

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on July 12, 2018, regarding Detailed Site Plan DSP-18007 for The Aspen at Melford Town Center, the Planning Board finds:

1. **Request:** The subject approval is for a detailed site plan (DSP) for a 388-unit multifamily building located on a 6.62-acre area within the larger Melford Town Center, identified on the preliminary plan of subdivision (PPS) as Parcel C (5.157 acres) and Parcel D (24,331 square feet).

2. **Development Data Summary:**

Zone	<b>EXISTING</b>	<b>APPROVED</b>
Use(s)	M-X-T	M-X-T
	Vacant Site	Multifamily Residential
Total Melford Town Center Acreage	25.1	25.1
Acreage of Approved Development	6.62	6.62
Building Square Feet (GSF)	0	461,819
Total Dwelling Units	0	388
Studio Units	0	86
One-bedroom Units	0	195
Two-bedroom Units	0	107
Structured Garage (GSF)	0	191,077
Building Height	0	4–5 stories
Parking Spaces	--	--
Standard Spaces	0	389
Compact Spaces	0	188
Handicapped Spaces	0	10
Van Accessible	0	2
<b>Total Spaces:</b>	<b>0</b>	<b>589</b>
Loading Spaces (12 ft. x 33 ft.)	0	2

3. **Location:** The entire Melford property is located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway) in Planning Area 71B and Council District 4, within the City of Bowie. The specific 6.62 acres affected by this DSP

approval are located in the northwestern quadrant of the intersection of Curie Drive and future East West Boulevard and identified as Parcel C and Parcel D on the approved PPS.

4. **Surrounding Uses:** The overall Melford site is bound to the north by single-family detached dwellings in the Residential-Agricultural (R-A) Zone, and a vacant park property in the Reserved Open Space (R-O-S) 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 area within Melford Town Center is bound to the north by an existing stormwater management (SWM) pond in the Mixed Use-Transportation Oriented (M-X-T) Zone; to the east by the public right-of-way of Curie Drive; to the south by the future East West Boulevard public right-of-way, and beyond by the historic Melford House; and to the west by vacant M-X-T-zoned property and a historic cemetery within the Melford Town Center.
5. **Previous Approvals:** The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* (Bowie and Vicinity Master Plan and SMA) rezoned the property from the Employment and Institutional Area (E-I-A) Zone to the M-X-T Zone.

Conceptual Site Plan CSP-06002 was approved by the Prince George's County Planning Board on January 11, 2007, for a mixed-use development consisting of hotel, office, retail, restaurant, research and development, and residential (366 single-family detached and attached units and 500 multifamily units) uses. Subsequently, on May 11, 2009, the Prince George's County District Council approved 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 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.

Conceptual Site 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 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 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.

Detailed Site Plan 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 Resolution No. 17-152). 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 DSP is for the development of a 461,819-square-foot, four- to five-story, multifamily building with 388 units on a 6.62-acre site, which is to be comprised of two parcels within the larger Melford Town Center development. The building herein approved is located in the northwestern quadrant of the intersection of Curie Drive and future East West Boulevard.

The site is designed with a vehicular entrance into structured parking, a fire-access road, which loops around the back of the building, a covered main entrance, and a plaza with a fountain and specialty paving facing the intersection. At the time of PPS approval, the plaza was known as "The Melford Village Plaza" and envisioned as a key node within the community, as discussed further in this report. Entrance to the structured parking provided for the building is from Curie Drive, which abuts the subject property along the northeast. The building is what is described as a "wrapped" building with a parking garage at the center and the residential structure wrapped around the garage. This design enables residents to have direct access from the parking levels to the residential floors. Two courtyards in the building provide a pool with a cabana area and a passive recreational area (the "Zen Garden"). Other outdoor amenities include a dog walking area and a grilling area.

Indoor recreational facilities and amenities include the following:

- Media Room with large viewing screen and theatre style seating - 1,225 square feet
- Fitness Center with cardio and weight equipment – 2,251 square feet
- Multi-Media Business Center and Conference Room – 770 square feet
- Mail Room/Wrapping Center – 1,000 square feet
- Community Room – 2,020 square feet
- Game Room – 292 square feet
- Pet Spa – 196 square feet
- Resident Storage – 5,800 square feet
- Bike Storage and Repair Center – 1,155 square feet

The requirements of mandatory dedication were met for this property by the PPS being approved with a combination of the construction of a master plan public trail, trailhead facilities, and on-site private recreational amenities, including open plazas, courtyards, outdoor pools, and dedication of land to The Maryland-National Capital Park and Planning Commission (M-NCPPC).

### **Architecture**

The architecture of the four- to five-story multifamily building includes a continuous brown/red masonry base on the first floor, with masonry continued up the building two, three, or four stories. Siding is utilized above the masonry, generally in a lighter tone. Periodic vertical elements, a varied roofline, undulation of the façades to include two courtyards, and a varied pattern of fenestration create visual interest in the architecture. Quality materials are utilized including standing seam metal for the roofing on features, cementitious siding, and brick veneer. A large tower feature in the northwestern corner of the building provides a location for signage that identifies the project and provides a key architectural feature.

During the review, the Planning Board noticed that there were some inconsistencies in the reference to the building's square footage. Therefore, a condition of this approval requires that, prior to certificate approval, the applicant reconcile these differences and consistently reflect the square footage as 461,819 square feet, at a maximum.

### **Signage**

Signage for the project includes a brick, six-foot-high, monument sign, curved in form and punctuated with a pier on either side. The project name "Aspen" and its insignia are located on the sign face. The monument sign is located at the entrance on Curie Drive and is lit externally. Other signage includes the project name and its insignia in internally lit channel letters mounted to the building above the front entry. Directional signage on the parking garage entrance states, "Resident Parking" and, where appropriate, "enter" and "exit." This signage is in a clear, simple block font and the channel letters are internally lit. Lastly, the tower feature includes internally lit signage with the project name and insignia on each of its four sides.

### **Drive Aisle/Plaza**

The plans herein approved include an outdoor plaza to be provided at the intersection of Curie Drive and future East West Boulevard. The plaza features specialty paving, benches, trees, and a fountain and provides a place for people to congregate and a space for events. This amenity was shown in a conceptual fashion, at the time of CSP-06002-01 and PPS 4-16006, as substantially larger (24,331 square feet as opposed to 11,992) and did not accommodate parking spaces nor a circular drive aisle for access to the main entrance to the building.

During the DSP review, the Planning Board expressed concern that the building herein approved did not have an adequate relationship with the plaza and the plaza size was inadequate in relation to previous approvals, mainly due to the added drive aisle and perpendicular parking spaces. The applicant responded by reducing the proposed number of parking spaces and changing them to parallel spaces, providing continuous decorative paving from the plaza to the building, and adding a rolled curb along the drive aisle and removable bollards at either end of the drive aisle. These

revisions are illustrated in an applicant's exhibit dated May 31, 2018. The Planning Board finds this design acceptable, as it allows for connectivity between the building and the plaza, as well as the ability for the drive aisle and parking spaces to serve as a continuation of the plaza during times of increased activity.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject approval 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. The multifamily residential building approved herein is in conformance with the applicable requirements of the Zoning Ordinance, as follows:
- a. The subject approval is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in all mixed-use zones. The multifamily residential use approved herein is a permitted use in the M-X-T Zone.
  - b. The subject approval is in conformance with the requirements of Section 27-547(d), which governs the required mix of uses in all mixed-use zones. The overall Melford Town Center development, which includes the subject site, was approved for a mixed-use development consisting of retail, office, hotel, and residential uses. The subject DSP, for a residential use, contributes toward the overall diversity and mix of uses on the site, when the remainder of the overall development, existing and proposed, is taken into consideration.
  - c. Section 27-281(b)(1) of the Zoning Ordinance states the general purposes of DSPs, as follows:
    - (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;**

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 dated March 9, 2018, which is incorporated by reference herein.

Further, this DSP is consistent with the increased density and commercial floor area ratio (FAR) targeted for Local Town Centers in Plan 2035. Specifically, the overall Melford site is designated to be part of the Bowie Local Town Center designation. It should be noted that Plan 2035 created many new center designations that did not exist in 2006, at the time the Bowie and Vicinity Master Plan and SMA was approved. As such, the development recommendations for Melford in Plan 2035, as part of the Bowie Local Town Center designation, are

more current than the previous development recommendations found in the master plan. As such, it is a reasonable alternative for the Planning Board to approve the DSP in light of its conformance to the most recent planning considerations and land use policy goals proposed for Local Town Centers in Plan 2035.

