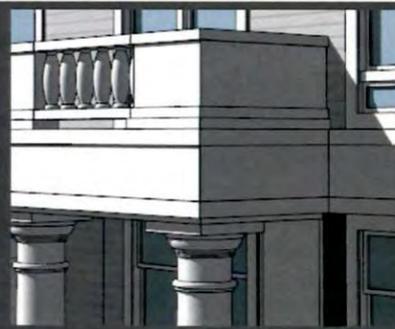
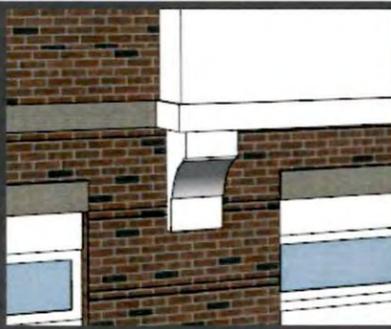
DORMERS



ENTRANCE FEATURES



DETAILS



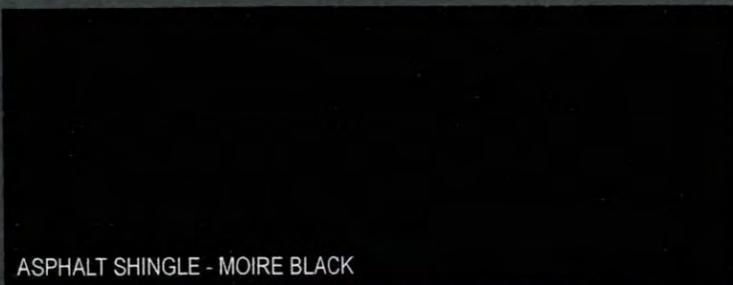
MELFORD MANSIONS

BOWIE, MARYLAND

JANUARY 21, 2020



ROOFS



ASPHALT SHINGLE - MOIRE BLACK



ASPHALT SHINGLE - DOVE GRAY



ASPHALT SHINGLE - CEDAR BROWN



STANDING SEAM METAL ROOF - BLACK



STANDING SEAM METAL ROOF - AGED COPPER



STANDING SEAM METAL ROOF - DARK BRONZE

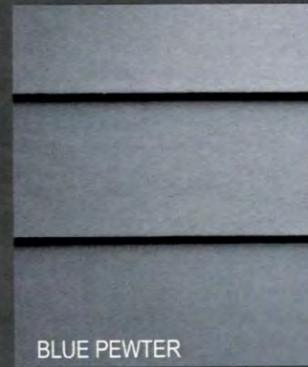
FIBER CEMENT SIDING



SILVER SAND



PANDA GRAY



BLUE PEWTER



DEEP OCEAN



COTTONWOOD



ELEGANT RED



BEAVER TAIL BROWN



BLACK WALNUT

MASONRY



WHITESTONE



NATURAL



COOL GREY



WEATHERED



BLACKSTONE



BAXTER



CABERNET



ADRIAN FLASHED



BURNT ORANGE



URBAN GREY



MELFORD MANSIONS
BOWIE, MARYLAND
JANUARY 21, 2020





BUILDING 1 Perspective

Main Siding Color: Beavertail Brown



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BOWIE, MARYLAND

JANUARY 21, 2020





BUILDING 2 Perspective

Main Siding Color: Deep Ocean



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BOWIE, MARYLAND

JANUARY 21, 2020





BUILDING 4 Perspective

Main Siding Color: Elegant Red



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BUILDING 6 Perspective

Main Siding Color: Deep Ocean



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JANUARY 21, 2020





BUILDING A Perspective

Main Siding Color: Deep Ocean, Blue Pewter



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JANUARY 21, 2020





Community Center Front Perspective



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MELFORD MANSIONS
BOWIE, MARYLAND

APRIL 26, 2019





Community Center Rear Perspective



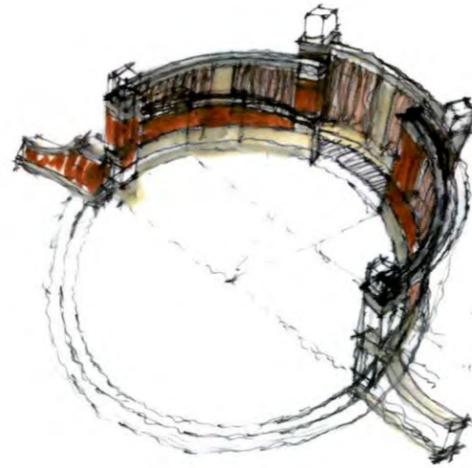
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MELFORD MANSIONS