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

Conformance with the purposes of the M-X-T Zone are discussed further in Finding 7.e. below.

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

Conformance with the purposes of the M-X-T Zone are discussed further in Finding 7.d. below.

- d. As required by Section 27-285(b) of the Zoning Ordinance, each required finding is included in **boldface** type below, followed by Planning Board's comment:

**(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.**

The subject development herein approved represents a reasonable alternative to satisfying the site design guidelines and 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 multifamily building approved in this DSP is consistent with the design principles approved in CSP-06002-01 for a multifamily "wrap" building to be located along future East West Boulevard. The development proposed in this DSP also satisfies the site design guidelines as 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 DSP approved herein includes the vast majority of its parking spaces within a structured parking garage. Further, the parking structure will be wrapped on all sides by residential units. This will allow most of the residents to park their vehicle on the same floor as their unit. Construction of the proposed parking structure will reduce the provision of large, uninterrupted expanses of pavement used for a traditional surface parking lot. In addition, there are 4 parking spaces (one handicap) provided at the main entrance to the building, facing the intersection of Curie Drive and East West Boulevard, and 21 on-street parking spaces provided along Curie Drive.

- (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.**

An 1,878-square-foot loading area, sufficient to provide two 33-foot by 12-foot loading spaces, is provided interior to the building with a separate entrance just south of the entrance to the garage. Trash and recycling collection and some additional space for miscellaneous services is also provided for within the building. The loading area will be well-screened by the building itself and its separate location and access will minimize conflicts with vehicles and pedestrians.

- (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 residential uses in this DSP are consistent with the design approved in CSP-06002-01 for a mixed-use community. The construction of East West Boulevard through the site will implement a vital circulation element identified in the CSP, as modified with the PPS. The driveway entrance approved herein for the garage will be along Curie Drive, and circulation/access through the garage will be via internal ramps. A main entrance drive aisle will be located at the rear of the plaza element and accessed from Curie Drive. All crosswalks along pedestrian routes will be prominently identified and marked, and all Americans with Disabilities (ADA) compliant curb cuts will be installed to accommodate handicap 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 approved in this DSP meets all of the above requirements. All prominent on-site elements, such as the main entrance to the building and the structured parking garage, will be consistently lit throughout the appropriate portions of the day. The site will also incorporate full cut-off optics, as conditioned, 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.**

The four- to five-story building approved herein cannot be entirely camouflaged and will be visible from public streets and the Melford historic site. However, it has been designed with articulated façades, which step back to accommodate courtyards and materials and general detailing to help relieve the massiveness of the building. 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 the Duckett Family Cemetery. Further, the architecture utilizes materials that are complimentary and sympathetic to the adjacent Melford House. Specifically, the building approved herein 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. Additionally, the building approved herein will be visible from the public plaza in front of the building and thus will create an additional scenic view from a public area, in accordance with this requirement.

**(5) Green area.**

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

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

The DSP contains appropriate green areas for the building approved herein. Specifically, interior courtyards are the primary location for amenities for the residents. More particularly, amenities will include an

outdoor pool (with courtyard, seating area, grills, and a cabana-style lounge), a courtyard area with a fountain and grills, and a dog walk area. Moreover, the project will also provide a significant portion of the main Melford Town Center plaza that will include an outdoor fountain, 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.**

The DSP contains details relating to the streetscape amenities and hardscape approved herein. The streetscape amenities will contribute to an attractive and coordinated design for 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. The building is designed to absorb and respond to the topography of the site. As such, the building slightly steps down in height when moving from the south elevation to the north elevation.

**(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 within the Aspen building, to the south of the vehicular entrance to the structured parking off of Curie Drive. An 1,878-square-foot loading area, sufficient to provide two 33-foot by 12-foot loading spaces, is provided interior to the building, as well as trash and recycling collection 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.**

The original DSP plaza design was significantly smaller than envisioned in the approval of the PPS and CSP, and the Planning Board worked with the applicant to revise the design accordingly. It is planned to include a large outdoor fountain, outdoor seating space (with street furniture/benches), and decorative paving. This public space will be easily accessible to residents and visitors of the entire Melford Town Center project, being located on a common open space parcel. The plaza space is planned to be connected to the building by a wide walkway, with decorative pavers and the existing/proposed pedestrian sidewalk network along Curie Drive and future East West Boulevard. The drive aisle will be fitted with removeable bollards and a roll up curb on the plaza side to enable the closing off of the drive aisle and the use of the larger space for events.

The multifamily building approved in the DSP conforms to the relevant portions of the design guidelines approved with the CSP. Specifically, the Aspen falls into the category of a “wrap building” described on page 43 of the design guidelines. In addition, the building meets all the required frontage requirements contemplated along future East West Boulevard, as described on page 37 of the approved design guidelines. The building approved herein includes four stories along future East West Boulevard, meeting the three-story minimum height requirement on page 38 of the design guidelines. Further, all elevations of the building are treated like a front façade by use of high-quality materials including brick and cementitious fiber board on all sides of the building. Also, all the elevations of the building have fenestration that creates visual interest, including elements such as vertical windows and a pronounced cornice.

- (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).**

Conceptual Site Plan CSP-06002-01 was approved for the subject development, and the DSP has been found to be in conformance with it, as described in Finding 8 below.

- (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.**

The subject approval is not a DSP for infrastructure. Therefore, this requirement is not applicable.

- (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, in a memorandum dated May 14, 2018, 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 Type 1 Tree Conservation Plan TCP1-044-98-04, and Preliminary Plan of Subdivision 4-16006 and Type 1 Tree Conservation Plan TCP1-044-98-05. There are no regulated environmental features located on the development site.

- e. Section 27-546, Site Plans, 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, 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 residential building approved in this DSP is geographically located at the site of the major interchange of US 50/US 301 and MD 3, in accordance with this requirement. Additionally, the project will generate taxes, jobs, and additional residential options, also in accordance with this requirement.

- (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 2006 Bowie and Vicinity Master Plan and SMA, as described in Section IV of the applicant's statement of justification dated March 9, 2018, which is incorporated by reference herein. The residential building proposed in this DSP will serve as a catalyst for the mixed-use development contemplated by CSP-06002-01, in accordance with this requirement.

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

- (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 part of a larger CSP that 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 multifamily residential development will support the above purpose. In addition, the project has been reviewed by the Planning Board and transportation and trails-related conditions of this approval will facilitate this purpose with respect to 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;**

The residential use will itself further this goal, as it will be used 24-hours a day and will complement existing office and industrial land uses within Melford, which primarily operate during the day and will further the interaction between uses, as some people who work in the area would have an additional option to live in the area. In addition, the residential use approved herein will support the mixed-use community envisioned by the applicable CSP-06002-01 for Melford Town Center, which will further support the 24-hour requirement and interaction between the various uses.

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

The multifamily building approved herein will provide the first residential component of horizontal mixed-use development within the Melford Town Center. As mentioned, the interaction between uses and those who live, work in, 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 residential use approved herein will be a first step in creating the mixed-use community envisioned by CSP-06002-01. Future development applications will continue to reflect and emphasize the maximum relationships between individual uses to create a distinctive visual character and identity consistent with the 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 smart growth 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, on March 20, 2017 and expires on March 20, 2020, and incorporates innovative SWM techniques, as required above. The concept approval requires payment of a fee-in-lieu for future retrofit of existing SWM ponds to handle 10-year and 100-year storm attenuation. 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 allows for a response to the market. As mentioned above, the residential use approved in this application is expected to 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 includes architectural design that is attractive, responds to existing site conditions, and utilizes form and massing, architectural materials, and detail that respond to the adjacent historic Melford House.

- (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 property was rezoned to the M-X-T Zone on February 7, 2006 by the adoption of the Bowie and Vicinity Master Plan and SMA. Therefore, the above section does not apply to this approval.

- (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 development approved herein 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 by connecting streets (Curie Drive and East West Boulevard), sidewalks, and a public plaza, which will provide a connection with the surrounding area by inviting people onto the site. It is expected that this well-designed site and building will catalyze mixed-use development in the area, as envisioned for the Melford Town Center in CSP-06002-01. In addition, the approved CSP requires the construction of a pedestrian system from Melford Boulevard to the adjacent residential neighborhood to the west of MD 3. This pedestrian connection will add a further outward orientation to surrounding land uses/development.

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

From the time of the rezoning of the subject site to the M-X-T Zone, the Melford property has been planned for a moderate- to high-density mix of office, employment, retail, hotel, residential, and parkland/open-space uses. The multifamily building approved herein will add a compatible, complementary use to the existing office, hotel, and retail uses 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;**

The current DSP is approved for a well-designed residential building that will be the first within the boundaries of the Melford Town Center. The residential development approved herein has been designed in anticipation of additional uses and structures that will be developed in future phases of the project.

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

The development shown on the DSP approved herein, including the outdoor plaza, will be completed in one phase. Therefore, this requirement is not applicable to the subject project.

- (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 with two connections from both the north and south ends of the development. These connections were designed to meet the intent of the master plan recommendations. The subject DSP provides the CSP-envisioned sidewalks and pedestrian connections within the subject area.

- (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 have been provided in the DSP. The design of these areas generally reflect 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 Planning Board worked with the applicant regarding the plaza design, as seen in the applicant's exhibit dated May 31, 2018, to provide removable bollards at either end of the drive aisle and a rolled curb on the plaza side of the drive aisle, enabling the larger plaza to be utilized for public functions. The subject project meets 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, 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 Planning Board noted that the most recent adequacy finding for the overall M-X-T site was made in 2017 with PPS 4-16006, and the DSP approved herein 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 is not approved for a mixed-use planned community.

f. 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 FAR of 1.4 (0.4 base FAR, plus 1.0 bonus FAR for including 20 or more residential units). The FAR herein approved is approximately 0.67 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 location of the allowed residential use will be in a single building on a single parcel. The subject project meets this requirement.

**(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. The subject project meets this requirement.

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

The required landscaping shown is in accordance with the requirements of the applicable sections of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as discussed in Finding 11 below. No other land uses are

approved immediately adjacent to this DSP at this time, so the need for additional buffering will be considered at the time of future DSPs.

- (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 0.67, which is calculated in accordance with the requirement and is within the maximum permitted FAR for this development.

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

No structures that will infringe upon public rights-of-way are herein approved. 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 parcel has frontage on and direct access to a public street, as determined in PPS 4-16006. The subject project meets this requirement.

- (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 (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 may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as

**the modifications conform to the applicable regulations for the particular development.**

The DSP is for a multifamily residential building only. No townhouses are herein approved; therefore, this requirement is not applicable.

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

The DSP is approved for a multifamily building a maximum of five stories high and approximately 82 feet tall. The approval meets this requirement.

- (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 approval.

- g. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The DSP proposes 589 parking spaces for the 388 units, which equals 1.52 spaces per unit. Under Part 11, Off-street Parking and Loading, of the Zoning Ordinance, a total of 828 spaces is usually required for this type of the development. The subject DSP provides approximately 71 percent of the parking normally required for this type of multifamily development in conventional zones.

In a memorandum dated May 24, 2018, Lenhart Traffic Consulting, Inc. provided the required parking analysis for this development, summarized as follows:

“The number of parking spaces required is to be calculated in accordance with the methodology set forth in Section 27-574(b). The first step in determining the number of required spaces is to calculate the peak parking demand. In this regard, Section 27-574(b)(1) states as follows. ‘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 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 of the peak demand, eighty percent of the peak parking demand spaces are being occupied).’ Section (b)(2) and (b)(3) go on to recommend an hourly distribution of each use within the M-X-T zone to determine the hourly fluctuation and the resulting peak parking demand for the overall site. However, the parking requirements set forth in the zoning ordinance is simply a parking schedule and does not translate to an actual peak parking demand. It may, in many cases, be appropriate to utilizing the minimum parking requirements set forth in Section 27-568 as the peak parking demand, but this is often not an accurate indicator of peak parking demand and may result in providing excess parking which increases impervious area, adds unnecessary development cost, and underutilizing land intended for more dense development. The subject property presents such a situation. In order to supplement the provisions of Section 27-568, we have considered the ITE Parking Generation Manual to determine the appropriate peak parking demand for the proposed development. The ITE Parking Generation Manual is based on empirical data and actually provides peak parking demand projections.

“The property in question is part of a previously approved CSP, which has been developed with over 1.5 million square feet of office and is approved for as much as 100,000 to 268,500 square feet of retail with additional office potential. It should be noted that there would be situations where residents would walk to and from the existing offices and/or proposed retail uses. This property is in a developing center with ample parking conveniently located to the proposed residents. Thus, the availability of parking is in keeping with the requirements of Section 27-574.

“For the above reasons, it is our opinion that the peak parking demand can be adequately projected based upon the availability of parking which is convenient to the mixed-use development and using the ITE Parking Generation Manual as discussed below.

- “(1) It is understood that the final parking supply shown on the plans is a total of 589 parking spaces for the 388 multi-family residential units which translates to a supply of 1.52 parking spaces per multifamily unit.
- “(2) If strictly followed, Section 27-568 would require a total of 828 parking spaces based on the following formulae.
- “a. Two parking spaces per unit plus 0.5 spaces for each bedroom in excess of one per unit.
- “b. There are 388 units of which 87 of them are studio units, 198 of them are one-bedroom units, and 103 are two-bedroom units. Therefore, the requirement would be  $87 \times 2 + 198 \times 2 + 103 \times 2.5 = 828$  spaces.
- “c. The resulting calculations indicate the site will have a deficit of 230 spaces; however, based on the following information from ITE, the multi-family units will be adequately parked.
- “(3) The Institute of Transportation Engineers (ITE) Parking Generation Manual, 4th Edition was researched and based upon the following findings it is our opinion that the 388 multi-family residential units will be more than adequately parked with a total of 589 parking spaces.
- “a. The ITE data included a review of 68 study sites, and the results revealed that the average parking supply ratio is 1.4 parking spaces per dwelling unit at both suburban and urban sites. The ITE data revealed that the suburban parking supply ratio was 0.9 parking spaces per bedroom and the urban parking supply ratio was 1.0 parking spaces per bedroom.
- “b. With 87 studio units, 198 1 BR units, and 103 2 BR units, the Aspen site will have a total of 491 bedrooms, which will yield a parking supply ratio of 1.20 parking spaces per bedroom for the Aspen DSP as currently proposed with 589 parking spaces. This is a higher supply ratio than what was calculated for the urban and suburban sites in the ITE Parking Generation Manual.
- “c. The ITE data revealed that the suburban sites included had an average of 1.7 bedrooms per unit, while the urban sites had an average of 1.9 bedrooms per unit. The Aspen DSP as currently proposed has an average of 1.26 bedrooms per unit (if treating the studios as a one BR unit).

- “d. When reviewing the site data as compared to the ITE data for urban and suburban sites, it is our opinion that the Aspen site has characteristics more akin to the urban ITE data, and even has a lower number of bedrooms per unit which would translate to even lower parking demands than what is reflected in the ITE data.
  - “e. The ITE data showed that the peak weekend parking demand ranged between 0.92 and 1.33 parked vehicles per unit at suburban sites. The average weekend peak parking demand for urban sites was 1.03 parked vehicles per dwelling unit.
- “(4) The ITE data for urban locations projects the following parking demand based upon 388 units. We believe that urban data is more appropriate at this location given the site characteristics as discussed above.
- “a. Weekday peak parking demand will be 361 parked vehicles (Parking =  $0.92 \times 388 + 4$ )
  - “b. Note that formulas for weekend parking demand for urban locations are  $P = 1.04 \times \text{Units}$ . Based on this calculation, the weekend parking demand for the proposed site will be 403 vehicles ( $388 \times 1.04 = 403$  parked vehicles). Therefore, the ITE parking demand would equate to 403 parking spaces.
- “(5) The ITE data also provides hourly parking projections for multifamily residential uses and the ITE data reveals that the peak parking for residential uses occur overnight between midnight and 4:00 AM. This time period equates to 100 percent of the demand for the proposed use (i.e. 403 parking spaces). The data contained in this report confirms that the provided parking will more than adequately serve the peak parking demand for the residential units.

“As discussed above, Section 27-574(b)(1)-(3) requires the determination of the peak parking demand. Once this peak parking demand is calculated, it becomes the base requirement. In this case, based upon the ITE Parking Generation Manual, the peak parking demand for the proposed 388 multi-family units is 403 spaces. Since the only use utilizing these spaces are the residents of the multi-family project, the peak parking demand is the base requirement. The project proposes a total of 589 parking spaces, well in excess of the base requirement.