BOWIE, MARYLAND

JANUARY 21, 2020





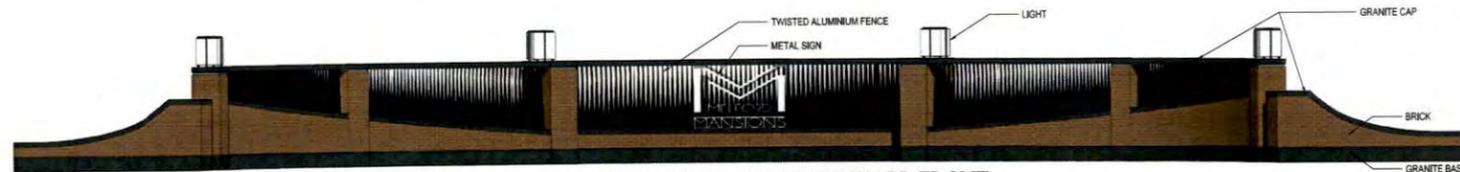
SCALE: 1" = 20'

MELFORD PLAZA & MELFORD COMMONS

ST. JOHN PROPERTIES - DESIGN 24 February 2019
23 MARCH 2019

KEY
 ○ STREET LIGHT FIXTURES
 ● LIGHT POLE (NO FIXTURE - CIVIC LIGHTS)

NOTE
 The design layout of the Tree Promenade thru the commons matches and continues the geometry of the paving, trees and the pedestrian street light pattern of the Aspen Plaza.



1. DECORATIVE LANDSCAPE WALL FRONT
Scale: 1/4"=1'-0"



2. DECORATIVE LANDSCAPE WALL LEFT SIDE
Scale: 1/4"=1'-0"



3. DECORATIVE LANDSCAPE WALL BACK
Scale: 1/4"=1'-0"



4. DECORATIVE LANDSCAPE WALL RIGHT SIDE
Scale: 1/4"=1'-0"



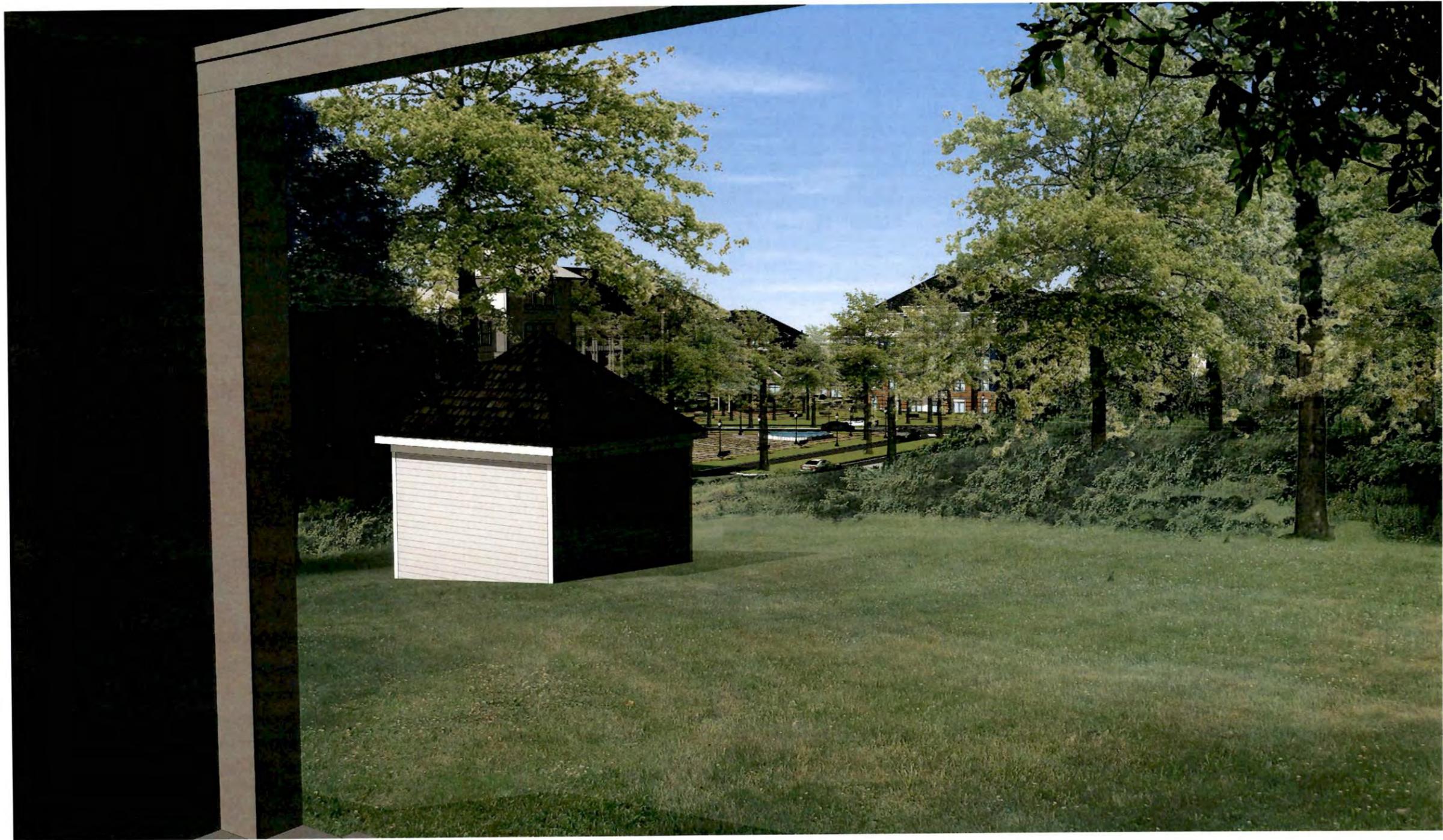
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MELFORD MANSIONS