“Section 27-574(b)(4) allows a reduction of the base requirement by calculating the number of trips which are multipurpose and by determining the number of spaces which are not needed due to mass transit, van pool or developer provided

transportation services. In this case, the applicant is not requesting a reduction in the base requirement.

“Finally, Section 27-574(b)(5) sets forth other considerations which the Planning Board may take into account in determining the parking needs for the proposed development. These considerations include any areas of parking which are reserved for a specific use and not accessible at any part of the day, and parking which, although shared, is so remote as to not be reasonably presumed to serve a use. In this case, no parking within the use is restricted or inaccessible during any portion of the day, and the parking is spread evenly throughout the site to be easily accessible to the proposed buildings. Thus, there is no basis to reduce the base parking requirement due to these considerations.

“In conclusion, with a base parking requirement of 403 spaces and a parking supply of 589 vehicles, there are projected to be a surplus of 186 parking spaces using the parking calculation procedures as outlined in Section 27-574 of the Zoning Ordinance. Based upon this information, it is our opinion that the site will be adequately parked with the 589 parking spaces as proposed.”

The Planning Board is in agreement with the conclusion of the parking analysis. The project is adequately parked.

8. **Conceptual Site Plan CSP-06002 and its amendment:** Conceptual Site Plan CSP-06002 was approved by the District Council on May 11, 2009. Conceptual Site Plan CSP-06002-01 to add 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, and 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 square feet of office space to the previous CSP development was approved by the District Council on March 23, 2015, entirely superseding the original CSP-06002 approval. The conditions of CSP-06002, relevant to the subject DSP, are included in **boldface** type below, followed by Planning Board comment:

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 Planning Board stated that the subject project is within the limits of this requirement. No revision of the CSP or the PPS is necessary for the subject project.

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 approved herein.

- 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.**

The above conditions were addressed at time of PPS review, and the majority of parking approved with this DSP is structured.

- 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 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 final design of the SWM ponds is subject to approval of the City of Bowie. However, no new ponds are approved with this DSP and the existing adjacent pond will serve as an amenity, with enhanced plantings and a trail connection.

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

In a memorandum dated May 16, 2018, the Historic Preservation Commission (HPC) stated that this condition remains relevant and should be carried forward with subsequent applications. However, this CSP condition will remain applicable to all future DSPs within the Melford Town Center, without being included in this DSP approval. Note that although a portion of the environmental setting is located within the subject DSP, HPC did not require signage under this condition. Such signage shall be required as part of future DSPs that include a portion of the Melford and Cemetery environmental setting.

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

The applicant is showing the Philips Hadco light fixture on Sheet H-3, Site Furniture and Fountain Details. Though the fixture is appropriate and acceptable, it does not specify that it is full cut-off. Therefore, a condition of this approval requires that the applicant revise the plans to include a full cut-off light fixture. The photometric plan indicates that light values at the periphery of the site is such that it causes limited light spill-over, in accordance with this requirement.

- 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.**



This condition is applicable to the subject DSP. Based on the submitted plans, the building is entirely out of the viewshed of the historic site and, therefore, complies with the height requirements for buildings within the view corridors set 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 project is located in the northwest neighborhood and, therefore, must conform to this requirement. In a memorandum dated May 16, 2018, HPC noted that the southern elevation of the proposed building, which will be most directly visible from the Melford historic site, has a courtyard centered on the overall elevation which relieves the massiveness of the building in this location. They also stated that, although the materials and general detailing of the proposed building are fundamentally compatible with the character of the historic site, the massing, scale, and height of the large and complex building cannot be mitigated. Nevertheless, the relative elevation of the Melford historic site grounds and the associated Duckett Family Cemetery should help them retain some priority within the streetscape. Therefore, the applicant has demonstrated conformance with this condition.

- 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.**

The applicant has provided the following table of proposed private recreational facilities and corresponding cost estimates.

**Interior:**

Media room with large viewing screen and theatre-style seating	1,225 sq. ft.	\$275,625
Fitness center with cardio and weight equipment	2,251 sq. ft.	\$450,000
Community room	2,020 sq. ft.	\$454,500
Game room	292 sq. ft.	\$73,000

**Exterior:**

Pool courtyard with pool and cabana	\$425,000
Dog walk	\$37,500
Propane grilling stations (4)	\$45,000
Zen garden	\$150,000
<b>TOTAL</b> (recreational facility cost estimate)	<b>\$1,910,625.00</b>

The Planning Board notes that the applicant's list had included the leasing/management office, pet spa, mail room, wrapping center, multimedia business center and conference room, and resident and bike storage, which are not recreational facilities. The Planning Board has calculated the adjusted total recreational facilities provided and found that the total cost is \$1,910,625. Even with the facilities adjustment, the Planning Board hereby finds that the number and size of facilities is appropriate. The Planning Board notes, however, that the recreational package does not include facilities specifically for tots or preteens. The Planning Board hereby finds that the future recreational facilities within the Melford Town Center, in the vicinity of the subject DSP site, be planned to provide facilities for tots and preteens.

**b. The minimum size of the proposed private recreational facilities and the timing of their construction shall be determined.**

The size of the private recreational facilities approved herein is acceptable for the 388 multifamily residential units. As the project is to be completed in a single phase, all recreational facilities will be installed at the same time as the building, which is appropriate.

**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 multifamily building owner will have responsibility for the retention and future maintenance of the proposed recreational facilities, in accordance with this requirement. The project is in conformance with this requirement.

**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, are shown on the plans, in accordance with this requirement.

- 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.**

In a memorandum dated May 16, 2018, HPC stated that this condition had been satisfied with HPC's approval of HAWP 2017-040, valid until September 20, 2020.

- 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.**

This CSP condition is not applicable to the subject DSP, which does not include the Melford historic site, and it will remain applicable to any future DSP that does include that 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.**

In a memorandum dated May 16, 2018, HPC stated that the most recent quarterly report received by the Planning Board was in March 2018, 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 applicant is showing six-foot-wide sidewalks along the subject site's frontage on East West Boulevard and Curie Drive, in accordance with this requirement. However, the sidewalk along East West Boulevard is not very prominently identified. Therefore, a condition, of this approval requires that this sidewalk be clearly shown. The subject project is in conformance 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 condition was addressed at the time of DSP-17020 for the infrastructure of the adjacent public roads.

- 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.

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

The subject project does not involve the creation of research and development flex space, in accordance with this requirement.

- 22. Recreation Facilities Conditions:**

- 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.**

The specified trail connectors were shown on the approved CSP and are not approved to be located in the vicinity of the subject DSP.

- f. The applicant shall allocate appropriate and developable areas for the private recreational facilities on the homeowner’s 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 private recreational facilities shown on the subject DSP are for the use of the residents of the multifamily building only, except for the public plaza, which is approved to be located on a parcel to be conveyed to an ownership association named the “Melford TC Retail and Multifamily Association, Inc.” The Planning Board finds that the facilities herein approved are adequate for this development and sited appropriately for the use, but that future facilities within the Melford Town Center, in the vicinity of the subject DSP site, should include facilities specifically for tots and preteens.

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

In accordance with this requirement, the development approved herein, including the proposed recreational facilities and pedestrian plaza on Parcel D, will be completed in a single phase.

9. **Preliminary Plan of Subdivision 4-16006:** Preliminary Plan of Subdivision 4-16006 was approved by the Planning Board on March 9, 2017, with 24 conditions. The resolution of approval (PGCPB Resolution No. 17-45) was adopted by the Planning Board on April 6, 2017. Each relevant condition is included in **boldface** type below, followed by Planning Board comment:

**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 D, a 24,331-square-foot parcel, to be conveyed to a business owners association (BOA), which was to contain the Melford Village Plaza, abutting Parcel C, which was planned for multifamily development. The Melford Village Plaza was part of the approved CSP-06002-01, which is 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 northwestern quadrant and at the northeastern quadrant of the intersection of Curie Drive and East West Boulevard, 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 curb to the face of the adjacent multifamily buildings, maintaining the continuity and significance of the area as a focal point of the community.

The subject DSP includes 6.62 acres located at the northwestern quadrant of the intersection of Curie Drive and East West Boulevard. The DSP is approved herein to consolidate Parcels C and D of the PPS (the multifamily and plaza parcel), eliminating the previously approved plaza parcel. The design is being revised such that a drive aisle and parking are to be located at the front of the building and a triangular-plaza area from the drive aisle to the abutting roadways is provided, which is reduced from what was approved at the time of PPS. However, on May 31, 2018, the applicant provided an exhibit demonstrating a design for the plaza, drive aisle, and parking that is more in line with the plaza area planned with the CSP and PPS. The plaza should also be contained within a separate parcel, conveyed to a business and/or appropriate community association, to ensure the joint use and programming of the plaza within the community. Therefore, a condition of this approval requires the designation of a separate parcel.

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 East West Boulevard, a planned public right-of-way. The DSP showed the required 10-foot-wide public utility easement (PUE) along Curie Drive. However, the DSP did not show the required PUE along East West Boulevard and instead showed utilities within the public right-of-way. The applicant provided an exhibit which shows that the face of the building within the 10-foot-wide area immediately abutting East West Boulevard, therefore, shifting the utility location into the public right-of-way. The applicant submitted letters and emails confirming coordination with the various utility companies for the placement of the utilities within the right-of-way, a variation from the normal requirement of Section 24-122(a) of the Subdivision Regulations. A condition of this approval requires that prior to approval of the final plat, the applicant shall submit a justification in accordance with Section 24-113 of

the Subdivision Regulations, and obtain approval from the City of Bowie, who has jurisdiction over the public right-of-way.

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 Planning Board hereby finds that the subject project is within the trip cap and that a new PPS would not be required. The Planning Board hereby finds that the DSP regarding land use 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 May 14, 2018, the Planning Board stated that the applicant is currently pursuing ownership of the cemetery through the Prince George's County Tax Sale procedure. The revised Type II tree conservation plan (TCPII) submitted with the current approval does not include crediting woodland conservation within the environmental setting of the cemetery parcel, but does include off-site disturbance into the bufferyard of the cemetery, which is discussed in Finding 14 below.

- 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) shall be submitted for the off-site improvements, consistent with Condition 10c, prior to certificate of approval of the current DSP, by condition of this approval. The applicant, the City of Bowie, and the Maryland State Highway Administration have been working on 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 have been provided with the current DSP and found acceptable.

- 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 PPS. The City of Bowie indicated, in discussions, 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.

**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 of this approval, only one development generating 600 AM and 555 PM peak trips has been built. This approval represents a development that is projected to generate 202 AM and 233 PM peak trips. Combined, these two developments will generate 802 AM and 788 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.**

The City of Bowie indicated that they have received signal warrant studies for the intersections of Melford Boulevard at Tesla Drive and at Science Drive. It has been determined that signalization is not warranted for either intersection, at this time. Condition 17a, subconditions (2) and (3), and Condition 17c are still valid and will be enforced prior to issuance of any residential building permit.

10. **Detailed Site Plan DSP-17020:** Detailed Site Plan 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. The following conditions are relevant to the review of the subject DSP:

1. **Prior to certification, the applicant shall revise the detailed site plan (DSP) as follows or provide the specified documentation:**
  - 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.**

In a memorandum received on May 14, 2018, the Planning Board stated that DSP-17020 and TCPII-039-11 have not yet been certified. Further, they stated that some of these same conditions are herein required for DSP-18007, which contained similar technical errors that need correction.

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).**

In a memorandum dated May 15, 2018, the Planning Board stated that the revised Trail exhibit includes the trailhead parking lot, which is acceptable as shown. However, the required Bicycle Pedestrian Impact Statement exhibit had not yet been received. Therefore, a condition of this approval requires that it be provided prior to certificate approval of the DSP.

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.**

Copies of the SWM technical plans and the erosion and sediment control plan were submitted, in accordance with this requirement.

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 multifamily building approved herein is subject to Section 4.1, Residential Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual, as follows:

- a. **Section 4.1, Residential Requirements**—The DSP is subject to the requirements of Section 4.1, which stipulate that, for multifamily dwellings, a minimum of one major shade tree shall be planted per 1,600 square feet (or fraction) of green area provided. The site needs to provide 63 shade trees for approximately 100,067 square feet, and the landscape plan provides 58 shade trees, 4 ornamental trees, and 11 evergreen trees, in conformance with these requirements.
- b. **Section 4.4, Screening Requirements**—Section 4.4 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 project is in compliance with this requirement, as these facilities are either located internal to the building or on the roof.
- c. **Section 4.7, Buffering Incompatible Uses**—The multifamily development approved herein is adjacent to a vacant M-X-T-zoned parcel to the west and an existing SWM pond to the north, both of which are within the Melford Town Center CSP-06002-01. Per Section 4.7(c)(2)(H), horizontal mixed-use development under a unified development scheme, such as Melford Town Center, does not need to provide an internal bufferyard between the mixed uses. Therefore, a condition of this approval requires that the provided schedules be revised to reflect this, prior to certification.

The historic Duckett Family Cemetery is located to the west of the subject DSP; however, the properties are not adjacent, so no Section 4.7 bufferyard is required. The building approved herein does meet the required 60-foot building setback that would be applicable if they were adjacent. Future DSPs including the area adjacent to the cemetery parcel will have to provide the required bufferyard.

- d. **Section 4.9, Sustainable Landscaping Requirements**—The site is subject to Section 4.9, which requires that a percentage of the plant materials be native plants. The submitted DSP provides the appropriate schedule indicating that the plans exceed the minimum requirements of this section.
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 has an approved Type I and Type II tree conservation plan. A revised Type II Tree Conservation Plan (TCP1I-036-99-12) was submitted with the DSP application.

Type II Tree Conservation Plan TCP1I-036-99-05-12 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 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 site contains 171.12 acres of upland woodlands and 89.26 acres of wooded floodplain. The revised TCPII 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) 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 is currently calculated as 71.11 acres.

The revised TCPII meets the requirement with 48.79 acres of on-site preservation, including 11.51 acres of woodland conservation located on property owned by M-NCPPC; 12.90 acres of on-site afforestation/reforestation; 5.50 acres of specimen/historic tree credit; and 3.92 acres of off-site woodland conservation credit.

The TCPI 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 which is herein approved 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 PPS certification, written permission from the Prince George's County Department of Parks and Recreation (DPR) was provided by Helen Asan, Park Planning and Development Section, agreeing to provide 10.45 acres of preservation on M-NCPPC property. The amount of woodland conservation provided on M-NCPPC parkland has increased to 11.51 acres on the current TCPII revision and is further increased to 12.54 on the -11 revision currently under review for certification. Written confirmation from DPR will be required for this increase in woodland conservation provided on parkland.

The TCPII requires technical revisions to be in conformance with the applicable WCO, EPS policies, and the Environmental Technical Manual, prior to certification of the DSP. These revisions, as well as the DPR issue, have been included as conditions of this approval.

The Planning Board has reviewed Type II Tree Conservation Plan TCPII-036-99-12 and found it to be in general conformance with the TCPI and the relevant requirements of the WCO. Therefore, it may be said that the subject approval is in conformance with the requirements of the WCO.

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 subject property is 6.62 acres in size, resulting in a TCC requirement of approximately 28,815 square feet. The subject approval provides the required schedule showing the requirement being met on-site by the proposed landscape trees.

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

- a. **Historic Preservation and Archeological Review**—The larger Melford property (covered by CSP-06002-01) includes Melford and Cemetery, Historic Site 71B-016. Built in the 1840s, Melford is a 2.5-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 DSP-18007, St. John Properties, and the cemetery parcel is owned by Marlborough CL Inc., a defunct corporation. The applicant's representative has indicated that the applicant is in the process of acquiring title to the cemetery through a quit-claim process, in order to fully integrate the preservation of the cemetery within the larger Melford development.

On March 25, 2015, the District Council approved a revised Conceptual Site Plan, CSP-06002-01, which includes Melford and Cemetery (Historic Site 71B-016). Discussion of the relative conditions of CSP-06002-01 is provided in Finding 8 above.

The subject DSP approval includes approximately 6.62 acres and is for the construction of a large, brick and frame, four- to five-story, multifamily building with an H-shaped plan that consists of four- and five-story wings of apartments wrapped around a multi-story internal parking garage. The project also includes amenities such as a pool, a dining pavilion, and outdoor recreation spaces. The project is located north of the Melford historic site and is separated from it by a road (East West Boulevard), west of Curie Drive (existing) and east of the Duckett Family Cemetery, and by a paved fire lane and pedestrian trail.