BOWIE, MARYLAND

JANUARY 21, 2020





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BOWIE, MARYLAND

JANUARY 21, 2020





KEY PLAN



KEY PLAN



KEY PLAN



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MELFORD MANSIONS

BOWIE, MARYLAND

JANUARY 21, 2020



MELFORD
MANSIONS



ST. JOHN
PROPERTIES



SOMERSET
CONSTRUCTION COMPANY



MELFORD COMMONS PERSPECTIVE RENDERING



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INCORPORATED

MELFORD MANSIONS

BOWIE, MARYLAND

JANUARY 21, 2020



MELFORD
MANSIONS



ST. JOHN
PROPERTIES



SOMERSET
CONSTRUCTION COMPANY

Item 5 AE3

REC'D BY PGCPB ON 2-20-2020
ITEM # 5 CASE # DSP19052
EXHIBIT # Applicants Exhibit #3

The Mansions at Melford Town Center (DSP-19052)

Revised Conditions 2/20/2020

1. Prior to certification of this detailed site plan (DSP), the applicant shall revise the plan or provide the specified information, as follows:
 - e. Replace ~~Remove~~ the Melford Mansions signage with Melford Town Center signage on ~~from~~ the decorative landscape wall/fence located on Parcel JJ behind the pavilion.
 - g. Reconcile ~~Revise~~ the development data on the site plan, ~~in accordance~~ with the Development Data in staff report.
 - m. Address the discrepancies regarding parking, as follows:
 - (1) Total number of compact parking spaces, and what appears in the table on Sheet DSP-7 (~~168~~), and shall be reconciled to reflect the correct number of spaces ~~shall be shown~~ on the plans.
 - (3) The number of handicap-accessible parking spaces proposed in the project (~~20~~), and the number of such spaces shown in the parking tabulation table on Sheet DSP-7, ~~and the correct number~~ shall be reconciled to reflect the correct number of spaces shown on the plans.
 - p. ~~Provide detail of the landscaping materials in the bio-retention facilities. Materials shall include varieties of ornamental grasses and perennials.~~
2. Prior to approval of final plat, the applicant, and the applicant's heirs, successors, and/or assignees shall:
 - a. Submit a variation from Section 24-122(a), in accordance with Section 24-113 of the Subdivision Regulations, for placement of the utilities within the right-of-way for those parcels along Lake Melford Avenue and obtain consent agreement ~~from~~ the City of Bowie.
3. Prior to, or concurrent with, the approval of a final plat for Parcel V, the abutting roadway known as new public road D, as approved with DSP-~~08034~~ 18034, shall be dedicated to public use.
5. Prior to approval of the 4th residential building permit for this detailed site plan, the applicant shall complete the construction of the public plaza at the north-east quadrant of the intersection of Curie Drive and Lake Melford Avenue.

~~Strikethrough~~ represents deleted language
Underline represents added language