The main entrance to the building is located at its southeast corner. The materials used throughout the building include a brick-veneer base of one, two, or three stories, which varies by location, with two, three, or four stories of siding above, which varies by location. The building's main roof is sheathed with dark asphalt shingles and the roof and elevation projections are surmounted with seamed metal panels. A range of multilight windows is employed across the entire composition. The building's five-story elements



terminate with metal clad pyramidal roofs, which evoke the character of nearby outbuildings at the Melford historic site. The building's highest point is a prominent elevated sign tower at the northwest corner; this tower will be visible from the cemetery to the west and from the historic house to the south, as well as much of the surrounding development.

The approval also includes the construction of a masonry retaining wall, west of the structure and east of the Duckett Family Cemetery. The retaining wall will have a maximum height of approximately 2.5 feet, a length of approximately 106 feet, and will be veneered in brick to be compatible with the Melford historic site to the south and the proposed multifamily building to the east. This will require grading within the impact review area and close to the environmental setting for the cemetery.

At the May 15, 2018 meeting, HPC reviewed the subject approval and received a briefing from the Planning Board and a presentation from the applicant team. Both the Planning Board and the applicant team oriented HPC to this complex project and responded to questions regarding the visibility of the proposed new construction from both elements of the Melford and Cemetery historic site. In addition to a discussion of the architecture, there was a discussion about the retaining wall to be built east of the Duckett Family Cemetery. The Planning Board indicated that the details of the retaining wall, discussed herein, were clarified with an additional submittal on May 15, 2018. The retaining wall is now approved to be no more than 1.2 feet in height above the finished grade. All other dimensions and finish details of the proposed wall remain, as submitted previously.

The building's southern elevation will be most directly visible from the Melford historic site. The modulation of this elevation, which includes projecting wings to the east and west, creates a courtyard that leads to the swimming pool and dining pavilion, when viewed from the street. Although the projecting wings in this location are full height, the courtyard, which is roughly centered on the overall elevation, relieves the massiveness of the building.

Although the materials and general detailing of the building are fundamentally compatible with the character of the historic site, the massing, scale, and height of the large and complex building cannot be mitigated. Nevertheless, the relative elevations of the Melford historic site grounds and the associated Duckett Family Cemetery will keep them visible within the streetscape.

Prior to issuance of a grading permit for the subject approval, the applicant shall install a super silt fence identifying the eastern boundary of the Duckett Family Cemetery environmental setting, in the vicinity of the new construction approved herein, in order to protect the cemetery and associated features.

The subject DSP should be revised to include Figures 10, 11, 12, and 13, which were attached to the Planning Board's historic referral on the subject project.

HPC recommends to the Planning Board approval, without conditions, of DSP-18007, The Aspen at Melford Town Center, as revised, to include site plans, building elevations, and section studies for both elements of Melford and Cemetery (Historic Site 71B-016) received on May 14, 2018 and May 15, 2018.

- b. **Community Planning**—Plan 2035 places this approval in a Local Center. Bowie is identified as one of 26 Local Centers on the Prince George’s County Growth Policy Map (page 107). 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 established communities.

Plan 2035, Center Classification System (Table 16), further describes Bowie Town Center (Local), one of five Town Centers (Local), as “[a] range of auto accessible centers that anchor larger areas of suburban subdivisions” (page 110). These centers are envisioned as supporting walkability, especially in their core areas and where transit service is available.

The Planning Board stated that the subject project is located in the area covered by the Bowie and Vicinity Master Plan and SMA, which rezoned the property to the M-X-T Zone and recommends mixed-use development land use. The subject property is not located within an Aviation Policy Area or in the Military Installation Overlay Zone.

- c. **Transportation**—The Planning Board provided an analysis of transportation-related conditions of previous approvals, as discussed in Finding 9 above.

Further, the Planning Board stated that the proposed development will be accessible from a centralized parking garage. The garage itself will be accessible from a single access on Curie Drive. The Planning Board finds the overall access to the site to be acceptable. Regarding parking, the approval includes 589 spaces, while showing a requirement for only 582 spaces. Further discussion of the parking, in relation to the requirements of Section 27-574, is provided in Finding 7 above. In conclusion, the Planning Board stated that, overall, from the standpoint of transportation, the Planning Board is satisfied that all of the transportation conditions have been adequately addressed.

- d. **Subdivision**—The Planning Board provided an analysis of the relative PPS conditions of approval, as discussed in Finding 9 above, as well as the following comments:

East West Boulevard, a public right-of-way which abuts the subject property to the south, was part of Detailed Site Plan DSP-17020 approved by the Planning Board on December 7, 2017. This right-of-way will include frontage improvements providing vehicular and pedestrian access to the subject site. Therefore, the right-of-way dedication of East West Boulevard will be required at the time of final plat for the subject DSP.

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.

Conditions of this approval address subdivision-related concerns.

- e. **Trails**—The Planning Board has reviewed the submitted DSP for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Bowie and Vicinity Master Plan and SMA (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,” at the time of PPS.

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. Also, 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 master plan trails and internal bikeways were addressed with conditions of approval for PPS 4-16006. The PPS also included the approved cross sections for the internal roads. Lastly, the PPS included a recommendation for an off-site sidewalk and an off-site exhibit at the time of DSP. For a detailed discussion of the trails-related conditions of the PPS and DSP-17020, see Finding 9 and 10 above.

The DSP herein approved includes the trails and sidewalks reflected on the pedestrian network plan included with the approved PPS. However, the trail along the northern and western perimeter of the subject site has been moved from the homeowners association common area to the multifamily building parcel and collocated with the emergency fire access road/lane. Due to the anticipated low usage of this access road, the Planning Board

concur with the collocation of the trail with the access road at this location. However, continued access to all residents must be provided or the trail moved back into the common areas. Wayfinding signage is appropriate along this segment of the trail to identify the access road as part of the common trail network and to indicate what the trail connects to. Details for the signage shall be provided prior to certification of the DSP. Furthermore, the Declaration of Covenants shall clearly establish that the access road is included in the trail network and is accessible for the use of all future Melford residents and employees, not just the owners of this multifamily building.

Conditions related to trails have been included in this approval.

- f. **Environmental Planning**—The overall Melford property, formerly the University of Maryland Science and Technology Center, is in the northeastern quadrant of the intersection of US 50 and US 301/MD 3 and contains a total of 428.015 acres in the M-X-T Zone. A review of 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), 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. According to available information, Marlboro or Christian clays are not found to occur in the vicinity of this property. John Hanson Highway and US 301, are classified as freeways, and traffic-generated noise impacts are anticipated. Information obtained from the Maryland Department of Natural Resources (MDNR), Wildlife and Heritage Service, 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. The Countywide Green Infrastructure Plan (Green Infrastructure Plan) was approved with the adoption of the 2017 *Approved Prince George’s County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017. According to the Green Infrastructure Plan, the site contains regulated and evaluation areas within the designated network of the plan. This property, which drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River. The site is located within the designated Bowie Town Center, as shown on the Growth Policy Map, and in Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. The site is located within the City of Bowie.

Discussion of environmental-related conditions of previous approvals are included in Findings 9, 10, and 11 above.

### **Natural Resources Inventory Plan/Existing Features**

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, and a current delineation of the 100-year floodplain 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 PMA have been correctly transposed onto the current application plans. The site is adjacent to a designated historic resource, but contains no PMA.

Since the time of the original approval, the NRI number was incorrectly noted as NRI-059-06, when the correct number should be NRI-054-06. Additionally, the original approval (-00) was incorrectly labeled as the -01 revision, resulting in mislabeling of the most recent NRI. This error will be corrected with any future revision to the NRI.

### **Rare, Threatened, and Endangered Species**

The MDNR Wildlife and Heritage Service 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 an MDNR 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 MDNR 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.

### **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, of the County Code, 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 Code of Maryland Regulations. 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 there are 44 specimen trees located on the TCPII, all are located outside of the environmental setting of the historic site. A Subtitle 25 Variance application for the removal of 12 specimen trees was submitted and approved with the PPS.

The Historic Tree Table does not address individual trees located within the environmental setting of the Duckett Family Cemetery (71B-016), although the area may be proposed to be credited as preservation, afforestation/reforestation, or specimen/historic credits in the future. Because ownership of the cemetery is not under the control of the applicant, the applicant cannot credit woodland conservation on the property without the consent of the owner and, within an environmental setting, planting is further subject to a Historic Area Work Permit.

The Planning Board is concerned that some vegetation removal in the cemetery is appropriate to protect and conserve the existing gravesites. Conditions related to the appropriate treatment of the cemetery in the future, if ownership issues are resolved, were approved with the PPS.

#### **Noise Impacts and Mitigation**

The Melford Village development is in the northeastern quadrant of the intersection of two roadways classified as freeways; MD 3 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 MD 3.

John Hanson Highway (US 50/US 301) 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 50/US 301. The location of these conservative noise contours was plotted on the TCP1 to evaluate potential impact areas on 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/US 301 falls just south of the boundary of the current DSP, basically running along Melford Boulevard. 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 MD 3 runs parallel to the freeway, on the western portion of the property, over 1,500 feet from the closest residential units in the current DSP. No noise impacts are indicated and noise mitigation measures were not recommended.

#### **Stormwater Management**

The conceptual and technical design of SWM facilities and associated landscaping is subject to approval by the City of Bowie. The site has a SWM concept plan approval letter. In addition to the major "regional" facilities already constructed, the approved stormwater plan proposes SWM features such as micro-bioretenion and environmental site design elements.

### **Sediment and Erosion Control**

Prior to grading of the site, the County requires approval of an erosion and sediment control plan. The TCP must reflect the ultimate limits of disturbance, not only for installation of permanent site infrastructure, but also for 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.

A copy of the final erosion and sediment control plan has been submitted with the current approval and will be further reviewed at the time of permits to verify conformance with the TCPII and the 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. 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 the SWM elements of the site. The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) may require a soils report, in conformance with County Council Bill CB-94-2004, during the permit review process.

The Planning Board's environmentally-related concerns have been addressed by conditions of this approval.

- g. **Prince George's County Fire/EMS Department**—In an email dated May 14, 2018 (Reilly to Grover), the Fire/EMS Department (Fire Department) stated that, with regard to water supply, the site is served by a Washington Suburban Sanitary Commission (WSSC) main, so the Fire Department anticipates that the water supply for firefighting will be adequate. The applicant's submittal to WSSC shall demonstrate that any proposed private hydrants on the site will provide 1,000 gallons per minute at a residual pressure of 20 pounds per square inch.

No hydrants or fire department connections are shown on the DSP. Hydrants shall be provided so that no exterior portion of the building is more than 500 feet using hose as laid by the Fire Department. A hydrant must be provided within 200 feet of the fire department connections, which must be located on the front address side of the building and be visible from the fire hydrant.

With regard to fire department access, any code required fire access road must be 22 feet wide. No exterior portion of the building shall be more than 450 feet from a fire access road, as hose is laid by the Fire Department. The Fire Department appreciates the fire access road provided by the applicant on the north and west sides of the building. While it does not meet the Prince George's County Fire Prevention Code's definition of a 'fire access road,' it does provide a useable access path for the Fire Department. That said, the applicant should still provide measurements to show that no portion of this road is required to provide access to within 450 feet of every exterior portion of the building (NFPA 1 18.2.3.2.2). The roadway serving the front entrance is 18 feet wide. Should the fire department connections be placed along this roadway, it shall be widened to 22 feet.

- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated May 21, 2018, DPIE stated that the City of Bowie should be consulted for issues regarding the roads and that a SWM concept was approved by the City of Bowie on March 10, 2017 (01-0317-207NE15). In closing, DPIE stated that the proposed development will require a DPIE site development fine grading permit.
- i. **Prince George's County Police Department**—At the time of this writing, the Police Department has not provided comment on the subject project.
- j. **Prince George's County Health Department**—At the time of this writing, the Health Department has not provided comment on the subject project.
- k. **Prince George's Soil Conservation District (SCD)**—At the time of this writing, the SCD has not provided comment on the subject project.
- l. **Verizon**—In an email dated April 26, 2018 (Holaus to Grover), a representative of Verizon stated that they found no major problems/issues at the subject location.
- m. **Potomac Electric Power Company (PEPCO)**—At the time of this writing, PEPCO has not provided comment on the subject project.
- n. **City of Bowie**—In a letter dated April 13, 2018 (Robinson to Hewlett), the City of Bowie stated the following:

On Tuesday, January 16, 2018, the Bowie City Council conducted a public hearing on the referenced DSP. The subject property is a 6.62-acre site located on the west side of Curie Drive, approximately 850 feet north of the Melford Boulevard intersection. The applicant, St. Johns Properties, Inc., is proposing to construct a five-story/388-unit multifamily residential building which partially wraps a 583-vehicle/multi-level parking structure. The property is zoned M-X-T, where the proposed use is permitted.



Six people spoke during the Council's public hearing. Council concerns included: existing and future traffic along Belair Drive and potential improvements to slow-down traffic; the sufficiency of handicap parking spaces for the proposed project; communicating a threshold to Washington Metropolitan Transit Authority (WMATA) regarding future bus service to Melford Town Center; the inclusion of local small business participation during the construction of the project; and the positive impact of the project on the generation of tax revenue.

The letter continues to say that at the conclusion of that public hearing, the Bowie City Council voted to recommend approval of the DSP, recommending that the approval be conditioned as follows:

“1. Parking

- “a. Handicap parking spaces within the parking garage shall be relocated so they are next to or near an elevator.
- “b. One handicap parking space and associated depressed curbing to accommodate the disabled shall be provided along the one-way driveway at the building's main entrance.

“2. Circulation

- “a. The width of the emergency access driveway from East West Boulevard to the pool area shall be shown on the plans, as well as a section and detail of this driveway showing that it is proposed to be constructed of grass pavers.
- “b. The width of the asphalt trail proposed to connect the fire lane with the City's trail around the Lower Pond shall be increased to a minimum of eight feet.
- “c. Bike racks for a minimum of five bikes shall be installed adjacent to the walkway of the building's main entrance. The design of these bike racks shall be the inverted U-type racks.

“3. Architecture and Building Materials

- “a. The fence that appears to enclose the Zen Garden shall be identified on the plans, along with details of this fence.

“4. Landscaping

“a. The following landscaping substitutions shall be included on a revised landscape plan:

“(1) The American Sycamore trees proposed shall be substituted with Bloodgood London Planetrees (2.5- to 3-inch in caliper/12 feet to 14 feet in height at the time of planting.)

“(2) The Red Oak trees proposed shall be substituted with either Willow Oak trees (2.5- to 3-inch in caliper/12 to 14 feet in height at time of planting), or Swamp White Oak trees (2.5- to 3-inch in caliper at time of planting).

“5. Lighting

“a. Details for all building lighting shall be submitted for staff approval prior to the submission of the DSP to Prince George’s County.

“6. Signage

“a. The DSP shall be revised to relocate the proposed monument signs so they are set back sufficiently to provide an adequate line-of-sight for drivers.

“7. Stormwater Management Concept Plan

“a. Note 21 on Sheet DSP-1 shall be updated to reflect the reference to and conditions of the latest stormwater management concept plan approval.

“b. Note L on Sheet DSP-7 shall be updated to include the latest Stormwater Management Concept identification and approval date.”

In closing, the Bowie City Council expressed its desire for the developer to:

- “• Give Minority-owned Business Enterprises (MBE) and Women-owned Business Enterprises (WBE) located within the City of Bowie, and secondly, those in Prince George’s County, the first opportunity to be offered employment on this project; and

- “• Work with the Washington Metropolitan Area Transit Authority (WMATA) to jointly determine the threshold that triggers bus service in the Melford Town Center, and to implement that service.”

The applicant has indicated that they intend to comply with the City’s conditions, which have been incorporated, as appropriate, as conditions of this approval.

- o. **Washington Suburban Sanitary Commission (WSSC)**—In comments dated April 12, 2018, WSSC offered numerous comments, which will be addressed through their separate permitting process.

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-036-99-12, and further APPROVED Detailed Site Plan DSP-18007 for the above described land, subject to the following conditions:

1. Prior to certification, the applicant shall revise the detailed site plan (DSP) as follows or provide the specified documentation:
  - a. Provide a detail for the mulch trail.
  - b. Revise any inconsistencies in the references to the building and parking garage square footages. The building square footage shall not exceed a maximum of 461,819 square feet and the garage square footage shall not exceed a maximum of 192,000 square feet.
  - c. Provide an exhibit that illustrates the location, limits, specifications, and details of all off-site improvements required by Condition 10 of Preliminary Plan of Subdivision 4-16006. This exhibit shall show the location of all off-site sidewalk construction, Americans with Disabilities Act ramps, pedestrian signals, crosswalk treatments, ramp reconfiguration, and the removal of the roundabout. Such exhibit shall be approved as adequate by the Transportation Planning Section as designee of the Planning Board.
  - d. Submit written confirmation from the Prince George’s County Department of Parks and Recreation (DPR) affirming any additional woodland conservation, provided on DPR property, in excess of 10.45 acres.
  - e. The Type II tree conservation plan (TCPII) shall be revised, as follows:
    - (1) The Environmental Planning Section approval block provided on all sheets shall be revised, as follows:
      - (a) The TCP number shall be provided in the correct format.

- (b) The associated Development Review Division case number shall be added in the correct column.
  - (c) The -11 revision shall be corrected to Detailed Site Plan DSP-17020 for Infrastructure.
  - (d) The -12 revision shall be for The Aspen at Melford Town Center.
- (2) A Development Review Division approval block shall be added to all sheets.
  - (3) The cover sheet shall be revised to include a title indicating that the plan is the TCPII.
  - (4) The Owner's Awareness Certificate on the cover sheet should reference the owner of the Melford Town Center project area, not M-NCPPC, and shall be signed prior to certification.
  - (5) On the cover sheet overall map:
    - (a) The limits of Detailed Site Plan DSP-18007 shall be delineated based on the proposed property lines 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 delineating the limits of the DSP shall be included in the legend.
    - (b) The location of the historic site and cemetery shall be delineated by property lines and labeled.
  - (6) The label "Limits of Outer Boundary" in the legend shall be revised to "Limits of Melford."
  - (7) The legend shall be revised to correctly label and spell "afforestation/ reforestation area."
  - (8) The legend on all sheets shall be consistent.
  - (9) The Woodland Conservation Worksheet shall be revised, as follows:
    - (a) Provide the correct TCPII number and revision number in the correct format.
    - (b) Correct the name of the project to "Melford – Overall."

- (c) Reconcile the amount of floodplain clearing shown with the amount shown on the Woodland Conservation Summary Table.
  - (d) All tables and calculations shall be revised, as needed, to reflect the required revisions.
- (10) The Phased Woodland Conservation Worksheet for the overall Melford development shall be included on the TCPII plan.
- (11) Label the Woodland Conservation Summary Table and revise it, as follows:
- (a) Add columns for 100-year floodplain, net tract area, woodland in the 100-year floodplain, and woodland on the net tract.
  - (b) Include clearing in parkland as part of total clearing for the site, or justify why it should be accounted for separately.
  - (c) Change the title of “Donated Parkland Floodplain Clearing” to “100-Year Floodplain Cleared (acres),” or justify the purpose for the current column title.
  - (d) Confirm the correct amount of floodplain clearing and how it is addressed in the worksheet.
- (12) The standard TCPII notes shall be revised, as follows:
- (a) Remove the second sentence from Note 1. The TCPII will not expire.
  - (b) Correct Note 3 to indicate that the Prince George’s County Department of Permitting, Inspections and Enforcement is the responsible agency for grading permits.
  - (c) Correct the zoning and the environmental strategy area in Note 6.
  - (d) In Note 8, indicate that Melford is adjacent to a roadway classified as an arterial or greater, but that DSP-18007 is not adjacent to a roadway classified as an arterial or greater.
- (13) On all plan sheets, the woodland conservation areas shall be labeled by methodology and area.
- (14) Provide a Woodland Conservation Sheet Summary Table on all sheets, as applicable.

- (15) Show the proposed property lines and provide the metes and bounds for the property lines.
- (16) Remove all references to FEMA floodplain panels on the plan sheets.
- (17) On all sheets, label the trees that are included in the tree inventory, and show which ones are proposed to be removed, and for which a variance has been granted for removal.
- (18) On Sheets 7 and 11:
  - (a) Show the proposed property lines for The Aspen project.
  - (b) Show all grading proposed on Parcel 1 on the TCPII, in addition to the limits of disturbance.
  - (c) Clearly label the retaining wall and provide top-of-wall and bottom-of-wall elevations.
  - (d) Provide no woodland conservation in a clear zone 10 feet wide from the top and bottom of wall.
- (19) All stormwater management easements shall be shown on the plan.
- (20) All woodland conservation areas shall meet the applicable required minimum width and size design standards.
- (21) A planting schedule shall be added to the detail sheet to address the afforestation/ reforestation areas proposed.
- (22) 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.
- (23) Delineate 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.
- (24) Delineate on the plan the location of temporary tree protection devices for woodland preservation areas retained within the construction zone for the limits of the DSP. Add the graphic element to the legend.
- (25) All tables and calculations shall be revised, as needed, to reflect the required revisions.

- (26) Have the revised plan signed and dated by the qualified professional who prepared it.
- f. Any retaining walls proposed, in association with the cemetery, shall use consistent materials with those approved for the Melford historic site.
  - g. Clearly delineate the proposed property lines with bearings and distances and label the proposed parcels on the plans.
  - h. Revise the plaza design, including landscaping, per the applicant's exhibit dated May 31, 2018.
  - i. Establish a separate parcel for the expanded plaza to be conveyed to a business owners' association, or other appropriate community ownership association.
  - j. Clarify the acreage of the land area included in the DSP and the area of each proposed parcel in the general notes and on the plans.
  - k. Revise the plans to include the locations of, and details and specifications for, appropriate identification and directional signage along the trail that is collocated with the proposed fire access road. A note shall be included on the plan identifying the limits of the trail as being a common use trail for all of the residents of the Melford community.
  - l. Revise the Section 4.7 Schedules to reflect the M-X-T Zone requirements.
  - m. Remove the Section 4.2 Schedules from the plans.
  - n. Revise the proposed light fixture to be of the full cut-off variety.
  - o. The applicant shall clearly delineate the provided six-foot-wide sidewalk along the subject site's East West Boulevard frontage.
  - p. Revise the plans to incorporate the revisions as shown in Figures 10, 11, 12, and 13 of the Historic Preservation Commission memorandum.
  - q. Revise the DSP to include bicycle parking in a location convenient to the main building entrance. The location, number, and type, including both racks and lockers, of bicycle parking should be indicated and detailed on the plans.
  - r. Revise the number of provided parking spaces to reflect 587 spaces total.

2. 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) of the Subdivision Regulations, in accordance with Section 24-113 of the Subdivision Regulations, for placement of utilities within the right-of-way of East West Boulevard 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 to ensure that 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. The declaration of covenants shall indicate that the fire access road is part of the community trail network and is accessible for the use of all future Melford residents and employees.
3. Prior to approval of fine grading permits for the development associated with this detailed site plan (DSP):
  - a. A copy of the technical stormwater management plan shall be submitted and reviewed for conformance with the DSP and Type II tree conservation plan.
  - b. A copy of the approved erosion and sediment control plan shall be submitted and reviewed for conformance with the limit of disturbance shown on the DSP and the Type II tree conservation plan. This plan shall include a super silt fence along the eastern boundary of the Duckett Family Cemetery environmental setting, in the vicinity of the proposed new construction, in order to protect the cemetery and associated features.
4. Prior to approval of the final use and occupancy permit for the building proposed in this detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall install the required sharrows on Curie Drive.
5. Prior to approval of the building permit for the detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall convey to the business owners association and/or community association land, Parcel D, as identified on the approved preliminary plan of subdivision and 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 Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department, Development Review Division, prior to approval of the final plat.
  - b. All waste matter of any kind shall be removed from the property, 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, subsequent to development of the site and/or abutting buildings.
  - d. Any disturbance of land to be conveyed to an appropriate ownership association shall be in accordance with an approved site plan. 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 stormdrain outfalls.
  - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a business owners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by The Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department, Development Review Division, in accordance with the approved DSP.
  - f. The Prince George's County 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.
  - g. Building permits shall include all parcels (building and plaza), which are included in this DSP. The plaza area shall be permitted and constructed together with the abutting multifamily building, in accordance with the approved DSP.
6. The timing for construction/installation of all median improvements and parallel parking spaces within the public right-of-way of Curie Drive, outside the limits of disturbance for this detailed site plan, shall be determined by the City of Bowie, in conjunction with future development.

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

\* \* \* \* \*

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, July 12, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of July 2018.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:RG:gh